
Send Neighbourhood Plan representations

Comment ID	Organisation	Comment
SNP20/1	Astenbell Ltd	<p><u>Policy Send 2 Housing Development</u></p> <p>Does the preferred mixture of dwelling sizes as listed in Paragraph E) i and ii <u>only</u> refer to housing listed under Paragraph D) i.e rural exception sites as the text might suggest or <u>all</u> types of housing listed under para A) to E).</p>
SNP20/10	Surrey County Council	<p>Surrey County Council Response to the Send Neighbourhood Development Plan Draft Submission Version</p> <p>Thank you for consulting Surrey County Council on the draft Send Neighbourhood Development Plan (NDP) Submission Version.</p> <p>Our previous response to the draft Send NDP dated 28 May 2019, requested the designation for Local Green Space (LGS) be removed from Send Road/Send Barns Lane in order to allow any future highways improvements to be delivered. We therefore welcome removal of the designation in this Submission Version of the Plan.</p> <p>It should be further noted that Surrey County Council is planning to deliver an improved shared footway/ cycleway along Send Barns Lane on highways land, involving the removal of the grass verge on one side of the carriageway. We therefore request that the second sentence in Policy Send 1 - Design I) is amended to read:</p> <p>“Proposals must include the retention of grass verges along Send Barns Lane and along the roads leading off it, except where highways improvement schemes may be required”.</p>
SNP20/11	Langham Homes	<p>Send Neighbourhood Development Plan 2019-2034: Draft Pre-Submission Plan (Autumn 2019)</p>

Comment ID	Organisation	Comment
		<p data-bbox="479 325 1429 357">Representations Submitted on behalf of Langham Homes</p> <p data-bbox="479 395 696 427">Introduction</p> <p data-bbox="479 466 2056 529">We refer to the above consultation paper and write on behalf of our client setting out our comments upon certain of the policies and proposals contained within the document.</p> <p data-bbox="479 568 2123 702">Our client controls land off Burnt Common Lane, Ripley which forms part of a wider area allocated by policy A41 in the adopted 2019 Guildford Borough Local Plan (2015-2034) for 550 dwellings. A planning application for the erection of 30 dwellings has been submitted to the authority (LPA Ref. 19/P/02191) and is pending determination.</p> <p data-bbox="479 740 2123 880">Representations have been submitted to highlight inconsistencies between the draft Send Neighbourhood Plan (“NP”) and the adopted Borough Local Plan which if unresolved could impact upon the delivery of housing and other development in the parish, which could undermine the achievement of sustainable growth for Guildford Borough as envisaged in the recently adopted development plan.</p> <p data-bbox="479 919 1173 951">Our representations are detailed in this letter.</p> <p data-bbox="479 989 1711 1021">The National Planning Policy Framework (NPPF) and the Basic Conditions</p> <p data-bbox="479 1059 2123 1193">Paragraph 37 of the NPPF highlights how Neighbourhood Plans must achieve certain basic conditions and other legal requirements before they can come into force. These basic conditions including whether the plan is in general conformity with the strategic policies in the development plan alongside contribute towards the achievement of sustainable development.</p> <p data-bbox="479 1232 2056 1295">Whilst the NPPF is clear that Neighbourhood Plans can help deliver sustainable development (paragraph 29), it also emphasises that it should not undermine the strategic policies.</p>

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		<p>Within the Guildford Borough Local Plan, strategic policies include policy S2 concerning the Borough’s Spatial Development Strategy. As drafted it is considered that the Neighbourhood Plan could compromise delivery of the housing allocations such as site A41 which forms an integral part of how the authority will achieve its housing requirements. Without review, the plan as drafted cannot be regarded as complying with the NPPF alongside the Basic Conditions. It is therefore recommended that amendments are made to the emerging Neighbourhood Plan such that these issues are addressed. These are detailed below.</p> <p>Policy Send 1 - Design This policy outlines how development should reflect the character of the specific location within Send Parish. Of relevance to allocated site A41 and the pending application for 30 dwellings is area J concerning Portsmouth Road, Burnt Common (south) and Clandon Road which includes the pending application site as roughly illustrated below.</p> <p>[IMAGE 1 HERE, PLEASE SEE ATTACHMENTS FOR IMAGES]</p> <p>The draft Neighbourhood Plan policy indicates that “proposals for this area must reflect the variety of styles and land uses in this area and retain the mature trees along the roads.”</p> <p>Although this objective is acknowledged, there is limited flexibility within it to reflect the allocation of land east of Burnt Common within policy A41 of the adopted Guildford Borough Local Plan for residential development comprises 550 dwellings. On this part of area J, it is therefore unrealistic for a proposal to reflect the land uses of the area when this is formally allocated for a new use (primarily residential use) and the whole of area J would therefore be of a predominantly residential (and associated) use and character. Furthermore, although the policy requires the retention of mature trees, there is no flexibility within the text to acknowledge both the arboricultural health of the tree and the extent to which it may or may not contribute to the character of the area. Our client’s application achieves the retention of the referenced mature trees, however it is suggested that a more flexible policy wording referencing ‘an aim to retain mature trees’ may be appropriate.</p>

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		<p>Policy Send 2 - Housing Development</p> <p>Part (e) of draft NP Policy Send 2 states: “The following mixture of dwelling sizes are provided unless subsequent updates to the Strategic Housing Market Assessment indicate a different need for Send parish:</p> <ul style="list-style-type: none"> i. At least 85% of the open market dwellings are small units (minimum 10% one bedroom, minimum 30% two bedroom, and maximum 40% three bedroom); ii. At least 95% of the affordable homes are small units (minimum 40% one bedroom, minimum 30% two bedroom, and maximum 25% three bedroom)”. <p>It is a basic condition that any NP is in general conformity with the strategic policies contained in the existing development plan. Policy H1 (Homes for all) of the adopted Local Plan provides a higher level policy and unlike draft Policy Send 2, part (e) does not include specific dwelling mix requirements. It instead states: “Housing mix and standards (1) New residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location”.</p> <p>It is only in supporting text (at para 4.2.4) that the Local Plan refers to any specific dwelling mix: “From the SHMA 2015 and Addendum Report 2017 we know that in our borough:</p> <ul style="list-style-type: none"> • there is a need for 40% one bedroom, 30% two bedroom, 25% three bedroom and 5% four bedroom affordable homes • there is a need for 10% one bedroom, 30% two bedroom, 40% three bedroom and 20% four bedroom market homes” <p>Prior to considering the NP policy itself, we refer to the West Surrey SHMA that covered Guildford Borough and the neighbouring authorities of Waverley and Woking and formed a key part of the evidence base underpinning the now adopted Local Plan. Some relevant extracts from chapter 8 (REQUIREMENTS FOR</p>

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		<p>DIFFERENT TYPES AND SIZES OF HOMES) of the SHMA are repeated below: <u>“8.31 We are of the view that it is appropriate through the planning system to seek to influence the balance of types and sizes of market housing through considering the mix of sites allocated for development rather than specific policies relating to the proportion of homes of different sizes which are then applied to specific sites. This approach is implicit within NPPF which requires local planning authorities to ‘identify the size, type, tenure and range of housing that is required’.</u> 8.32 At the strategic level, a local authority in considering which sites to allocate, can consider what type of development would likely be delivered on these sites. It can also provide guidance on housing mix implicitly through policies on development densities.</p> <p>...</p> <p><u>8.44 Although we have quantified this on the basis of the market modelling and our understanding of the current housing market we do not strongly believe that such prescriptive figures should be included in the plan making process and that the ‘market’ is to some degree a better judge of what is the most appropriate profile of homes to deliver at any point in time. The figures can however be used as a monitoring tool to ensure that future delivery is balanced when compared with the likely requirements as driven by demographic change in the area”.</u> (Our emphasis)</p> <p>It is evident from the above quotations that the specialist housing consultancy who prepared the SHMA expressed caution at including prescriptive dwelling mix figures within specific policies. It was instead deemed appropriate for the Council to identify and allocate a mix of type and size of site and in turn, a mix of housing size would be forthcoming.</p> <p>Further context relating to this planning policy approach was provided at a Planning Committee in October 2019. The committee was attended by the Borough’s planning policy manager who spoke in relation to housing mix on an application located on a site allocated elsewhere in the Borough Local Plan. The policy manager referred to the Council’s Strategic Housing Market Area Assessment (‘SHMA’) and how it covers a 19 year period across a market area covering three authorities. The manager mentioned that the SHMA really shouldn’t be used in a rigid manner and it was only there as a guide. The manager went on to state:</p>

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		<p><u>“Different approaches will be appropriate and indeed necessary in different locations and types of site. The plan allocates a range of site sizes and in different locations and these will all lend themselves to different housing mixes based on the likely occupants of the sites. The reality is that there will be a considerable number of flatted developments provided with in our town centres which will not include any four bed houses and a reduced number of three bed units so <u>applying a rigid SHMA mix to all the other sites within the plan would in this instance mean a considerable oversupply of one bed homes across the borough against the specific SHMA percentage and this is at the expense of family and starter homes. Just finally obviously going back to the SHMA itself given that this is where the figures come from it’s probably worth quoting something from there in relation particularly to the market side of the recommendation so for the market homes and it states although we are concified on the basis of market modelling and our understanding of the current housing market. We do not strongly believe that such prescriptive figures should be included in the plan making process and that the market is to some degree a better judge of what is the most appropriate profile. It is important to stress that while on an affordable housing side it’s more easy to access the need because those are occupied as a relatively high level given full occupancy because these houses are allocated according to the needs of the family and those on our register whereas market homes are purchased on the basis of what one can afford and future expectations of those occupiers such as whether they intend to have children, whether they would like to future proof their purchase given the expense of moving house. So really all that comes together to say apply it as a guide <u>but really it is not there as a strict blueprint and there needs to be some flexibility.</u> As we’ve had discussion things such as character, the location, all those need to be looked at in the round, it is not simply there to be ticked off as a prescriptive list’.”</u> (Our emphasis)</u></p> <p>FOOT NOTE: 1 https://guildford.public-i.tv/core/portal/webcast_interactive/445197/start_time/122000 See Planning Policy Manager’s speech between 1:11:53 and 1:15:30 of the webcast.</p> <p>A few important points arise from the policy manager’s comments and the SHMA extracts referenced above. First, different dwelling mix approaches are not only appropriate, but necessary in different locations and</p>

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		<p>types of site. Second, the reality is that there will be a considerable amount of flatted development in the Borough's town centres that will not provide any family sized units. Consequently, applying a rigid SHMA mix in more rural or urban edge locations would mean a considerable over supply of one bed homes coming forward across the Borough. Third, it is important that other matters such as character and a site's location are also assessed at when considering a scheme's proposed dwelling mix.</p> <p>The need for flexibility in considering dwelling mix is therefore entirely appropriate as indeed recognised in Local Plan Policy H1, the planning policy manager and the SHMA.</p> <p>Turning to NP Policy Send 2 part (e), as drafted (contrary to the approach advocated by the planning policy officer, SHMA and in Local Plan Policy H1) lists a set of prescriptive dwelling mix standards.</p> <p>Paragraph 6.9 of the NP suggests that “in Send there is evidence from the 2011 Census that the exiting proportion of housing stock is smaller and more affordable units is significantly below the Borough average”. A similar reference is made at paragraph 4.5 of the NP that refers to the 2011 Census identifying a significantly higher proportion of households occupying detached housing in Send Parish when compared to the Borough average. The references to the 2011 Census form the NP's justification for introducing the prescriptive dwelling mix policy part (e) and the inclusion of percentages that differ from those set out in the SHMA / Local Plan.</p> <p>There are some key points particularly relevant to whether the prescriptive dwelling mix requirements included in Policy Send 2 part (e) meet the basic conditions. First, one needs to consider whether there is sound evidence to justify the policy. The only evidence identified to justify the proposed prescriptive standards set out in Policy Send 2 appear to relate to 2011 Census data that identified that Send Parish has a greater proportion of larger sized dwellings when compared to the Borough average. Such evidence is very limited when compared to the detailed comprehensive assessment in the SHMA that assessed housing needs across the Housing Market Area. It is not surprising that Send Parish has a greater proportion of larger dwellings, such a scenario is likely to be the case across the Borough in all Parishes with the exception of Guildford town where smaller sized households will be more predominant. What this does not mean is that</p>

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		<p>development in the Parish moving forward must provide a greater proportion of smaller units, in fact to reflect local character the opposite may actually be appropriate but such a decision will depend upon a site's specific characteristics.</p> <p>As mentioned by the planning policy manager, different types of site allocation across the Borough will deliver different types of dwelling size. Town centre sites will be more steered towards smaller households, whilst edge of settlement development may contain a greater amount of family sized accommodation. This balance is achieved through a varied selection of housing site allocations at the Local Plan level. The proposed introduction of rigid dwelling mix criteria predicated upon limited evidence fails to be consistent with the needs of the recently adopted Borough level Local Plan and in turn would prejudice sustainable development objectives.</p> <p>Second, the reason that upper case policy in the Local Plan simply references the SHMA rather than sets out prescriptive dwelling mix requirements has been considered in detail. This decision was predicated upon the advice of the SHMA that suggested the best way to achieve a balance of types and sizes of market housing was through allocating a mix of sites for development rather than specific policies relating to the proportion of homes of different sizes which are then applied to specific sites. As Local Plan Policy 1 recognises matters such as site size, character and location are also of relevance. This is consistent with the planning policy manager's advice that "all that comes together to say apply it as a guide but really it is not there as a strict blueprint and there needs to be some flexibility". By comparison, the NP seeks to introduce such prescriptive guidance on the basis of a single set of references to the 2011 Census. The NP therefore conflicts with the clear approach justified and determined at the Local Plan stage to not include prescriptive dwelling mix standards so to encourage a justified, effective and flexible approach towards housing delivery and reflect other relevant considerations such as character and location.</p> <p>For the above reasons, it is considered that part (e) of Policy Send 2 fails to contribute towards the achievement of sustainable development, is not in general conformity with the policies contained in the recently adopted Local Plan and is not founded on any detailed evidence base. It should therefore be omitted from any made NP.</p>

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		<p>Third and finally, the mix requirements mentioned in part (e) introduce ‘minimum’ and ‘maximum’ limits and figures that differ from the SHMA. The mixes envisaged in the SHMA and Local Plan are illustrated in the below table:</p> <table border="1"> <thead> <tr> <th>Market</th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <td></td> <th>1 bed</th> <th>2 bed</th> <th>3 bed</th> <th>4 bed</th> </tr> </thead> <tbody> <tr> <td>SHMA % (Table 60)</td> <td>9.10%</td> <td>28.60%</td> <td>40.40%</td> <td>21.90%</td> </tr> <tr> <td>LP% (para 4.2.4)</td> <td>10%</td> <td>30%</td> <td>40%</td> <td>20%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Affordable</th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <td></td> <th>1 bed</th> <th>2 bed</th> <th>3 bed</th> <th>4 bed</th> </tr> </thead> <tbody> <tr> <td>SHMA % (Table 60)</td> <td>40.90%</td> <td>31.70%</td> <td>23.90%</td> <td>3.50%</td> </tr> <tr> <td>LP% (para 4.2.4)</td> <td>40%</td> <td>30%</td> <td>25%</td> <td>5%</td> </tr> </tbody> </table> <p>The approach set out in Policy Send 2 requires a maximum of 40% three bedroom, minimum 10% one bed and minimum 30% two bed as part of the overall market housing requirement for 85% to have up to three bedrooms. However, the approach of the SHMA confirms that at least 21% of new market homes should accommodate 4 bedrooms and 62.3% should accommodate 3 or 4 bedroom homes. The approach in the NP</p>	Market						1 bed	2 bed	3 bed	4 bed	SHMA % (Table 60)	9.10%	28.60%	40.40%	21.90%	LP% (para 4.2.4)	10%	30%	40%	20%	Affordable						1 bed	2 bed	3 bed	4 bed	SHMA % (Table 60)	40.90%	31.70%	23.90%	3.50%	LP% (para 4.2.4)	40%	30%	25%	5%
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		<p>therefore conflicts with the SHMA. For reasons mentioned, it is considered that the principle of including a dwelling mix policy in the NP is unsound. However, even if it were included then it should accord with the SHMA rather than depart from it given the absence of any detailed evidence.</p> <p>Whilst the application of the dwelling mix advocated in part (e) may be appropriate for some residential development schemes on non-allocated sites within the NP area, the importance of sites like allocation A41 to meeting the Borough's wider housing needs mean that it is imperative that the mix of accommodation sought is reflective of the authority's needs as a whole.</p> <p>Furthermore, the increased emphasis on smaller sites through part (e) of Policy Send 2 could have implications for the viability of the allocations which were envisaged to accommodate the mix assessed in the SHMA. The evidence associated with the Local Plan indicates that its allocations are viable and can ensure the necessary infrastructure improvements alongside other enhancements are provided. Departing from this mix as envisaged through the increased emphasis on smaller units risks undermining this thereby resulting in the wider failure of the Borough's Development Plan to meet its housing needs. This again confirms that the approach in part (e) of Policy Send 2 fails the basic conditions and should consequently be either amended such that it does not apply to allocated sites or the policy removed in its entirety (and perhaps provided as supporting text referencing a community aspiration).</p> <p>In summary, the proposed introduction of a rigid dwelling mix criteria predicated upon limited evidence fails to be consistent or conform with the needs of the recently adopted Borough level Local Plan and would prejudice sustainable development objectives.</p> <p>It is therefore recommended that part (e) of Policy Send 2 is deleted in full or at least, its wording revised to make clear that it is not applicable to sites allocated in the Borough Local Plan.</p> <p>Summary</p> <p>Our clients control land east of Burnt Common Lane which forms part of the wider A41 allocation for 550</p>

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		<p> dwellings in the adopted Guildford Borough Local Plan. It is consequently an integral part of the authority’s strategy to addressing the borough’s housing needs. An application for 30 dwellings on our clients’ land has been submitted and is pending determination.</p> <p> Due to the importance of delivery on allocated site A41 alongside the other allocations within the Neighbourhood Plan area for meeting the Borough’s needs, it is essential that the policies of the draft document do not hinder the delivery of these sites. As indicated above, we have concerns that the draft Plan will impact upon the achievement of high quality development on the allocated site and therefore conflicts with the basic conditions. We have therefore advocated changes to the draft NP accordingly.</p> <p> We trust the above comments are of assistance in finalising the Neighbourhood Plan and await confirmation of receipt of our representations in due course. Finally, we would ask that if hearing sessions are scheduled we are informed in advance of them being held.</p> <p> Please do not hesitate to contact the writer should you wish to discuss any matter(s) arising.</p>
SNP20/12	Neame Sutton	<p>Introduction</p> <p>1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Crownhall Estates Limited to prepare Representations in relation to the submission consultation of the draft Send Neighbourhood Plan (Regulation 16 Stage).</p> <p>1.2 A draft Neighbourhood Plan must meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004. These basic conditions are:</p> <p>a) Having regard to national policies and advice contained within guidance issued by the Secretary of State,</p>

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		<p>it is appropriate to make the Neighbourhood Plan.</p> <p>b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.</p> <p>c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.</p> <p>d) The making of the Neighbourhood Plan contributes to the achievement of sustainable development.</p> <p>e) The making of the Neighbourhood Plan is in general conformity with the strategic policies contained within the development plan for the area of the authority.</p> <p>f) The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.</p> <p>g) Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan.</p> <p>1.3 The representations assess the Draft Submission Neighbourhood Plan (2019) against these basic conditions with reference to housing mix and windfall sites.</p> <p><u>2. Policy Send 2 - Housing Development</u></p> <p>2.1 This draft policy seeks to support development in Send, where, amongst other criteria:</p> <p>e) The following mixture of dwelling sizes are provided unless subsequent updates to the Strategic Housing Market Assessment indicate a different need for Send Parish:</p> <p>i. At least 85% of the open market dwellings are small units (minimum 10% one bedroom, minimum 30% two</p>

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		<p>bedroom, and maximum 40% three bedroom);</p> <p>ii. At least 95% of the affordable homes are small units (minimum 40% one bedroom, minimum 30% two bedroom, and maximum 25% three bedroom).</p> <p>2.2 The Local Plan (2019), in Policy H1 (Homes for All), requires all development to deliver a wide choice of homes to meet the accommodation needs identified in the most recent Strategic Housing Market Assessment, highlighting that all new development must provide a mix of housing tenures, types and sizes appropriate to the size of the site, its characteristics and location.</p> <p>2.3 The West Surrey Strategic Housing Market Assessment (SHMA) (2015, p.130), which forms the primary evidence base for Policy H1 (Homes for All), identifies the market and affordable housing mix needed in Guildford Borough:</p> <p>Table 1: Housing Mix Estimated Need</p> <table border="1" data-bbox="483 842 2112 1142"> <thead> <tr> <th data-bbox="483 842 1025 927">Unit Type</th> <th data-bbox="1025 842 1570 927">Open Market Sector</th> <th data-bbox="1570 842 2112 927">Affordable Housing Sector</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 927 1025 983">1 bedroom</td> <td data-bbox="1025 927 1570 983">9.1%</td> <td data-bbox="1570 927 2112 983">40.9%</td> </tr> <tr> <td data-bbox="483 983 1025 1038">2 bedroom</td> <td data-bbox="1025 983 1570 1038">28.6%</td> <td data-bbox="1570 983 2112 1038">31.7%</td> </tr> <tr> <td data-bbox="483 1038 1025 1094">3 bedroom</td> <td data-bbox="1025 1038 1570 1094">40.4%</td> <td data-bbox="1570 1038 2112 1094">23.9%</td> </tr> <tr> <td data-bbox="483 1094 1025 1142">4 bedroom</td> <td data-bbox="1025 1094 1570 1142">21.9%</td> <td data-bbox="1570 1094 2112 1142">3.5%</td> </tr> </tbody> </table> <p>2.4 The SHMA (2015) clearly identifies a greater need for larger homes than smaller, one-bedroom units, within the open market provision. Draft Policy Send 2 (Housing Development) seeks to restrict the housing mix by disregarding the need for larger, four-bedroom, family homes and as a result, is not in general</p>	Unit Type	Open Market Sector	Affordable Housing Sector	1 bedroom	9.1%	40.9%	2 bedroom	28.6%	31.7%	3 bedroom	40.4%	23.9%	4 bedroom	21.9%	3.5%
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		<p>conformity with the strategic policies in the Local Plan (2019), specifically Policy H1 (Homes for All).</p> <p>2.5 The proposed exclusion of 4+ bedroom dwellings also contradicts the Parish Council’s own evidence base, which does not identify an over-provision of larger units as suggested in the Draft Submission Neighbourhood Plan (2019, p.27, para 6.10). Paragraph 6.9 (p.27) states that the reason for reaching this conclusion is:</p> <p><i>“...in Send, there is evidence from the Census 2011 that the existing proportion of housing stock that is smaller and more affordable units is significantly below the Borough average.”</i></p> <p>2.6 The number of smaller units in Send may be below the Borough average. However, the State of the Parish Report (2018, p.12, Table 3b) identifies the future accommodation needs in Send to include both three to-four-bedroom homes (36%) and five-plus-bedroom homes (13%). This equates to a 49% requirement for larger homes (3 to 5+-bedroom) in Send.</p> <p>2.7 This need for larger homes is supported by the SHMA (2015, p.129), which concludes that the current housing offer in each area and demand for larger homes in an area that has typically provided larger homes will continue. It is suggested that the reason for this is largely due to the demographic change in these areas and that household types, requiring larger homes, are expected to continue to seek these locations.</p> <p>2.8 On the basis of the evidence, it is considered that draft Policy Send 2 (Housing Development) be reworded to reflect the mix requirements of the strategic policies in the Local Plan (2019), as supported by the SHMA (2015). The policy wording should be sufficiently flexible to enable an appropriate housing mix on a site-by-site basis, reflective of the surrounding character and context, which is a fundamental objective of the Neighbourhood Plan (2019) (draft Policy Send 1 - Design). Without these changes, draft Policy Send 2 (Housing Development) fails to meet Basic Conditions a) and e).</p> <p><u>3. Paragraph 6.8 Housing Delivery Through Windfall Sites</u></p>

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		<p>3.1 Paragraph 6.8 of the Draft Submission Neighbourhood Plan states:</p> <p><i>“...Windfall development can come forward on sites within the inset areas subject to the design and other detailed policies of the Local Plan. As at July 2019 planning applications for 59 additional homes had been submitted in these areas over and above those allocated in the Local Plan. Such windfall development may erode the character of the village and place strain on the local services and infrastructure.”</i></p> <p>3.2 The adopted Guildford Local Plan (2019) identifies a minimum requirement of 10,678 dwellings over the Plan Period, with a minimum of 750 of those dwellings supplied through windfall sites. The Local Plan (2019) allocates a minimum of 770 dwellings to Send, which confirms the Council’s view that Send is a sustainable location for growth.</p> <p>3.3 In addition, the Local Plan Inspector highlighted that the Council’s trajectory in the Local Plan (2019) is particularly vulnerable in the early years’ delivery, particularly the first five years of the Plan Period, following adoption (Report on the Examination of the Guildford Borough Local Plan: Strategy and Sites, 27th March 2019, p.12, para.45). Guildford Borough Council is, as a result, partially reliant on windfall sites coming forward to assist in meeting the housing requirement, particularly in the early years of the Plan Period.</p> <p>3.4 It is, therefore, unreasonable of the Parish Council to suggest that housing has been provided over and above that necessary in Send, as the Borough is reliant on windfall sites. In accordance with the Spatial Strategy in the Local Plan (2019), windfall Sites are needed in suitable and sustainable locations. Send is a suitable and sustainable settlement, where there is an expectation that windfall sites will be delivered.</p> <p>3.5 It is with this in mind, that the draft Neighbourhood Plan (2019) should not suggest that beyond the specific housing allocations made in the Local Plan (2019), there is no further need for housing sites. This section of Paragraph 6.8 of the Draft Submission Neighbourhood Plan (2019) is negatively worded and fails to meet Basic Conditions a) and e). It should, therefore, be removed.</p>

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		<p><u>4. Conclusion</u></p> <p>4.1 Based on the representations set out above, the Draft Submission Neighbourhood Plan (2019), with specific reference to housing mix and consideration of windfall sites, fails to meet the Basic Conditions set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004, most notably Basic Conditions a) and e).</p> <p>4.2 It is with these points in mind that the Plan is modified before it is made.</p>
SNP20/13	Gladman	<p>Re: Send Neighbourhood Plan - Regulation 16 consultation</p> <p>This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft submission version of the Send Neighbourhood Plan (SNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation and examination of numerous plans across the country, it is from this experience that these representations are prepared.</p> <p>Legal Requirements</p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the SNP must meet are as follows:</p> <p>(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</p>

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		<p>(d) The making of the order contributes to the achievement of sustainable development.</p> <p>(e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p> <p>(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</p> <p>(g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of part 6 of the Conservation of Habitats and Species Regulations 2017.</p> <p>National Planning Policy Framework and Planning Practice Guidance</p> <p>The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.</p> <p>At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.</p> <p>The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.</p> <p>The application of the presumption in favour of sustainable development will have implications for how</p>

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		<p>communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.</p> <p>Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.</p> <p>Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.</p> <p>Planning Practice Guidance</p> <p>Following the publication of the NPPF (2018), the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.</p> <p>Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and consider the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning</p>

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		<p>authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan¹. This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.</p> <p>¹ PPG Reference ID: 41-009-20160211</p> <p>It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in</p> <p>the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward.</p> <p>Relationship to Local Plans</p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.</p> <p>The adopted Local Plan relevant to the preparation of the Send Neighbourhood Plan is the Guildford Local Plan: Strategy and Sites (2015-2034) which was adopted in April 2019. The document is key for the future of Guildford, it sets out how the towns and villages will develop and ensures there are policies that protect and enhance the natural environment. The Local Plan also outlines development of local economy, improving leisure and visitor facilities and supports more sustainable modes of travel. According to Guildford Local Plan, Send is classed as a rural settlement which is no longer covered by Green Belt. These villages have been allocated a number of housing sites which are of an appropriate scale. Infill development within the</p>

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		<p>defined development boundaries is also deemed acceptable subject to more detailed Plan policies.</p> <p>The Parish Council should therefore ensure that policies within the SNP are designed as flexibly as possible to minimise any potential conflicts with the Local Plan Review. A failure to include enough flexibility may affect the longevity of the SNP as conflicts will be superseded by any subsequent Local Plan. This degree of flexibility is required to ensure that the SNP is capable of being effective over the duration of its plan period and not ultimately superseded by the provisions set out in s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:</p> <p>"if to any extent, a policy, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be)."</p> <p>Send Neighbourhood Plan</p> <p>This section highlights the key issues that Gladman would like to raise with regards to the content of the SNP as currently proposed. Whilst Gladman support the fact that the Parish Council has amended the SNP in light of our previous representations, Gladman still consider that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend modifications to the Plan that should be explored through the examination process.</p> <p>Policy Send 1: Design</p> <p>The above policy sets out a range of design principles which development proposals should seek to meet. While the government has shown support for development to incorporate good design principles, Gladman would note that the Framework also states:</p> <p>"To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with</p>

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		<p>a consistent and high-quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.’4 (NPPF - Paragraph 126)</p> <p>Whilst Gladman recognise the importance of high-quality design, in accordance with the requirements of the Framework above, design policies should not aim to be overly prescriptive and require some flexibility in order for schemes to respond</p> <p>to site specifics and the character of the local area. In essence. There will not be a ‘one size fits all’ solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.</p> <p>Policy Send 5: Local Green Space</p> <p>This policy seeks to designate land as Local Green Space (LGS). In order to designate land as LGS the Parish Council must ensure that it is able to demonstrate robust evidence to meet national policy requirements as set out in the Framework. The Framework makes clear at 99 that the role of local communities seeking to designate land as LGS should be consistent with the local planning of sustainable development.</p> <p>Paragraph 99 of the Framework states that:</p> <p>‘The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period.’</p> <p>Further guidance is provided at paragraph 100 which sets out three tests that must be met for the designation of LGS and states that:</p>

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		<p>'The Local Green Space designation should only be used where the green space is:</p> <p>a) in reasonably close proximity to the community it serves;</p> <p>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</p> <p>c) local in character and is not an extensive tract of land.' (emphasis added)</p> <p>With regards to the proposed designations, there appears to be very little consideration of how each proposed LGS meets the criteria for designation beyond fleeting reference contained in the supporting text. In order to designate land as LGS the Plan should be supported by proportionate and robust evidence as required by the PPG. Failure to demonstrate how each parcel meets the test above is contrary to the requirements of national policy and guidance and is therefore inconsistent with basic condition (a).</p> <p>Conclusions</p> <p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the SNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.</p>
SNP20/2	Astenbell Ltd	<u>Policy Send 2 Housing Development</u>

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		<p>Does the preferred mixture of dwelling sizes as listed in Paragraph E) i and ii <u>only</u> refer to housing listed under Paragraph D) i.e rural exception sites, as the text might suggest (because of the position of the “AND”), or <u>all</u> types of housing listed under para A) to E)?</p> <p>If paragraph E does refer to all preceding paragraphs A to D then it is important to consider whether it is appropriate to apply such a housing mix requirement to Rural Exception Housing.</p> <p>This is because it clashes with the policy H3 of the Guildford local Plan which states <i>“that the number, size and tenure of homes would be appropriate to meet, or to contribute to meeting, the identified affordable housing needs of the local community.”</i></p> <p>The justification referring to policy H3 goes on to state <i>“ The mix of housing on a Rural exception scheme should closely match the requirements evidenced from an up to date Rural Needs Survey “</i></p> <p>An up to date Rural Needs Survey should accompany a Rural Exception Scheme application and this survey determines the mix proposed.</p> <p>Suggested Change</p> <p>Paragraph E should swap places with Paragraph D and apply to para A-C only and existing paragraph D should be relabelled para E and stand alone.</p>
SNP20/3		<p>The Send NP recognises that the sites allocated to the village in the adopted Guildford Local Plan and those in the LAA represent a significant growth for the village in until 2034. So the NP will guide that development to provide the best outcomes for Send in conjunction with the Guildford LP.</p>

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SNP20/4	National Trust	<p>Send Neighbourhood Development Plan Consultation</p> <p>The National Trust welcomes consultation on the Draft Neighbourhood Development Plan for Send. In general the Trust supports the intentions and policies of the Plan as it relates to the Wey Navigation, which is owned and managed by the Trust. In particular the Trust has the following comments:</p> <ul style="list-style-type: none"> • We support Policy Send 1 - Design, particularly part A) Wey Navigation and River Wey. This aligns with our strategy to look after land and nature sustainably on our estate, for ever, for everyone. • We support Policy Send 4 - Green and Blue Infrastructure. Within part C) this encourages opportunities to improve the River Wey Biodiversity Opportunity Area. The Trust also encourages the promotion of the River Wey Navigations as a leisure and recreational resource. The Trust would wish to see its the River Wey Planning Guidance Document (copy attached) mentioned in the Plan, as this supports the intention in this policy and will provide guidance on the Trust's stance around development along the River Wey Navigations. • We support Policy Send 6 - Supporting Community Facilities for identifying Wey Navigation, Broadmeads and Footpaths as a community facility of particular importance. • The Trust suggests that a map showing the Wey & Godalming Navigations Conservation Area be included for reference in the Plan, alongside the other maps. <ul style="list-style-type: none"> • The Trust recommends that the Wey Navigations should be considered for investment of any Section 106 monies, as an important part of the health and leisure offer to the residents of the borough. <p>The National Trust thanks you for this opportunity to comment on the Neighbourhood Plan and we would welcome further involvement as the Plan progresses.</p>
SNP20/5	Ripley Parish Council	<p>Ripley Parish Council supports Send Parish Council's efforts in producing a comprehensive Neighbourhood Development Plan for its parish. Made Neighbourhood Plans will increasingly play a crucial role as the</p>

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		bedrock of the planning process and Ripley Parish Council commends the Send Neighbourhood Development Plan for adoption.
SNP20/6	Highways England	<p>Thank you for inviting Highways England to comment on Send Neighbourhood Plan Regulation 16 consultation.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A3.</p> <p>We have reviewed the above consultation and have 'No Comments'.</p>
SNP20/7	Burpham Neighbourhood Forum	<p>In reference to the Wey Navigation and flood Plain - the plan should include a comment on this being a Zone 3b area and the restrictions thereto applied</p> <p>In general an easy read -with simple to understand policies.</p> <p>Disappointed in Policy Send 8 this could be very much stronger to ensure adequate parking in respect of known car ownership. see Burpham plan</p>

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		<p>There appears to be no Protection against garden grabbing in houses with large gardens as time progresses this could become a problem. See the Burpham plan for guidance</p>
SNP20/8	Natural England	<p>Planning consultation: Send Neighbourhood Plan Regulation 16</p> <p>Thank you for your consultation on the above dated 17/01/2020, which was received on the same day.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England is pleased to see the inclusion of environment policies including biodiversity net gain, and wording clarifying the mitigation measures required for developments within the Thames Basin Heaths Special Protection Area zones of influence. Although the environmental policies within the plan could go further, as detailed within our previous Regulation 14 consultation response (referenced 279444, dated 24 May 2019), at this stage we have no additional detailed comments to make on the Neighbourhood Plan.</p>
SNP20/9		<p>I had a lot of difficulty yesterday and this morning logging in to the consultation homepage for the above.</p>

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		<p>Therefore I am putting down my comment in this email.</p> <p>Generally, although there are some very sensible matters covered in the Neighbourhood plan, I thought that on planning matters in particular it is significantly more restrictive and prescriptive than the Guildford Local Plan. As I understand the notes on the website about the “basic conditions”, I see that in order to comply with the basic conditions for a neighbourhood plan to progress to examination, the NPPF states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Specifically, a neighbourhood plan must be in general conformity with (in this case) the Guildford Borough Local Plan 2019 and, in particular, to the extent such plan contains any additional levels of detail and/or a distinct local approach to that set out in the strategic policy of the Guildford Borough Local Plan 2019 it must not undermine that policy.</p> <p>Applying the above principles to the approach on planning, I note the Submission Draft of the Send Neighbourhood Plan (the “Send NP”) would require that 85% of units on each open market site in Send must meet a prescribed mix consisting a minimum of 10% 1 bed, a minimum of 30% 2 bed and a maximum of 40% 3 bed. In contrast, the Guildford Borough Local Plan 2019 requires new development to provide a mix of homes to meet needs as set out in the Strategic Housing Market Assessment (SHMA) (being a mix of 10% one bed, 30% two bed, 40% three bed and 20% four bed) and further clarifies that, on any given site, the mix to be adjusted to be "appropriate to the site size, characteristics and location".</p> <p>Accordingly, the Send NP would seem not to comply with the basic conditions in two respects: (i) because it prescribes a mix that is in conflict with the SHMA, and (ii) because it requires its prescribed mix to be repeated on each and every site irrespective of its size, characteristics and location, which is in conflict with the Guildford Borough Local Plan 2019.</p>

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