

Summary of representations received during Main Modifications consultation and Council response

Main Modification	Respondent(s)	Summary of Comment	Council Comment
MM1	Guildford Residents Association	<p>The expectation does not go far enough to prevent brinkmanship by developers and uncertainty as to whether there will be a late-stage review is exploited as a negotiating position by developers.</p> <p>Late state review should be mandatory to prevent developers offering a low but certain guaranteed quantum up front or a quantum determined by review later (cf North Street).</p> <p>Mandatory late-stage reviews would enable focus on the most appropriate affordable homes contribution up front and confidence this can also be adjusted later as required.</p>	
MM1	Barton Willmore obo Martin Grant Homes	<p>The modifications proposed to paragraph 1) of the policy and paragraph 2.33 of the supporting text provide some additional clarity. However, the policy does not provide clarity for applicants in accordance with NPPF paragraph 35 and fails to be effective. In particular, there is a need for certainty on when review mechanisms will be required.</p> <p>Concerned that no modification has been proposed to ensure that any surplus identified within a review process is shared between the Council and applicant.</p> <p>Welcome the addition to paragraph 2.39, referencing a dispute resolution process in the event of a disagreement over the review process or outcome.</p> <p>Remain of the view that an SPD should be prepared to provide further guidance for applicants.</p>	

MM2	CBRE obo Harris Family (Julian and Nicola Harris)	The proposed wording at Paragraph 2.53 is supported, as it allows for flexibility on larger sites where the provision of First Homes may lead to an adverse planning outcome for the site design or unit mix. It is considered this should be reflected in the policy text itself.	
MM2	Savills obo Taylor Wimpey	<p>TW support the removal of the word “required” in Policy paragraph (1).</p> <p>TW support the additional supporting text added as new paragraph 2.54 (after 2.53), which increases the flexibility on the provision of First Homes, owing to the likely outcome of predominantly one-bedroom homes within GBC. This might well be the case with larger strategic sites such as Wisley New Settlement.</p> <p>TW support the provision of other forms of affordable housing as a substitute for First Homes, should their provision lead to an adverse planning outcome set out within the additional supporting text.</p>	
MM2	Barton Willmore obo Martin Grant Homes	Within our earlier representations, we commented on the need for some flexibility in tenure mix, rather than imposing a specific requirement on all sites regardless of context, to ensure that suitable and viable proposals can be delivered. We therefore support the amendments proposed as part of MM2 to allow for some flexibility in affordable housing tenures provided as part of development.	
MM2	Normandy Parish Council	<p>Both MM1 & MM2 refer to affordable homes and generally refer to the number of houses of that status that should be included in any developers plans when a substantial number of homes on a site are considered. This is generally 25% but can vary if in agreement with the Council [and must be provided] either on-site, off-site or a financial contribution in lieu of on-site development in line with the councils adopted affordable housing requirement.</p> <p>These affordable homes are expected to be first homes.</p>	

		<p>An interesting observation with respect to affordable housing is shown as after paragraph 2.53.</p> <p><i>[Comment repeats new paragraph proposed after paragraph 2.53 (MM2)]</i></p>	
MM3	LRM Planning obo Hallam Land Management	<p>Exceeding Environment Act 10% BNG standard will create viability and delivery issues and delays. 20% BNG should be strongly encouraged rather than required. Particularly a problem for high baseline sites.</p> <p>Offsite BNG will be necessary. Stronger wording is needed to ensure the Council delivers the Tyting Farm habitat bank before the BNG requirement commences, and further habitat banks after that.</p>	
MM3	Normandy Parish Council	<p>Para 1 significantly weakens protection/priority of existing biodiversity and biodiversity gain</p> <p>Para 12 - Autumn 2023 is too late to commence 20% BNG, doesn't reflect local need, loss of opportunity, no reason to delay.</p> <p>Para 4.16 - Stronger wording needed so biodiversity is equal to other matters/not ignored.</p> <p>Para 4.47 - off-site biodiversity gain gives developers a get-out clause to avoid biodiversity protection. Wording needs to be changed to stress that off-site BNG should be last resort only, permitted on a case-by-case basis.</p>	
MM3	Secretary of State for Defence	<p>MM3 is based on a false presumption that previously developed land will be exempted from BNG.</p> <p>20% uplift is not clearly supported by a reasoned justification contrary to the Town and Country Planning Regulations 2012.</p> <p>MM3 would run contrary to the regulations and NPPF paragraph 97 by not taking into account wider security and defence requirements.</p>	

MM3	Surrey County Council	<p>Under MM3, if PDL is exempted, a net gain will not be required unless the site supports at least one protected or priority species population or habitat, or an assemblage of species with an otherwise demonstrably high biodiversity value.</p> <p>The Defra metric only considers habitats so cannot be used for faunal species. To avoid confusion, the wording of the paragraph should be amended to clarify it is solely of relevance to habitats, assemblages of plants and protected plant species.</p>	<p>The intention is that if a site supports important faunal biodiversity, a net gain in the habitats that support the population would be required.</p> <p>This could be clarified through the following amendment “Where these are present, a measurable 20% net gain for those features <u>relevant habitats</u> will be required.</p>
MM3	Barton Willmore obo Martin Grant Homes	<p>Object to 20% BNG on the basis of: lack of evidence to justify, late release of evidence, doubts over availability and cost of BNG credits, unsound.</p> <p>Need for clarity on when the requirement will come into force. Should only apply to applications submitted after commencement.</p>	
MM3	CBRE obo Harris Family (Julian and Nicola Harris)	<p>Support the modification ‘subject to the delivery of other planning policies’.</p> <p>Support the inclusion of viability within paragraph 4.16 but the modifications to 4.44 should also reference viability to be taken into consideration <u>on a site by site basis</u>.</p>	
MM3	Guildford Residents’ Association	<p>The policy should avoid 20% onsite provision being a driver for taller buildings given the sensitivity of this issue in Guildford's downland landscape. Provision should be a mix of on and offsite where fully onsite provision would result in a taller building with greater negative impact on the landscape.</p>	
MM3	Savills obo Taylor Wimpey	<p>Support the addition of “after the national scheme comes into effect” in paragraph (12) which recognises the requirement for the policy to conform with National Policy.</p>	

		<p>Object to the requirement for 20% BNG set out within Policy 13: greater than the Environment Act 10% and is likely to be onerous for many developers and negatively impact upon viability on previously developed land.</p> <p>Support the inclusion of “viability” within paragraph 4.16 and paragraph 4.44.</p> <p>Support GBC initiatives to offer developers opportunities for off-site BNG. Wisley New Settlement might also provide off-site BNG opportunities.</p>	
MM4	Normandy Parish Council	<p>A. The modifications weaken the Carbon Reduction commitments for all dwellings, and especially other buildings. New building regulations do not prevent GBC pushing for higher reductions.</p> <p>B. The changes appear to remove the requirement for the TER to apply to buildings other than dwellings - the TER should apply to all new developments, whether dwellings, offices, retail or other uses.</p>	<p>B. Reference to dwellings only is unintentional and the requirement should apply to all buildings. The following amendment to MM4 Policy Paragraph 4 is suggested:</p> <p>“New dwellings<u>buildings</u> must achieve an emission rate no higher than...”</p>
MM4	LRM Planning obo Hallam Land Management	Welcome the modifications. However, maintain that the policy is unnecessary.	
MM5	John Gentleman	<p>The inspector’s modifications seem to make the document more reasonable in general.</p> <p>Regarding cycle and pedestrian ways and conflict between the two groups, can I suggest a few polite signs reminding folk of equal right of way and to be kind to each other.</p>	

MM5	Guildford Greenbelt Group	<p>Para 6.91: Additional lighting adds to the local energy requirement (and Council tax) when we should be trying to reduce this as part of the Climate Emergency. Lighting can have a negative impact on biodiversity - both flora and fauna - and spoils naturally dark skies areas, of which we have several notable areas across the Borough and designated in Neighbourhood Plans. We are also extensively covered by the AONB.</p> <p>Where it says that infrastructure should be integrated we would like the following added: “Infrastructure should be integrated, well signed (avoiding street clutter), lit (in exceptional circumstances) with high quality surfaces etc...”</p>	
MM5	Surrey County Council	<p>At MM5 there is reference to low traffic neighbourhoods. As detailed in Local Transport Plan 4, Surrey County Council is making use of the term Liveable Neighbourhoods.</p> <p>The Healthy Streets for Surrey Design Guide was adopted by Cabinet as County Council policy in October 2022. It sets out the standards the County Council will be seeking when considering development proposals and in delivering public realm schemes.</p>	
MM5	Barton Willmore obo Martin Grant Homes	<p>We support the proposed modification to paragraph 1) of Policy ID10, and corresponding changes to the supporting text at paragraph 6.85, to make clear that Comprehensive Guildford Borough Cycle Network will be the starting point only for the identification of improvements and that the majority of routes have only been established at a concept level, with further feasibility and design work to be undertaken. As we have commented within earlier representations, sites should not be required to deliver new routes which are outside of their land control. In this regard, the proposed change is welcome in that it allows for greater flexibility in providing these routes should the drawn routes not be possible due to land ownership or design constraints.</p>	

		<p>Paragraph 2) of the policy reiterates the need for cycle infrastructure requirements identified within site allocation policies to be delivered. This is superfluous given site-specific requirements are already set out within allocation policies, with clear reference to the relevant policy and statutory tests.</p> <p>Paragraph 2) also refers to the potential for further requirements to be identified as part of the planning application process, without providing any clarity or certainty on how and why additional requirements may be proposed, and so is not effective. Paragraph 2) should therefore be deleted or otherwise expanded to include a footnote referencing Regulation 122 of the CIL Regulations and paragraph 57 of the NPPF 2021.</p>	
MM5	Savills obo Taylor Wimpey	<p>TW support the removal of “basis and” within Policy Paragraph (1) and for the Comprehensive Guildford Borough Cycle Network as represented on the map in appendix A forming the starting point rather than the basis for the identification of improvements. This helps to demonstrate the indicative nature of the Map.</p> <p>TW support the inclusion of “may include” within Policy Paragraph (2). This clearly recognises the role that technical work supporting planning applications can play in reaching optimal solutions.</p> <p>TW object to the policy text, as follows: For consultation purposes, The indicative mapped routes which comprise the ‘Comprehensive Guildford Borough Cycle Network’ can be found in Appendix A.</p> <p>TW support the inclusion of “In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits or traffic calming measures”, within paragraph 6.80.</p>	

		<p>TW support the inclusion of “starting point” to describe the map, within paragraph 6.85.</p> <p>TW support the inclusion of “Further to this, the majority of routes identified have only been established at a concept level and the identification of improvements will, in such cases, require feasibility and design stages to be undertaken. This will involve undertaking road safety auditing and impact assessments, as appropriate, considering any relevant statutory designations”, within paragraph 6.85. TW however would wish to see greater consideration given to alternative routes that serve an equivalent purpose, and consideration given within the text to the review or removal of routes that are unlikely to serve significant identified demand by the average cyclist (the definition contained within GBC LP policy A35).</p> <p>TW support the amendments proposed within paragraph 6.91, which broadly reflect the suggested additions outlined within Appendix 1 of the TW regulation 19 Examination Statement.</p> <p>TW support the inclusion of “Shared use facilities may be appropriate in some rural settings such as greenways and Quiet Lanes”, which reflects the suggest additions by TW within Appendix 1 of the Reg19 Examination Statement (Matter 5 Policy ID10).</p>	
MM5	CBRE obo Harris Family (Julian and Nicola Harris)	<p>The proposed changes to the Paragraph 6.80 seek to clarify that for rural areas, cycle network infrastructure may include designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures. The introduction of this wording is supporting.</p> <p>Paragraph 6.93: The statement at Paragraph 6.93 in respect of shared use facilities in rural areas is also supported.</p>	

MM6	Guildford Greenbelt Group	<p>It is not reasonable or sound to add a cycleway along Long Reach, West Horsley. This road is a narrow country lane where two small cars would struggle to pass each other comfortably and has a variable speed limit of 40mph to 30mph as it reaches Farleys Close towards East Lane. This proposed change is purely at the insistence of Taylor Wimpey in order to facilitate their proposed planning application for new homes at the Former Wisley Airfield site (A35). They are NOT creating any new cycle ways. They are instead relying on existing country lanes and roads, all of which are totally inappropriate for the average cyclist. Surely it cannot be acceptable to allow a developer to have a map altered just to facilitate their proposed development.</p> <p>We trust that the Inspector would look carefully at this and take into consideration that GBC are also NOT supportive of this change.</p> <p>We would also ask the Inspector to note that Ockham Road North is not a dedicated cycleway as indicated on the map - in fact Taylor Wimpey have notably not put this forward as one of their proposed cycleways to Horsley Railway station deeming it unsuitable for cyclists.</p>	
MM6	Surrey Police	<p>The following matters are referenced in the Secured by Design, Design Guide, Homes 2019.</p> <ul style="list-style-type: none"> • Cycle networks. See section 8 - regarding layout, permeability, and lighting 	
MM6	Savills obo Taylor Wimpey	<p>TW support the inclusion of the route along Long Reach, West Horsley. TW maintain their objection to this policy on the basis that the Map in Appendix A continues to include on-road links along Old Lane between Martyrs Green and Forest Road and Ockham Road North between Long Reach and Horsley Station. The evidence base agreed with the County Highway Authority as part of the Wisley Airfield planning application demonstrates that in these locations deliverable cycle improvements capable of being made within the existing</p>	

		<p>carriageways, would be limited in nature and unlikely to be suitable for the average cyclist.</p> <p>Please refer to Figure 2.1 – TW’s suggested revisions to DMP Appendix A, within the TW Reg 19 comment Examination Statement (Matter 5 Policy ID10).</p>	
MM7	Normandy Parish Council	The provision of electric vehicle charging has been changed from Supplementary Planning Document (SPD) to Building Regulations S, 2010. This change will house builders and others to develop new housing as well as encourage landowners to change the use of the premises. As a result of this, there will be more housing in the area which will put considerable constraints on the available resources and have impact on the environment.	
MM7	Surrey Police	<p>The following matters are referenced in the Secured by Design, Design Guide, Homes 2019, appropriate section referred to below.</p> <ul style="list-style-type: none"> • Paragraph 6.98 - The provision of high-quality cycle parking. See section 56 – regarding secure external storage facilities and bicycle security • Paragraph 6.101 - Allocated parking. See Section 16 – regarding secure parking and the Park Mark award. • Paragraph 6.121 – Visitor parking 	
MM7	Merrow Residents Association	Disappointed that there is no reference to minimum parking standards since they are contained in GBC policies at the present time. Crucial that any new development has adequate on-site car parking for the cars that the new residents may own. We understand and accept that we need more homes in the Borough, but we don’t need more car owners seeking on-street car parking spaces and overflowing to other areas because of an inadequacy in new on-site car parking. We also hope that the Inspector might consider a minimum parking standard in areas outside the town centre in Policy ID11.	
MM7	Surrey County Council	As a result of the new Building Regulations, where undercover parking areas are proposed, we are requiring that the developer and the LPA liaise with Building	

		<p>Control Teams and the Local Fire Service to understand any additional requirements.</p> <p>An update to the Surrey County Council Vehicle, Cycle and Electric Vehicle Parking Guidance (2021) is currently being completed to reflect the new Building Regulations and LTP4 and will include additional guidance on EV charging points, e-bike charging facilities and adaptive cycle parking.</p>	
MM7	Savills obo Taylor Wimpey	TW broadly supports all the amendments to the policy which provides for additional flexibility in the interpretation of ID11.	
MM7	Guildford Residents Association	<p>We consider the proposed policies on maximum parking standards and the prospects of many major developments with no/minimal parking provision, to be a grave mistake.</p> <ul style="list-style-type: none"> - Schemes need adequate well landscaped, of street spaces for electric vehicles with an appropriate mix of car club and individual vehicles. - Green landscaping is removed by occupants to create parking spaces. - Schemes have inadequate access for drop off and pick up (including buses and taxis), trade vans and space for electric charging. 	