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Written Statement of Richard Cooke

Hearing into

Guildford Borough Local Plan

June 2018

Introduction.

1.0 This statement seeks to support my attendance at the hearing into the Guildford Borough Local Plan.

1.1 In particular I would wish to be included in discussion around the following matters and issues raised by the Inspector in ID/3:

1. Plan preparation in relation to the TBHSPA and the Habitats Regulation Assessment

9. Spatial strategy green belt and countryside protection. In particular, the relationship between the Green Belt and Countryside Study and the selection of suitable sites for inclusion in the plan.

11. Site allocations:

Site A22.

Keens Lane. Traffic and access and proximity to the SPA.
Local level justification for GB release.

Issue 1: The soundness of the Councils approach to the TBHSPA.

2.0 There are two relevant documents that require further assessment in our opinion.

AECOM / HRA for the Plan.

GBC SPD avoidance strategy 2017.

The update in 2017 reflects the experience gained since 2006 in managing the SPA avoidance strategy.

2.1 400m exclusion zone.

Little continuing scientific research has been carried out since 2005 into the effectiveness of the zonal approach, particularly the imposition of a 400m exclusion zone.

Para 1.2 of the SPD refers to the predation by cats, rats and crows and disturbance from informal recreation use especially dog walking.

Para 2.4 describes in detail the exclusion zone approach and background.

The two key issues relate to:

Cats being able to reach the SPA and kill protected species.

Public use of the SPA (predominately dog walking.)

2.1 Cat predation.

The research into the movement of cats and their predatory instinct is dated and in our view unsound. The 400m zone was established at the Inquiry into the South East plan. The assessor, Peter Burley, was clearly not convinced that 400 metres was anything other than an arbitrary figure.

In footnote 87 to Page 45 of his report he states “ the number of cats ranging beyond 400m is significantly less. Turner and Meister found the mean range of cats to be 371m.”

In para 4.7.13 Burley “the hunting range of the majority would appear to be less than 400m.”

In a review of the literature in 2005, Underhill-Day (p.36) stated that

“no studies could be found which specifically examined the distances that cats travelled from their home base, although a number of studies gave observed

distances (without confidence limits) and two casual observations have also been included.

Unfortunately this “research” background seems to have become enshrined in Policy throughout the SPA.

Since 2006, I can find little evidence of new studies except the entertaining documentary by BBC2 Horizon which, with the support of Professor Wilson at the Royal Vet College, analyses the behaviour of domestic cats using tracker devices in the village of Shamley Green, just to the south of Guildford. The conclusions of this study are that domestic cats do not roam far especially in built up areas. The average distance travelled is well under 400 metres. Not unsurprisingly, cats roam in the search for food that more often than not may well be just behind the next doors cat flap.

The appendix details some of the results and the film can be viewed at the following link

<http://www.bbc.co.uk/news/science-environment-22821639>

2.2 Consideration relating to Whitmoor Common.

To the south of Whitmoor Common, the 400m zone impinges on the residential areas of north Guildford. Within the urban area there are potential redevelopment and vacant land sites, which would be acceptable for housing, were it not for the 400 m exclusion zone. This is an unreasonable stance to take and contributes to the Borough wide pressure on less suitable sites.

In our view the 400 m zone should be reduced considerably to reflect the reality of the position at Whitmoor Common and to provide boundaries that are readily recognised on the ground, much as the test for MGB boundaries.

The following reasons demonstrate why the Policy here is unsound.

1. The 400m cat predation limit is not proven. For cats to access Whitmoor Common they would need to cross a busy main road as well as a railway line.
2. Whitmoor Common is the most well used dog walking area in the TBHSPA. The car park at Salt Box Road in the TBHSPA visitor survey 2013: “the highest number of dogs (501) was recorded at location 21 (Salt Box Road) para 3.9)
3. The location of dog walkers is also shown in the visitor survey: Map 17. (appendix) Nearly all walkers walk a circular route parallel to the southern boundary of the SPA (nearest Guildford.)
4. There is no record of any nesting activity within the southern sector of Whitmoor Common. Indeed, I have been unable at today's date to gain any information from the Surrey Wildlife Trust as to whether there any ground nesting birds on Whitmoor Common at all.

5. The geographic characteristics of the Common are such that the first 150 m into the site is sandy heathland, which quickly becomes marshy and boggy. Most walkers do not venture further than this. The breeding grounds for Annex 1 birds would not be in this area at all.

Our assessment is that there are no breeding areas within 400m of the southern boundary of the SPA here. As such it is sensible for the exclusion zone to follow the road and the boundary of the SPA itself.

2.3 TBHSPA Summary

The Whitmoor Common SPA 400 m exclusion zone should be reduced in size, so that the zone of exclusion can be more properly recognised both on plan and on the ground. A 400 metre zone taking from where Annex 1 birds might actually be nesting would be a more realistic and sound approach.

This would in effect exclude from the zone all the residential area of north Guildford and potentially release land, which is blighted by the SPA.

The lack of evidence to justify the 400m exclusion zone renders this element of the Plan unsound.

3.0 Issue 9. Spatial Strategy Green Belts

9.1 and 9.2.

Is the spatial strategy sound?

Does the Plan direct housing strategically to the right places?

3.1 The Council recognise that there is a pressing need for housing and a serious issue of housing affordability in its Borough. Even with a close scrutiny of available sites within its villages and towns, there will be a resulting shortfall of housing provision in the future.

3.2 National Policy background.

The principal elements of site release should reflect the principles of the NPPF in paras 84 and 85. Para 84 requires the promotion of sustainable patterns of development and Para 85 requires any Green Belt releases to be capable of permanence, using physical features that are readily recognisable and likely to be permanent.” (Para 85 NPPF)

3.3 GBCS : spatial strategy research..

To inform its spatial strategy, the Council instructed consultants to prepare a Green Belt and Countryside Study (GBCS).

The spatial strategy clearly has its roots in this initial research.

The overriding purpose of the study is to identify sustainable areas for appropriate development.

3.4 Is the study sound?

3.4.1 Strong boundaries

1. The initial part of the GBCS sub divided the borough into land parcels on the basis that the parcels were physically and visually contained within strong defensible boundaries. This is a sound approach.

It is however regrettable that in the final policy allocations that the Council move away from the concept of strong defensible boundaries as required by the NPPF. In particular, the site J3 Keens Lane, where not all of the land is proposed for

development is not carried forward in its entirety. This will be covered on site allocations (below).

3.4.2 Green Belt purposes.

The parcels were then assessed against the four relevant purposes of the Green Belt. Despite this being, by necessity, a subjective judgement this is also a sound approach.

3.4.3 Sustainability.

The GBCS then took those parcels that scored either 2 or less and applied a sustainability assessment against these. Again the principles of this approach are sound although the criteria are not, in our opinion, truly reflective of sustainable living. For example the use of walking distance to the exclusion of car or cycle travel time may be admirable but is not reflective of modern life. The emphasis on practical sustainable living should be to reduce the use of fossil fuel but not to unrealistically reject it altogether. A site on the urban edge but within a short 5 minute journey to work or to the local shops in a potentially hybrid or electric car is more relevant.

There are errors in the appraisal, which colours the end ranking.

As an example, the Volume II urban areas assessment the first “sustainable” criteria are being able to walk to the nearest town or district centre. The report GBCS table 5.3 p8 and paras 7.30 indicates a facility should be a town, district, local centre or village shop. Yet the appraisal merely indicates the distance to Guildford town centre. So nearly all PDA sites fail this sustainability test. This has been corrected in the addendum to Vol. II where further sites are proposed.

The site at Liddington Hall (J1) scores because of its link to a local shopping centre whereas the adjoining land allocated J3 in Keens Lane does not score because it is apparently 4.4kms distant from Guildford town centre. These anomalies affect the final sustainability ranking.

3.5 Summary: GBCS

Having completed this assessment, the Plan allocated PDA’s being areas suitable for development that have evolved from this GBCS process.

For the most part the GBCS is a sound set of documents, subject to minor sustainability assessment errors. These do not materially affect the Councils selection of PDA’s in the Plan as they relate to the Guildford urban area.

3.6 Overall Green Belt and Landscape impact.

Green Belts should not be assessed just at the individual site level but also on a Borough-wide and indeed regional basis. The function of the Metropolitan Green Belt is amongst other matters to prevent urban sprawl from London.

The most common route through the Borough is along the A3.

Proceeding from the M25 to the Hogs Back A31 junction the overall impression will be of a continuous urban sprawl. There will be a very limited break in development along this route. Wisley Airfield, Ripley/Send junction, Gosden Hill Farm and finally Blackwell Farm on the slopes of the Hogs Back.

It is this continuous ribbon of development along the principal Borough thoroughfare that fails to preserve the openness of the Green Belt and will seriously damage the principles of Green Belt protection.

I envisage that many more representatives will want to speak to this subject.

4.0 Site allocations.

4.1 Site A22: Land North of Keens Lane, Guildford.

Parcel J3 was identified in the GBCS as a Potential Development Area.

The GBCS identified J3 on the basis of the land being physically and visually contained by the strong defensible boundaries of Tangle Lane to the west and the rear of houses fronting Worplesdon Road and Keens Lane and the existing urban area.

The land performed well on the sustainability appraisal and indeed allowing for the errors in the SA is probably the most sustainable of the Guildford urban area sites.

In formulating the site allocation A22 the Council selected only the southern section of this land. No explanation has been forthcoming for this partial allocation save for the fact that the Council felt the land was subject to the 400m SPA zone. This is of course incorrect and the land remaining between A22 and the SPA boundary could take at least 85 houses.

On further challenge the Council also considered that site A22 had existing defensible boundaries. However, a site inspection will reveal that there are no long term boundary features except for a post and wire fence between the two sites.

The SPA zone does not exclude the consideration of the release of the land from the Green Belt. The GB considerations are of course different to those of the SPA.

The balance of J3 could be released from the Green Belt for a range of alternative developments and indeed in Green Belt terms is considered acceptable by the GBCS.

4.2 Access considerations.

It is understood that part of Keens Lane will need upgrading to allow the development. Should all or part of the balance of J3 be agreed then access is also available direct from Tangle Lane. This road, whilst narrow and lightly used at present will be capable of accommodating a development of some 85 houses. My clients own most of the land fronting Tangle Lane and could instigate any road widening and footpath provision required.

Indeed our highway consultants state:

In conclusion subject to a package of highway improvements to Tangle Lane, I consider that Tangle Lane could form a suitable access to serve circa 50-60 dwellings. Whilst we would

naturally seek to minimise the need for mitigation measures I believe it would be sensible to go forward on the basis that the following highway improvements are likely to be required:

- Tangle Lane to be widened to achieve minimum 4.8 metres, where possible (I suspect much of the lane achieves this or would only require minimal widening);
- 2metre footway to be provided from the site to link into existing footway provision within Tangle Lane (to the south);
- Footpath to be provided (internally within site) to link to Worplesdon Road
- Improvement to the Junction of Tangle Lane / Worplesdon Road, with a view to accommodating right turn movements and improving geometry.

Furthermore there is of course the capacity for all of J3 to be served direct from the roundabout on the Worplesdon Road/Salt box road junction.

4.3 Proximity to the SPA.

Part of the allocation lies within the 400m zone of the SPA. Our contention earlier is that the SPA zone is too strictly drawn and that there will be no impact on ground nesting birds by either cat predation or indeed from wider urbanisation effects. An appropriate assessment would show that the nearest ground nesting birds are likely to be over 1km from the land and furthermore the existing use of the Common by dog walkers is such that there is no likelihood of nesting close to J3. We consider that the decision maker could clearly agree that there was no effect on the SPA, bearing in mind that the precautionary principle does not mean that 'no' development is the only alternative.

In any event if it is considered that there should be no residential development within the SPA zone there are other SPA-compliant developments that could be accommodated. A nursing home use is shown but the balance of the landholding within J3 could equally well accommodate a variety of commercial uses. Indeed the site has been considered actively in the past for a park and ride facility.

The landowners have had serious expressions of interest from hotel operators and also light industrial and storage and distribution operators accessing direct from the A322.

All of these uses could be accommodated without infringing the SPA.

4.4 Green Belt: local exceptional circumstances.

The land scores highly in the GBCS analysis as being suitable for release from the Green Belt. The exceptional Borough wide need for more housing in a sustainable location counts strongly in favour of the release of all of the land in J3.

Richard Cooke
Development Planning Consultants
May 2018

Appendix 1: Cat roaming behaviour

The following is an abstract from the Horizon programme: Secret life of the cat. The key information is that of the roaming characteristics of cats. The 10 cats shown roamed the following distances:

Ginger	200m
Chip	160m
Sooty	186m
Orlando	150m
Hermie	170
Phoeb	140
Debbie	150
Kato	93
Coco	80
Rosie	40m

In summary no cat travelled more than 200 metres. The average distance was 137m.

Over 50 cats were included in the study; the examples above are representative of the whole .

Secret life of the cat: What do our feline companions get up to?

Introduction

Meet Ginger, Chip, Sooty, Orlando, Hermie, Phoebe, Deebee, Kato, Coco and Rosie. They are 10 of the 50 cats studied in the village of Shamley Green, Surrey, for Horizon's programme The Secret Life of the Cat.

As part of one of the largest ever research projects into domestic cat behaviour, the Horizon team - aided by the Royal Veterinary College and Lincoln and Bristol Universities - tracked dozens of cats over several 24-hour periods using specially-designed collar GPS devices and tiny "cat cams".

The result? Scientists discovered the cats appeared to timeshare territory to avoid confrontation with neighbouring felines and visit each others houses. However, the cat cam footage also revealed squabbles over territory remained. There was also an incident with a fox and with a nest of fledglings.

me: Ginger

Age: Five to 10 years **Sex:** Male

Breed/colour: Ginger tomcat

Character: Intolerant and aloof, but also active and trainable. A good hunter. Known to fight with the neighbour's cat and visits the neighbouring property

Roaming: Roams almost 200m (more than 600ft) from home and covers an area of about 0.3 hectares (0.7 acres)

Prey: Brings frogs, toads, birds or small mammals home most days

Expert view: "Ginger's roaming is pretty average in terms of range or distance from home. However, on one of the days he was tracked he was more active than any of the other cats," say researchers.

Name: Chip

Age: One to four years **Sex:** Male

Breed/colour: Short-haired black and white moggie

Character: Active and stubborn, but also friendly, tolerant and trainable

Roaming: Visits other houses. Roams about 160m (530ft) from home, but covers 1.2 hectares (three acres)

Prey: Brings birds or small mammals home once or twice a week

Expert view: "Chip lives on the edge of the village and has the third largest roaming range of our 10 cats. He stuck to travelling through back gardens and by the side of a row of houses," say researchers.

Name: Sooty

Age: Five to 10 years **Sex:** Male

Breed/colour: Short-haired black moggie/farm cat

Character: Friendly, tolerant and active, but somewhat aloof and calm. Doesn't fight. Lives with sibling Socks

Roaming: Roams 186m (600ft) from home and covers nearly three hectares (seven acres)

Prey: Brings home small mammals a couple of times a week

Expert view: "Sooty has the largest roaming range of our 10 cats and liked to visit some trees on farmland next to some water. His house is on the edge of the village and so he has easy access to the countryside," say researchers.

Name: Orlando

Age: More than 10 years **Sex:** Male

Breed/colour: Ginger moggie

Character: Used to be feral in Hong Kong. In good weather he refuses cat food and survives by hunting wildlife. He hates the cold and sleeps on the family's range. Fights with Clawdius, another of the household's cats.

Roaming: Roams 150m (500ft) from home but covers an area of more than two hectares (5.5 acres)

Prey: Brings home small mammals once or twice a week

Expert view: "Orlando appears to be a 'regular' hunter and travels into an area of open grassland and woods behind his house. He lives outside the village giving him easy access to the countryside," say researchers.

Name: Hermie

Age: One to four years **Sex:** Male

Breed/colour: Black domestic shorthair

Character: Active and stubborn, but also friendly, tolerant and trainable. A hermaphrodite which is quite rare

Roaming: Roams about 170m (560ft) from home, but covers a larger area than any other cat - up to 3.3 hectares (eight acres)

Prey: Brings birds or small mammals home once or twice a week

Expert view: "Hermie is a hermaphrodite cat. He was regularly on the move within this area and was generally a very active cat when compared to others," say researchers.

Name: Phoebe

Age: Five to 10 years **Sex:** Female

Breed/colour: Tortoiseshell moggie

Character: Active and friendly. A great hunter, especially in summer. Strays from home for days at a time. Regularly fights with neighbours' cat, Kato

Roaming: Roams about 140m from home and covers more than a hectare (more than three acres)

Prey: Brings birds or small mammals home a couple of times a week - more in summer

Expert view: "Phoebe appears to timeshare the road between her house with neighbouring cat Kato. The owners know the two sometimes fight. When one is active and outside, the other tends to be inside," say researchers.

Name: Deebee

Age: More than 10 years **Sex:** Male

Breed/colour: Short-haired black tabby

Character: Sometimes friendly, but also aloof and intolerant. Hand-reared from three days old due to his mother's death. Known to fight with other cats, including those he lives with

Roaming: Roams 150m (500ft) from home, but covers an area of more than two hectares (5.4 acres)

Prey: Never brings prey home

Expert view: "Deebee is a relatively new cat to the village and appears to be scoping out where to establish a territory. He lives in a house in the centre of the village surrounded by other pet cats," say researchers.

Name: Kato

Age: Five to 10 years **Sex:** Male

Breed/colour: Long-haired, fluffy black and white moggie

Character: Tolerant, calm, friendly and trainable, but also bold and stubborn. Regularly fights with Phoebe, a tortoiseshell female

Roaming: Roams up to 93m from home and covers about a hectare (2.7 acres)

Prey: Brings birds or small mammals home a couple of times a week.

Expert view: "Kato appears to timeshare territory with Phoebe, a cat who lives on the opposite side of the road. They appear to avoid being out at the same time as one another," say researchers.

Name: Coco

Age: One to four years **Sex:** Female

Breed/colour: Black domestic shorthair

Character: Tolerant and calm as well as active and friendly. She loves cuddles and cosy spots. Hard to house train and fights with other cats

Roaming: Visits other houses. Roams up to 80m (260ft) from home and covers half a hectare (1.2 acres)

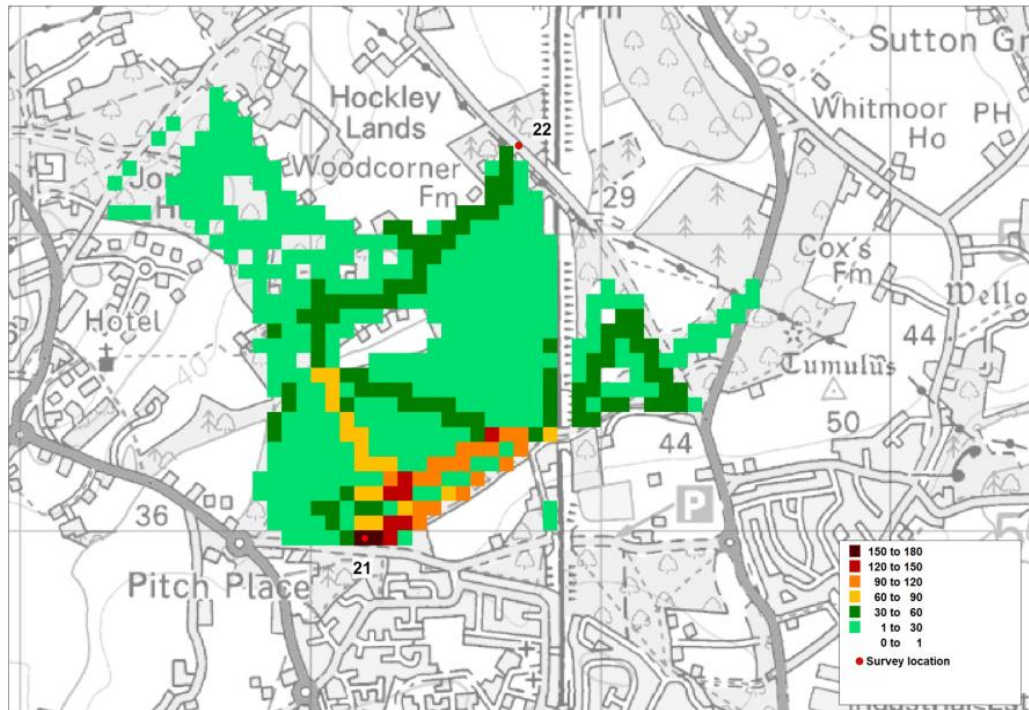
Prey: Brings birds or small mammals home a couple of times a week

Expert view: "Coco lives with another two cats - Bramble and Phoebus - but has a fairly average roaming range. However, she was one of the more active cats studied," say researchers.

Appendix 2.

Map 17: Number of visitor routes per 50m grid cell across Whitmoor Common SSSI

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Source TBHSPA visitor studies 2013.