

Guildford College Group
Guildford Local Plan Hearing Statement
on Matters 1, 2, 3, 4, 5, 6 and 9

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Appendices

Appendix 1

Note from Morag Ellis QC on Matter 1.2

1. Introduction

- 1.1. This Hearing Statement is submitted on behalf of Guildford College Group in response to the Inspector's Matter and Issues for Examination.
- 1.2. Guildford College Group has previously made submissions to the Regulation 18 consultation in September 2014, the Regulation 19 consultation in July 2016 and the Regulation 19 consultation in July 2017.
- 1.3. This Statement sets out Guildford College Group's response to the following matters as follows:
 - Matter 1: Plan Preparation, at Section 2;
 - Matter 2: Calculation of the Objectively Assessed Need for Housing (OAN), at Section 3;
 - Matter 3: Unmet Need in the Housing Market Area (HMA), at Section 4;
 - Matter 4: Housing Trajectory, at Section 5;
 - Matter 5: Five Year Housing Land Supply, at Section 6;
 - Matter 6: Homes for All, at Section 7; and
 - Matter 9: Spatial Strategy, Green Belt and Countryside Protection, at Section 8.

2. Matter 1: Plan Preparation

Has an appropriate Habitats Regulations Assessment been undertaken and is the plan's approach towards the Thames Basin Heaths Special Protection Area sound?

- 2.1. A note in relation to Question 1.2 has been prepared by Morag Ellis QC and is provided at **Appendix 1**.

3. Matter 2: Calculation of the Objectively Assessed Need for Housing (OAN)

Are the calculations contained in the West Surrey SHMA Guildford Addendum Report an appropriate basis for establishing the OAN for Guildford?

- 3.1. We agree with the Inspector that the level of identified affordable housing need is exceptionally high in Guildford.
- 3.2. The SHMA 2015 identified a net need for 478 homes per annum and the updated assessment (Addendum 2017) identifies a net need for 517 homes per annum. On the face of it, it appears that affordable housing need is growing rapidly.
- 3.3. Given the acute, and worsening, affordability issues in the borough, we do not consider the level of market signals adjustment to be appropriate.
- 3.4. We note that the PPG advises plan makers in areas where an upward adjustment is required, to set an adjustment at a level that is reasonable. The more significant the affordability constraints and the stronger other indicators of high demand, the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be (Paragraph: 020 Reference ID: 2a-020-20140306).
- 3.5. We therefore consider that a more appropriate degree of uplift is required in order to provide a meaningful improvement to market housing affordability and the delivery of affordable homes.

Other need

- 3.6. OAN is not just a housing matter and the Plan should account for other objectively assessed socio-economic needs.
- 3.7. The Submission Plan does not account for educational needs, particularly those needs arising from new housing advocated by the Plan.
- 3.8. Insetting Merrist Wood College from the Green Belt will assist Guildford in meeting this need.

4. Matter 3: Unmet Need in the Housing Market Area (HMA)

Is the plan sound in not making any allowance for unmet need arising elsewhere in the HMA?

- 4.1. The PPG advises that, along with meeting the objectively assessed development and infrastructure needs of the area, Local Plans should also include unmet needs of neighbouring areas (Paragraph: 002 Reference ID: 12-002-20140306).
- 4.2. The Submission Plan makes no allowance for meeting unmet housing need in the HMA. This is entirely inappropriate.
- 4.3. The Council has accepted that it needs to release Green Belt land in order to meet its own identified needs. It is quite conceivable that the Council could release further, well-located Green Belt land elsewhere in the Borough, in order to provide for unmet need elsewhere in the HMA.
- 4.4. Guildford Borough is not unique in having a large proportion of Green Belt land. The Council understands that it must release Green Belt land in order to meet its own housing needs and it could also release land to meet unmet need from elsewhere without compromising on the fundamental purposes of the Green Belt or impinging on its openness or permanence.

5. Matter 4: Housing Trajectory

Is the plan's housing trajectory, which starts at a low level and rises towards the later years of the Plan period, a sound basis for meeting housing need?

- 5.1. We share the Inspector's concerns about the Plan's proposed stepped housing trajectory which will result in the delivery of much lower numbers of homes in the Plan's early years than are actually needed.
- 5.2. In spite of the Inspector's express concerns, the Council has failed to amend its trajectory.
- 5.3. A stepped trajectory is proposed against the backdrop of prolonged and persistent under-delivery against existing housing targets and a weak five year housing land supply position.
- 5.4. This is an unacceptable aspect of the Plan.
- 5.5. The NPPF expects local planning authorities to "boost significantly" the supply of housing. A stepped trajectory fails to achieve this.
- 5.6. There are alternative sites that have been omitted from the Submission Plan which are suitable, available and deliverable in the early years of the Plan.
- 5.7. The Council reiterates that it is heavily constrained by the Green Belt however it has already accepted that its Green Belt boundaries need to be reviewed in order to meet its housing needs over the plan period.
- 5.8. The reorganisation of the Green Belt boundary does not need to lead to the undermining of the fundamental purposes and character of the Green Belt, or an unsustainable form of development.
- 5.9. By aspiring to deliver more houses towards the end of the plan period, the Council simply pushes the problem into the future. In the meantime, housing need and affordability issues will continue to grow and Guildford's significant housing problems will worsen.
- 5.10. Delaying the delivery of the bulk of the new housing until later in the plan period is inherently more risky. If delivery is delayed, housing targets will continue to be missed and the acute levels of housing need will be exacerbated.
- 5.11. The Submission Plan does not intend set a housing target which meets its annual average need of 654 dpa until 2026/27, where the target is set at 700dpa.
- 5.12. We understand that part of the reason for the stepped trajectory is due to the anticipated timing of the A3 Guildford Road Investment Strategy (RIS) scheme which is expected to be completed in 2027. We question whether this should impede development in the interim, or exclude some sites completely from being considered in the Plan.
- 5.13. There are deliverable, sustainably-located sites which could yield less vehicular movements than other sites as a result of good levels of accessibility by other (non-car) modes of transport.

Supressed targets

- 5.14. Table 1 of Guildford Council's Responses to the Inspector's Initial Questions sets out the stepped-annual housing target, against the projected delivery. With the exception of Year 1 (post-adoption) of the Plan, the Plan expects to actually deliver more than 654 dpa (its

OAN).

- 5.15. The housing targets in the early years have therefore been artificially suppressed.
- 5.16. The Council can, and should, be more ambitious with its housing targets. It is non-sensical to set a housing target which is well-below the OAN, particularly when the Council expects to deliver a much higher number of homes than identified in the target.
- 5.17. The annual targets in the early years of the Plan are clearly designed to stave off challenges predicated on the lack of a five year housing land supply position, post-adoption of the Plan.
- 5.18. The Council should be striving to significantly boost the supply of housing and the introduction of unnecessarily deflated housing targets earlier in the plan period is perverse.

6. Matter 5: Five Year Housing Land Supply

Question 5.1 Is the methodological basis for calculating the 5 year housing land supply sound? (The Council's calculations are based on a 20% buffer, the Liverpool methodology and a rising trajectory – see 3.50 of the Council's response to initial questions.)

- 6.1. As mentioned at Section 5 of this Hearing Statement (Matter 4), Table 1 of Guildford Council's Responses to the Inspector's Initial Questions makes it clear that the Council expects to deliver many more homes than its artificially deflated housing targets.
- 6.2. The stepped housing targets/trajectory have clearly been introduced to stave off challenges predicated on the lack of a five year supply of deliverable land for housing in the borough, post the adoption of the Plan. We wholly disagree with this approach.
- 6.3. In terms of the calculation, given the acute need for housing in the Guildford area, we consider that the Sedgfield approach is generally the most appropriate for dealing with past shortfall.

7. Matter 6: Homes for All

Are the plan's policies sound and effective in delivering a wide variety of quality homes to provide for the needs of all the community?

- 7.1. The SHMA 2015 identified a net need for 478 homes per annum and the updated assessment (Addendum 2017) identifies a net need for 517 homes per annum. On the face of it, it appears that affordable housing need is growing rapidly.
- 7.2. The Home Builders Federation (HBF) have long advocated that the long-term solution to the housing affordability crisis is to increase the supply of housing substantially, in turn requiring a substantial increase in the supply of land with residential planning permission.
- 7.3. We consider that the best way of achieving the delivery of a wide range of homes is by increasing the housing targets and residential allocations significantly.

8. Matter 9: Spatial Strategy, Green Belt and Countryside Protection

Is the spatial strategy as set out in the preamble to Policy S2 sufficient to explain the plan's approach to the overall distribution of development and guide future development during the plan period?

- 8.1. We believe that the preamble to Policy S2 incorrectly represents the council's preference as focussing growth in the most sustainable locations, and doesn't explain or define sufficiently what the council see as a sustainable location.
- 8.2. The inference is that if it sits within an existing settlement then it is inherently sustainable. Whilst the preamble to Policy S2 at paragraph 4.1.8 implies that development outside of the council's 'preferred locations' are unsustainable. It is the balance between the various aspects of sustainability e.g. economic, environmental, and social, that determine whether a location is sustainable. Paragraph 4.1.2a of the draft Local Plan states that 'Sustainable development will be achieved by seeking economic, environmental and social gains jointly and simultaneously through the planning system'. This balance is not expressed in the preamble at present.
- 8.3. We accept the need for a 'brownfield first' approach, but believe that what makes a sustainable location is more sophisticated than simply whether it is in or outside of a built-up area and this needs to be expressed in the spatial development strategy.
- 8.4. Specifically, we believe that given that Guildford is the Borough's most sustainable settlement, comprising all levels of services, facilities, and employment needs that it is wholly logical that development should be prioritised towards sites with the best access to Guildford and its town centre.
- 8.5. We therefore believe that 'urban extensions to Guildford' should be prioritised over urban extensions to Ash and Tongham, and certainly ahead of new settlements (i.e. Wisley airfield) and development around villages. The preamble does not make this order of preference clear.
- 8.6. We believe that the spatial strategy is undermined by the Council's over-riding priority to the protection of the environmental aspects of sustainability and namely the Green Belt over the presumption in favour of sustainable development.

Having regard to the need for housing, does the plan direct it strategically to the right places? Relevant aspects are:

- **The spatial distribution of existing and future need for housing**
 - **Movement patterns**
 - **Green Belt and landscape impact**
 - **Infrastructure provision and constraints**
- 8.7. As expressed above, we believe that given Guildford is the Borough's most sustainable settlement, comprising all levels of services, facilities, employment needs, and has the highest levels of access to sustainable modes of transport, it is wholly logical that sites with the best access to Guildford and its town centre should be prioritised. We certainly believe that 'urban extensions to Guildford' should be prioritised over urban extensions to Ash and Tongham, and certainly ahead of new settlements (i.e. Wisley airfield) and development

around villages. We believe a more focussed and sequential approach should be taken, weighing access to Guildford more heavily in the balance.

- 8.8. Guildford is by some stretch the highest order settlement in Guildford Borough and therefore represents the location where the main distribution of housing exists and is needed into future. It is also worth pointing out that edges of Guildford, particularly to the north and north-west have the ability to satisfy unmet housing need in the adjoining authority of Woking.
- 8.9. Unsurprisingly, Guildford and its immediate environs also represent the location where the movement and transport networks, including public transport are best established and can be further developed with the need for relatively minimal improvement. Locations around smaller villages or the establishment of new settlements will require more fundamental enhancements or changes in character to an area.
- 8.10. Protection of the Green Belt and valued landscapes is clearly important. However, we believe that the spatial strategy is currently undermined by the Council's over-riding priority to the protection of the Green Belt over the presumption in favour of other aspects of sustainable development. The need to provide new development in areas adjoining established and highly accessible housing areas on the edge of Guildford must figure more highly in the planning balance.
- 8.11. Accordingly, the need to provide substantial infrastructure improvements to render a location sustainable or capable of accommodating significant levels of housing must indicate that this potential location is less suitable for housing development. Many of the very large proposed housing allocations require significant infrastructure improvements, which cast doubt on the sustainability of the existing location but also on their deliverability, particularly across the periods prescribed in the draft Plan.
- 8.12. Whilst Guildford and its environs experience moderate to high volumes of traffic at peak morning and evening periods, particularly around junction accesses to the A3, this is to be expected from a key centre in the region and should not disproportionately dictate that housing development is directed towards less sustainable parts of the borough. This is particularly true of conclusions that have been drawn in the council's SA regarding sites to the north and west of Guildford and their deliverability in the early stages of the Plan period. Planned transport improvements to the A3 will certainly assist in alleviating congestion in the local and major road network in the area in the latter part of the Plan. But again this consideration should not be disproportionately applied when seeking to discount what are exceptionally well located and sustainable sites on the edge of Guildford. Further work and justification is needed by the council to explain how transport infrastructure provision, particularly the future A3 works have dictated the spatial distribution of future housing.
- 8.13. It should also be fully justified and explained where the threshold is for sites to not unacceptably impact on the local transport network around Guildford and therefore be able to deliver successfully within the early years. For example, housing sites in or around 500 units will have a substantial smaller impact than sites of 1,500 homes.

Having regard to the extent to which it is proposed to release Green Belt land and develop greenfield sites, do the plan's policies strike the right balance (in terms of housing provision) between the use of urban and previously developed land and urban extensions? Has the potential for further residential development in the urban area been adequately explored? (See also Item 5 of my initial questions.)

- 8.14. We believe that the Submission Plan adequately explores the potential for further residential development in the urban area.
- 8.15. As mentioned, we believe that 'urban extensions to Guildford' should be prioritised over development at lower order settlements such as Ash and Tongham, and certainly ahead of new settlements (i.e. Wisley airfield) and development around villages.

Having regard to 9.2 to 9.4 above, are the overall amount of land proposed to be released from the Green Belt, and the strategic locations for Green Belt release, justified by exceptional circumstances?

- 8.16. We agree that there are exceptional circumstances which justify the release of land from the Green Belt.
- 8.17. Paragraph 83 of the NPPF advises that during a review of their Green Belt, local planning authorities should consider the Green Belt boundaries *“having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period”*.
- 8.18. Reviewing the Green Belt is then, not a process to be undertaken lightly, nor should it only be concerned with meeting the needs of today. Reviews should keep longevity in mind and identify a suitable amount of land to meet, not only the needs of the plan period, but the needs beyond the Plan period.
- 8.19. This is particularly important for Guildford which is significantly constrained by Green Belt designation. We assert that there are other Green Belt sites of that are capable of being released, without compromising the fundamental aims and purposes of the Green Belt. Sites such as Liddington Hall are sustainably located at the edge of the existing settlement boundary of the borough’s principal town.

Does the plan take a sound approach towards the inseting of various villages from the Green Belt?

- 8.20. For the most part, the Plan takes a sound approach to inseting villages and sites from the Green Belt and uses what we believe to be the correct criteria through its evidence base for assessing potential villages/sites to be inset or removed from the Green Belt. However, we do not believe these criteria has been applied consistently and correctly when assessing the potential for Merrist Wood College to be inset from the Green Belt. Despite the update assessment undertaken within the Topic paper: Green Belt and the Countryside (December 2017), we believe the Merrist Wood College site has not been assessed correctly. If a proper balancing exercise had been undertaken across all the criteria then a different conclusion should have been reached.
- 8.21. For example, when assessed against the council’s criteria, the site has a greater percentage of built development across the site than five of the sites proposed to be inset, is larger in area than five of the sites, and represents a compact educational campus (although split over two sites). The main criticism of the site by the council is that the site is open in character where defensible boundaries are incomplete or absent. We strongly disagree with this conclusion. As mentioned in our representations, the northern campus is situated on a ridge and contained by trees and ancient woodland on all aspects. This means that substantial built development on this part of the campus is screened from wider views and therefore contributes little to openness of the Green Belt. The southern campus is more open to the north, but again includes a substantial amount of built development and hardstanding, well contained on other aspects. When considered overall, as other sites have been (there is no requirement to satisfy every criteria), we believe the Merrist Wood College site should be inset form the Green Belt.

If the Plan had to accommodate a greater housing requirement, for example through a higher OAN, what would be the implications in terms of the spatial strategy?

- 8.22. If the Plan needs to accommodate a higher housing requirement, the implication would be that all sites put forward through the Plan formulation process should be re-examined, including Green Belt land.
- 8.23. Those sites that are most sustainable and feature higher up in the sequential ranking set out at Policy S2 should be considered the more preferable options.