

Mr Chris Banks
Banks Solutions
64 Lavinia Way
East Preston
West Sussex
BN16 1EF

prp-co.uk

Architecture
Urban Design
Masterplanning
Landscape
Development Consultancy
Planning
Interiors
Research

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10 Lindsey Street
London
EC1A 9HP
020 7653 1200

Dear Mr Banks,

Guildford Borough Council Local Plan Resumed Hearings Hearing Statement - Guildford Vision Group

I write in response to the inspectors note ID/12 in advance of the hearing sessions for Guildford Borough Council (GBC) Local Plan. I act on behalf of Guildford Vision Group (GVG) who has been a participant throughout the examination process. As the inspector is aware the focus of GVG is on the town centre and our representations throughout have been for much greater focus on the ability of the town centre to deliver housing, infrastructure improvements, public realm and other significant improvements.

Before dealing with the matters raised in ID/12 it is important that issues of procedure for the local plan examination process which the group feel are important to make the inspector aware of.

It is with surprise and regret that many of the participants within the examination process are unclear of the position of the inspector with regard to whether matters which have been subject to previous hearing sessions. It is also with disappointment that the inspector at this stage has only sought to reopen hearing sessions to deal with matters relating to household projections and the housing requirement.

As you are aware, following the closing of the previous hearing sessions, GBC undertook a public consultation on main modifications to the plan, from 11 September to 23 October. This main modifications consultation included a new policy S3 which dealt with the town centre. We are aware that GBC has issued the inspector with a document titled 'Consultation on main modifications: Major Issues raised.' The inspector will therefore no doubt be aware of the significant weight of objection around policy S3.

The guidance on Procedural Practice in the Examination of Local Plans issued by PINs in June 2016 (4th Edition v.1). At paragraph 5.20 this sets out the procedure for Post-Submission Changes Initiated by the LPA (as is the case for GBC) and states (inter alia) that:

In order for the Inspector to take forward any change (in effect a proposed main modification) initiated by the LPA (or any other party in the examination), the requirements of section 20(7B) and (7C) of the PCPA must be met. For example, a LPA's change of preferred approach to a policy (including a site allocation) could not be accommodated unless the policy/site as submitted is, in the Inspector's view, unsound or not legally compliant and the proposed change initiated by the LPA (or any other party) would make the plan sound/compliant.

At the time of writing there has been no indication from the inspector that section 20(7B) and (7C) has been complied with by GBC. From reading the guidance the inclusion of a new policy S3 as a change in approach must only be accommodated if it is the inspector's view that the previous approach was unsound. GVG would agree with this

position but would also invite the inspector to consider whether policy S3 is a sound approach. For the reasons set out by GVG and others in their response to the main modifications consultation we are strongly of the opinion that it remains unsound.

Paragraph 5.21 of the Procedural Guidance goes on to state that:

Any such proposed change should, where appropriate, be subject to the same process of publicity and opportunity to make representations as at regulation 19 stage and it would usually be handled as part of the section 20(7C) process set out in the paragraphs below.

As set out a consultation was carried out and GVG and others made representations as part of this consultation.

Paragraph 5.2.1 then states:

If the proposed change were to alter the thrust of a policy, extend the range of development to which a policy applies, delete a policy or introduce a new policy, two very important considerations need to be borne in mind. Firstly, the proposed change must not undermine, or possibly undermine, the sustainability appraisal process that has informed the preparation of the plan. Secondly, it should be subject to adequate community engagement. If the LPA has taken appropriate steps to address these matters, the proposed change may in some instances be acceptable as set out in the paragraph above.

GVG set out throughout the examination process that the sustainability appraisal (SA) was flawed and contradictory in its approach to the settlement hierarchy and the brownfield first approach being advocated by the council. Despite stating that it was taking a brownfield first approach it was evident from the SA that the council had quickly resorted to delivery of housing from green belt sites before demonstrating that it had demonstrated exceptional circumstances existed. Moreover, several of the large green belt allocations were proposed as a 'given' within the various options examined by the SA. It cannot therefore be possible for the proposed inclusion of policy S3 to not undermine, or possibly under undermine, the sustainability appraisal process informing the local plan (as set out in para 5.2.1).

Paragraph 5.2.2 sets out the preferred approach to such changes:

The consultation on the proposed change may generate new representations. If so, in the interests of fairness, the Inspector will provide an opportunity to appear at the hearings to those who seek an amendment which follows directly from the LPA's proposed post-submission change(s)10 to the plan.

It is therefore in the interests of fairness that GVG invites the inspector to provide them and others with the opportunity to appear at further hearing sessions to discuss policy S3 and the general approach to the town centre. As the inspector is aware, additional information from GVG was accepted by him and subsequently submitted as part of previous hearing sessions. However, this has not been taken into account in the redrafting of policy S3 or other elements of the plan.

Turning to the matters and issues for consideration at the forthcoming hearing sessions:

1. The appropriateness of using 2016-based household projections for the basis of Guildford's Local Plan.

The inspector and indeed GBC both rightly recognise the 'Technical consultation on updates to national planning policy and guidance' which was issued by government in October and closed on 7 December 2018. It is, as GBC say in their response to ID12, a consultation and a formal response to it is yet to be issued by central government.

However at paragraph 19 the government sets out the three recommendations for responding to the new household projections:

- 1. For the short-term, to specify that the 2014-based data will provide the demographic baseline for assessment of local housing need.*
- 2. To make clear in national planning practice guidance that lower numbers through the 2016-based projections do not qualify as an exceptional circumstance that justifies a departure from the standard methodology; and*
- 3. In the longer term, to review the formula with a view to establishing a new method that meets the principles*

Given these recommendations it is therefore unclear on why GBC are advocating a new approach based on the 2016 household projections when in fact central government are clear that this is not an approach which should be followed.

2. Whether the calculation set out in the Council's paper "Update to OAN Assessment in Guildford as a result of the 2016-based Household Projections" (GBC-LPSS-033b) is an appropriate basis for calculating OAN.

GVG is satisfied that the objectively assessed need in the submission plan is correct but the strategy to meet that need is flawed. GBC are now seeking to depart from both the need and the strategy. This would make any plan fundamentally unsound in both not planning for enough houses, but also planning for them in the wrong place.

3. The implications of the Council's paper "GBC note on OAN following the 2016-based Household Projections" (GBC-LPSS-033a) for

- the overall housing requirement set by the plan
- the housing trajectory
- the 5 year housing land supply
- the need for the additional sites included in the main modifications.

It is noted that in the GBC response to ID12 they set out at paragraph 3.2 that *The Council has started work on an updated Land Availability Assessment (LAA), which will be published later this year.*

If the council is to address the principles set out in policy S3 and respond to substantial concerns raised by GVG throughout the examination process then this LAA must include a much more detailed review of the town centre sites. Given this the updated LAA is not available to later in 2019 then it is recommended by GVG that the inspector considers the suspension of the examination until the LAA is concluded.

4. Whether it is possible at this point in time to come to conclusions on the issue of Woking's OAN and any unmet need.

5. Whether in view of current uncertainties (especially with regard to item 4) it would be appropriate to insert a review mechanism into the plan and if so, how it would be phrased.

No comments.

We look forward to addressing these comments with the inspector at the forthcoming hearing sessions.

Yours sincerely,



Andy Black
Director of Planning