

Comments received during the Council's consultation on the neighbourhood plan and statement submitted by Guildford Borough Council for the examination.

Member of the public

I fully support the Burpham Neighbourhood Plan which has been submitted by the Burpham Forum.

Member of the public

I fully support the proposed Burpham Neighbourhood Plan.

Member of the public

As a resident of Burpham I would like to register that this Neighbourhood forum for Burpham, as written, has my full support .

Member of the public

I support this Neighbourhood Plan, and it would be of great benefit to Burpham and the community.

Member of the public

I support the plan, and hope the traffic does not increase , and the Environment is preserved

Member of the public

I am in agreement with the Burpham Neighbourhood Plan as it will look after the Burpham area and its environs for the next twenty years.

Member of the public

My wife and I have followed the development of the Burpham Neighbourhood Plan since its inception. This is a vital document for our community and we both endorse it. There are four principal reasons why we do this:

- Local people resident or working in an area must have an opportunity to make an input into the sustainable and planned development of their community. Change has to occur but it should be informed by those who live there.
- Burpham is an attractive area with important rural and environmental aspects. It faces many challenges not least because of high traffic density, surface water management and housing. Its infrastructure needs to be sympathetically developed. In the past many aspects of this have been approached in a piecemeal fashion and a coordinated plan is now called for.
- Areas of green space are particularly vital for the community and we fully support a sensible plan that allows both protection and improvement.
- Burpham's character needs to be maintained and this can only be done with a coordinated plan implemented in partnership with the Borough Council and others. Garden grabbing and the exploitation of unsuitable areas with little regard to the consequences for traffic, parking, flooding and environmental damage should be mitigated with the existence of a Neighbourhood Plan

Member of the public

I am writing to confirm that I wholeheartedly support the Burpham Neighbourhood Plan 2015 - 2035. I particularly approve Policy B-EN2 - the development of back gardens has been unbearable and relentless; Policy B-EN3 - the preservation of public open space is essential to our quality of life; Policy B-FD 2 - dwelling density is becoming unacceptable; Policy B-FD 5: water supply and sewerage infrastructure has become a very material issue which seems to be conveniently ignored by both GBC and developers who have scant regard for the real dangers to properties; Policy B-FD 6 : green Man site/ Aldi : it is too late for Aldi, it has now destroyed the character of the village but should prevent a repeat and Policy B-T1 - car parking standards which are wholly inadequate on all accounts.

Member of the public

I support Burpham Neighbourhood Plan. Local people will be able to have their say on development, housing, transport, flooding and infrastructure. There is currently no long term overarching vision for Burpham and I believe the Neighbourhood Plan could help provide this.

Member of the public

I support the great majority of the Plan.

Member of the public

I support the proposals as a basis for future development of local plans for Burpham

Burpham Neighbourhood Forum

As a resident of the Burpham community I would like to express support for this plan. We are faced with increasing housing and transport pressures and it is imperative that we manage change in a way that does not have a negative impact on all of us who live here. We have a very large percentage of children attending local schools and we need to ensure our neighbourhood is protected and hopefully enhanced for the next generation.

We definitely need the Burpham Neighbourhood Plan and I have not come across a single person in our community who thinks otherwise.

Member of the public

As a member of the Burpham Neighbourhood Forum I fully support the provisions, sentiment and guidelines stated within the plan and would ask that they are adopted in full.

Member of the public

We support the provisions, sentiment and guidelines within the plan...'

Member of the public

I support the Burpham Neighbourhood Plan .

Member of the public

I have seen the neighbourhood plan as it has evolved and support what has been written in terms of its content and the policies it has decided upon

Member of the public

I strongly support the plans put forward by this highly dedicated and committed forum that sees the interest of our community as paramount.

Member of the public

I have been a resident at 63 Burpham Lane for 20 years. I don't have a driveway unfortunately, so need to park on the road.

Parking near my house is becoming increasingly difficult due to traffic congestion and inconsiderate driving and parking by other road users.

As a resident, should I have any entitlement to being able to park near my house without being scared and anxious about accidents occurring and without causing drivers and pedestrians unnecessary difficulty and potential danger/s?

Would it be possible to allocate limited parking to the residents of the houses only? a one-way or access only for residents system may also help - although I appreciate that it will be difficult to put into place - especially as many people use Burpham Lane as a rat-run/short-cut to the A3.

Any advice or assistance with this matter, (now and for the future), will be greatly appreciated.

Member of the public

I generally support this plan. However, this part of Burpham, the area around Orchard Road, is losing its previous good character because of excessive back garden development. There should be a ban on any more.

Member of the public

Burpham Lane has become a traffic nightmare. At the Clay Lane end there is a 'blind corner' because of too many parked cars, not allowing for the driver to see if another car is coming. There have been many near misses and also a lot of annoyed drivers. It's an accident waiting to happen. The other end of Burpham Lane (Aldi) is congested due to the building of Aldi and the cars parked on the road.

Highways England

Thank you for your email notifying us of the forthcoming consultation for the Burpham Neighbourhood Plan for the ward of Burpham in east Guildford.

Please note that from 1 April 2015, we became Highways England, a government owned company. Highways England's role is to operate, maintain and modernise the strategic road network (SRN) in line with the Roads Investment Strategy, reflecting public interest and to provide effective stewardship of the network's long term operation and integrity. For Guildford Borough Council this relates to the A3.

We have reviewed the consultation and have no comment at this time.

Member of the public

I support the Burpham Neighbourhood Plan.

Cllr Christian Holliday, Ward Member for Burpham

I support the adoption of Burpham Neighbourhood Plan for my Ward.

I have seen the amount of time and effort that has been put into its preparation over the past 2 years by Forum members, including the extensive effort made to consult with the local community through a residents survey and various public meetings. The Forum website has kept residents informed of progress throughout its preparation.

During the recent election campaign I spoke to hundreds of Burpham residents whilst canvassing, many of whom are concerned with planning matters in Burpham and the wider Guildford area. Every voter with which I discussed planning matters was aware of the Burpham Neighbourhood Forum and the existence of its Plan for the Ward. I did not encounter any opposition to the Plan amongst residents whilst canvassing.

I therefore commend the plan to the Examiner.

Burpham Neighbourhood Forum

Following 2 plus years of work on the plan - I have had personal conversations with many of the Plan area residents and 'visitors' to the Local green spaces of Burpham discussing the needs of the Neighbourhood Plan –

While all are supporting the Green spaces policy.

They all have decried the developers who have tried and in the main succeeded to get their planning permissions in before the Neighbourhood plan could be completed, only one developer (in the Green Belt) has contacted the forum to discuss their plans within the area. Using the still emerging plan as an excuse to try and change the character of the Area before it has reached the officially 'take notice point.'

We have had small land areas of major change, affecting the character of the community including the granting of permission for the New Aldi Store which is 'out of character,' 'wrongly positioned on the site' 'unsafe' and predicted overuse of this site affecting other businesses and the community uses of the surrounding roads. The site could have been better used for community use. It is hoped that the Neighbourhood plan will put a stop to the destruction of the community character and provide a less manic approach to planning permission being granted within the ward up to this date. No other Ward in the Borough has suffered such increase in permissions being granted in the past three years.

The Traffic problems within Burpham lane with the increase in School capacity and the Aldi Store are well forecast and to the main ignored by those currently agreeing planning permissions and it is hope the Neighbourhood plan will go some way to provide solutions to this problem. The Plan while not having the 'authority' to instigate Traffic regulation orders may well serve as a stepping stone to instigate them in future.

In respect of Traffic flows and Numbers have only recently become available 11th May 2015. Further the proposed intention to remove the Weight limit on Clay lane exit /entry to Burpham has also only recently been disclosed by GBC – This would also have been Strongly opposed within the Neighbourhood Plan as the TRO 7.5 ton limit protects the community from 'through' HGV movements of potentially some 900 vehicles per day.

Neither have been included as appendices or policies but would have been if known about at the time of writing the plan

The potential flooding problems of the Wey and of the Sewers are highlighted in the appendix, It is hoped that including this as a reference to previous events, suggestions to fundamentally change the flood plain will reference the historic events and adjust their plans accordingly.  
I commend this plan to the community.

### Thames Water

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

As you will be aware from previous representations, Thames Water are the statutory sewerage undertaker for the whole of the Guildford Borough and the statutory water undertaker for the southern part of the Borough and are hence a "**specific consultation body**" in accordance with the Town & Country Planning (Local Development) Regulations 2012. We have the following comments on the Neighbourhood Plan:

#### **Policy: B-FD5 - Water Supply and Sewerage Infrastructure**

Thames Water support the policy as it is in line with their previous representations.

A key sustainability objective for the preparation of the Neighbourhood/Local Plan should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states:

**"Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater...."**

Paragraph 162 of the NPPF relates to infrastructure and states:

**"Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment...."**

The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on 'water supply, wastewater and water quality' and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that "**Adequate water and wastewater infrastructure is needed to support sustainable development**" (Paragraph: 001, Reference ID: 34-001-20140306).

It is therefore important that the Neighbourhood Plan considers the net increase in water and waste water demand to serve proposed developments and also any impact the development may have off site further down the network, if no/low water pressure and internal/external sewage flooding of property is to be avoided. Thames Water therefore support Policy B-FD5 as it is in line with their previous representations .

Information for Developers on wastewater infrastructure within Thames Water's area, can be found on Thames Water's website at: <http://www.thameswater.co.uk/cps/rde/xchg/corp/hs.xsl/558.htm>

Or contact can be made with Thames Water Developer Services by:

Post at: Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY; Telephone on: 0845 850 2777; Email: developer.services@thameswater.co.uk

### **Appendix 6 – Water and Flooding**

We have consulted with Thames Water's asset planners and whilst they are happy for the document to include the text on page 12, the last sentence of 'The Foul Water Problems of New Inn Lane & Raynham Close' section should be deleted as this is incorrect. It was a wet weather event that caused the flooding and not incapacity during normal operating conditions, therefore it is incorrect to state there is not capacity.

The Sewage Treatment Works being referred to (Moorefield Water Works at Slyfield) is also more commonly known as Guildford Sewage Treatment Works.

### **Policy B-EN6 – Adapting to and Mitigating Climate Change**

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water supports water conservation and the efficient use of water and consider that this should be referred to in Policy EN7.

Thames Water have their own water efficiency website:  
[www.thameswater.co.uk/waterwisely](http://www.thameswater.co.uk/waterwisely)

By exploring our interactive town, Waterwisely, you can discover how you can start saving water, help protect the environment, reduce your energy bill and even cut your water bill if you have a meter.

You can calculate your water use, see how you compare against other Thames Water customers and the Government's target, and get lots of hints and tips on how to save water.

Thames Water customers, can also order a range of **free devices** to help save water.

However, managing demand alone will not be sufficient to meet increasing demand and Thames Water adopt the Government's twin-track approach of managing demand for water and, where necessary, developing new sources, as reflected in Thames Water's Water Resource Management Plan.

Thames Water recognises the environmental and economic benefits of surface water source control, and encourages its appropriate application, where it is to the overall benefit of their customers.

However, it should also be recognised that SUDS are not appropriate for use in all areas, for example areas with high ground water levels or clay soils which do not allow free drainage. SUDS also require regular maintenance to ensure their effectiveness.

With regard to surface water drainage, we consider that the following paragraph should be included in the Neighbourhood Plan: **"It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding."**

I trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

### Member of the Public

Over the long lead in period almost from the start of the public involvement in drafting the info. used in the plan I have been involved in the Burpham Plan and I have seen the support for the contents and hard work from all the local people involved.

It is based on the " wishes" of the local people that live and work in the area not from outside interests which these plans should be , it should therefore be supported by GBC as true wishes of the people of Burpham.

I therefore give it my full support and GBC should do the same.

[Name redacted] [ now retired but I had worked all my life in the Building and Development industry }

### Chairman, Merrow Residents Association

I am commenting on the Burpham Neighbourhood Plan as Chairman of the Merrow Residents' Association since Merrow is adjacent to Burpham and suffers from many of the same problems as Burpham. We have followed the development of this Plan with great interest and have attended some informative public meetings in Burpham where the Plan has been discussed.

We are extremely impressed with the Plan, its detail, with the amount of work that must have gone into its development and the policies contained within it. We have a few comments on the Plan, as follows:-

**Gosden Hill Farm and Traffic.** We note the introductory comments in the Policies Section and in particular that Burpham may also have to contend with a large new housing development at Gosden Hill and that this could have a significant impact on Burpham's roads through the doubling of the number of local residents (and cars). We also note that the Plan has not proposed any solutions to traffic issues since the problem and the solutions, lie outwith Burpham's boundaries with responsibility resting with Guildford Borough Council, Surrey County Council and the Highways Agency. We totally agree with the comment that it is imperative that Burpham's increasing traffic problems are resolved before any nearby strategic developments are permitted

**Policy:B-FD 4: Improvements to General Infrastructure** We understand the real concerns about both traffic and parking in Burpham as many of our members pass through or shop in Burpham - and our roads are congested at the best of times. We therefore fully support Policy:B-FD 4 and specifically that roads, pavements, drainage and other essential infrastructure must be completed prior to occupation of any development.

**Policy: B-T 1: Parking Standards.** We are extremely concerned at the number of vehicles that are now being parked on the roads of Guildford and the scarcity of off-street parking. Many of these vehicles routinely park on double yellow lines overnight. We also take the view that the current parking standards in the 2003 Guildford Local Plan are way out of date in terms of off street car parking spaces allowed for new housing - and although they are to be reviewed as an element of the new Local Plan we are not too optimistic about the outcome of this review. For these reasons, we fully support Policy: B-T 1 on Parking Standards and very much hope that a similar standard can be adopted for the whole of Guildford within the new Local Plan that should be available for consultation later this year.

**Policy: B-AT 2: The Railway.** As we are all fully aware, the suggestion of a new railway station on the site of the Merrow Depot has been on the cards for very many years and has been the subject of a great deal of discussion in the context of the new Local Plan for Guildford. We have taken a neutral view of this proposal in recent times as it is impossible to take a clear view until far more detail becomes available as such a development could have very serious repercussions for the residents of Merrow and those who use Park Lane to access Burpham, its

shops and the A3. Any such development must be carefully considered in the context of the infrastructure improvements that would be necessary to avoid massive traffic bottlenecks in the roads around Merrow and Burpham. So we note this element of the Plan Policy with some caution.

#### Development Planning Consultants

As a landowner and developer and owner of housing in Burpham over the last few years, I congratulate the residents for showing concern at their environment and trust that they may be able to convey this to planning officers when applications are received.

My major concern is that this Plan does not actually achieve anything, because fundamentally there is very little for Burpham to concern itself about.

The specific policies in the Neighbourhood Plan are essentially those that are contained in the local plan or the NPPG and I am unclear what benefit further policies will have in development control.

Specific reference is made in Policy EN2 to control development in back gardens by the use of a type of unusual density control. These will inevitably mean that any development arising will not be for higher density ( and therefore small affordable units for first time buyers or indeed the elderly retired) and will be for more expensive detached housing contrary to other aims of the Plan.

The Plan proposes no new development, concerns itself with the Aldi store ( which is under construction) and otherwise seeks to protect heritage and natural facilities which already have protection under normal planning processes. No attempt is made to deal with the single biggest problem (traffic).

Much is made of the quality of existing housing in Burpham; my experience is that those properties built in the 1930's to the 1950's are actually characterised by very poor design standards and overlarge back gardens which the residents struggle to keep up. The only good defining feature is the sylvan character of the roads in areas like Orchard Road and New Inn Lane.

A more realistic assessment would be to embrace the future redevelopment potential of most of the interwar estates to produce quality housing for the future.

I am sorry to have to say that I cannot see that the Plan has any merit at all and merely adds another layer of bureaucracy, stifling the development process.

#### Planning Potential on behalf of ALDI stores Ltd.

##### **Burpham Neighbourhood Plan 2015-2035**

I am writing on behalf of ALDI Stores Ltd. (ALDI) to submit comments in connection with the 'Burpham Neighbourhood Forum (BNF) 1: Policies (February 2015)'. These comments follow our previous representations dated 20th November 2013.

##### *Introduction*

ALDI are freehold owners of the former Green Man site on London Road, which falls within the BNF area. Since the BNF 'Pre-Regulation 14' Consultation (2013), ALDI have been granted planning permission (reference: 13/P/02028) by Guildford Borough Council for an ALDI store and warehouse together with associated car parking and landscaping on land of the former Green Man site, London Road.

Given the recent grant of planning permission, ALDI represent a key stakeholder within the Burpham neighbourhood, providing the local community with an award winning convenience store. The store will also act as a key anchor facility to Kingpost Parade.

Therefore, due to ALDI's ongoing activity on the site, we welcome the opportunity to comment in respect of the 'Burpham Neighbourhood Plan 2015' and policies that potentially effect the site. Going forward, ALDI are keen to continue to discuss their future proposals with the BNF.

A 'principal objective' of neighbourhood plans is confirmed as being to, "...increase the rate of growth of housing and economic development in England" (*Localism Bill: neighbourhood plans and community right to build, CLG, January 2011*). To ensure this happens, all plans produced through the neighbourhood planning process must accord with planning policy objectives, including the National Planning Policy Framework (NPPF), which includes (paragraph 14) a, "...presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking".

Further principles guiding the plan-making process are set out in paras. 15 – 17 of the NPPF, including para. 16, which states neighbourhoods should '*plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan*'.

Nevertheless, notwithstanding and without prejudice to ALDI's planning interests in the former Green Man Site, we have reviewed the document and submitted the following comments.

*General policy ALDI remain supportive of*

Policy EMP 2 - Shopping Parades - ALDI continue to support the allocation of Kingpost Parade and welcome the recognition of its retail function. The new ALDI store will encourage link trips to this shopping parade and provide local community with accessible shopping facilities and in turn help Burpham maintain a sustainable community. It is noted Sainsbury's is identified as a major retailer outside of the designated shopping Parades and it is respectively requested that ALDI is mentioned too, as providing retail service to the community and surrounding area.

*Concerns*

Policy FD 6 - Green Man Site/ALDI Site – Despite ALDI receiving planning permission (13/P/02028) for a foodstore the plan still suggests the site would be more suitable for a café/restaurant/community hall/medical centre or (if these are unviable) low rise market flats. ALDI wholly objects to this approach and considers that the site should be allocated for retail use, as clearly recognised and accepted through the statutory planning process. The proposals have been subject to a thorough assessment by Guildford Borough Council Officers, who recommended that planning permission should be granted, and was subsequently approved at Planning Committee.

The ALDI store will act as an anchor to Kingpost, improving and enhancing the vitality and viability of the existing centre. This is supported through the NPPF (para.23) and would also accord with aspirations for Kingpost alluded to in policy EMP2 i.e. boosting the centre's retail offer.

Policy FD 6 attaches unrealistic and unreasonable aspirations to the Green Man site and are not deliverable as the site already has consent for a foodstore. The NPPF (para.173) states that plans should be deliverable and therefore '*sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened*'.

Policy - T1 – Parking Standards - The intention to impose minimum rather than maximum parking standards is not consistent with sustainable development principles. This approach does not help to promote or encourage non-car modes and is not supported by the NPPF.

Policy FD4 – General Infrastructure Facility – Point 2 of this policy states any proposal generating noise should be '*...treated as a blight on the community*'. This is contradictory to the para 123 of NPPF which states planning policies should aim to avoid noise from giving rise to '*significant adverse impacts*'. It is a statutory right to provide suitable measuring of potential noise impacts of development. If submitted Noise Surveys demonstrate that potential impacts are acceptable then this should not prevent planning permission being granted and/or beneficial development progressing.

I trust the above is self-explanatory and provides clear justification for the suggested amendments, and would respectfully request that these adjustments are made. I would be grateful to be kept informed of progress and future consultations on this and other policy matters. In the meantime, please do not hesitate to contact me should have any further questions.

#### Member of the Public

I fully support all aspects. of the plan and look forward to voting on it soon

#### South East Water

South East Water only supplies part of the Guildford Borough.

The area of Burpham is outside of our supply area. Therefore on this occasion we will not be responding to the neighbourhood plan consultation.

#### Member of the Public

I agree with all the comments on the Burpham Neighbourhood Plan and look forward to voting in it shortly

#### Surrey County Council

##### **Introduction**

The Localism Act specifically excludes minerals and waste development from neighbourhood plans. It would therefore be useful for the introduction to the Neighbourhood Plan to include a reference to the Surrey County Council Surrey Minerals Plan and the Surrey Waste Plan for further information on such related policy matters.

##### **Policy B-EN 4**

The County Council would be concerned about a policy that effectively restricts future development on school sites because it could potentially prejudice future provision of essential education facilities to meet the needs of the local community. We would ask Guildford Borough Council to consider the following issues with regard to the appropriateness of including school playing fields within areas designated as Local Green Space:

- The NPPF states that such designation should "be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services." Designation of school grounds, including playing fields, as LGS could prove a restrictive barrier to future provision of education facilities for the local area. Such designation is not therefore considered to be in conformity with the NPPF because it may not complement investment in essential services.
- LGS Designations are additionally required to meet the criteria set out in paragraph 77 of the NPPF. One of these criteria is for the green area to be demonstrably special to a local community and holding 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. In our view, school playing fields would not meet these criteria as, being ancillary to schools, they are considered to serve primarily as educational facilities.

- The LGS designation appears to be proposed for much of the green land within the designated area of the Neighbourhood Plan which seems to contradict the NPPF principle that LGS "will not be appropriate for most green areas or open space."

### **Policy B-EN 6**

This policy broadly reflects the intentions of the Surrey Waste Plan (SWP) 2008 and the Surrey Minerals Plan (SMP) 2011 with regard to the efficient use of natural resources and the re-use and recycling of resources. We would recommend a more explicit statement reflecting SWP Policy CW1 and SMP Core Strategy Policy MC4 and MC5. These policies advocate that development proposals in Surrey should promote waste minimisation, the re-use and recycling of construction and demolition waste, and the efficient use of mineral resources including the use of some recycled and secondary aggregates in new projects.

We therefore recommend that the second bullet of Policy B-EN6 be amended as follows: "Promote the efficient use of minerals and other natural resources, waste minimisation, the re-use and recycling of waste and the production and consumption of renewable energy". We consider that this will better help to implement the sustainable objectives of the waste hierarchy and help to conserve finite sharp sand and gravel resources which are anticipated to run out in Surrey towards the end of the next decade.

### **Policy: B-FD4: Improvements to General Infrastructure**

With reference to the need for infrastructure including schools for 50+ Dwellings, it should be noted that in seeking developer contributions towards education provision, Surrey County Council as the Education Authority will have regard to Government Regulations relating to S106 and CIL policies and also to Guildford Borough Local Plan policies and guidance. Developer contributions for education provision will be sought on the basis of the additional need calculated to be generated by housing development proposals on a site by site basis.

### **Policy: B-T 1: Parking Standards**

The parking standards set out in this policy do not appear to be in line with the Borough Council's standards or with the County Council's adopted guidance. The Borough Council may therefore consider recommending that these are amended.

### **Policy: B-AT 2: The Railway**

This policy should be amended to read:

"The Neighbourhood Plan will support a railway station at the site of the current Surrey County Council Merrow Depot. This aspiration accords with the Surrey Rail Strategy."

The current wording appears to result from a misreading of our earlier comments on the previous draft Policy AT3, which were as follows:

*"The policy states that the plan will support an assessment of the viability of a new railway station at Merrow. This accords with the Surrey Rail Strategy. Appendix B could include a reference to the Surrey Rail Strategy."*

### **B-AT3: School Parking**

As the Highway Authority we would not support a policy for the general provision parent pick-up zones. Such zones tend to take up substantial areas of land and, if they are not of a sufficiently large scale, can lead to cars queuing on the highway. This can cause congestion and highway safety issues whether or not they are located away from the main entrance.

Each site needs to be considered on its own merits with regard to design opportunities and potential highway impacts. Therefore we recommend that any reference to onsite parking provision for pupils and the reference to drop off and pick up zones for parents is amended to refer to "appropriate provision for parents."

### **BNF 8 Appendix 7 - Historic sites**

The Sites and Monuments Record (SMR) has been expanded to include information relating to all aspects of the historic environment and is now called the Historic Environment Record (HER). The list in the appendix is out of date as some of the sites are no longer included following archaeological investigation, but any issues arising from this can be dealt with when the County Council is consulted if and when any proposals are submitted for development. Meanwhile the County Council's heritage team would be pleased to provide further information on request.

Barton Wilmore on behalf of Martin Grant Homes LLP

### **1.0 INTRODUCTION**

1.1 This Statement has been prepared by Barton Willmore LLP on behalf of Martin Grant Homes (MGH) who own the land at Gosden Hill Farm, to the north east of Guildford, hereinafter referred to as 'Gosden Hill'.

1.2 It sets out MGH's representations to the draft Burpham Neighbourhood Plan ('the draft NP') which has been submitted to Guildford Borough Council (GBC) by the Burpham Neighbourhood Forum ('the BNF'). Following this consultation the draft NP will become the subject of an independent examination to ensure it meets 'basic conditions and other matters' as set out in the Town and Country Planning Act 1990 (as amended).

### **Gosden Hill**

1.3 Gosden Hill is located immediately to the east of the built-up urban area of Guildford, falling wholly within the administrative boundary of GBC. It is bound by the A3 to the north, one of two main arterial routes into and out of Guildford, Merrow Lane to the west and the Guildford-London railway line to the south. West Clandon lies to the east of Gosden Hill, beyond ancient woodland and agricultural land at Desdwell Manor Farm, both of which lie outside the proposed strategic site allocation identified in GBC's Draft Local Plan Strategic and Sites consultation ('the emerging GBLP') (July 2014). The site presently comprises undulating agricultural land including Gosden Hill Farm and a number of residential and farm buildings.

1.4 There is insufficient land available within the Borough's existing urban area to accommodate the objectively assessed needs of the growing population, taking account of economic as well as demographic needs. As confirmed in the emerging GBLP, the release of Green Belt land for development will be required, making a valuable contribution towards meeting housing and employment needs, whilst also delivering supporting infrastructure, services and facilities, for the new development and benefit of the wider area.

1.5 MGH has engaged with GBC, Surrey County Council (SCC), Highways England (HE), Natural England (NE), Network Rail (NR) together with the BNF and other local stakeholder groups in promoting Gosden Hill through the GBLP process and the draft NP. MGH will continue to engage with these parties in a positive way in shaping the proposals for Gosden Hill including through the Burpham neighbourhood planning process.

### **Summary of Representations**

1.6 Aligned with the preparation of the GBLP, MGH is seeking the strategic allocation of Gosden Hill for a residential-led, mixed-use development which will deliver new housing, including affordable housing, employment and supporting facilities as well as new strategic infrastructure which will benefit its future residents, in addition to nearby parts of Guildford and the Borough as a whole.

1.7 Gosden Hill could deliver the following:

- Residential development (up to 2,000 dwellings).
- High quality employment space (approx. 2ha) including prime business headquarters and incubator units.
- A new Local Centre including primary school, GP surgery, village green, café, shops, community rooms and local retail opportunities.
- A new Park and Ride facility linking with the A3 to the north.
- A new access to the A3.
- Highway improvements to existing Burpham off slip so that it is realigned as a two-way access road.
- Assisting in the delivery of a 'Merrow' train station with associated car parking.
- A proposed Nature Reserve (approx 21ha).
- New and enhanced local walking and cycle routes.
- Managed woodland, open space and the provision of Suitable Alternative Natural Greenspace (SANG) extending to 38.4 hectares in order to meet the requirements for up to 2,000 dwellings at Gosden Hill.

1.8 MGH's representations seek to ensure the Burpham Neighbourhood Plan, in meeting national and local guidance, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and meets NPPF requirements in being positively prepared and in "...**general conformity with the strategic policies of the Local Plan**" (para. 184, the NPPF). As this Statement explains, there is no clear evidence that the BNF has, in preparing the draft NP, shown regard to the evidence based documentation prepared by GBC which has underpinned the emerging GBLP, namely the Green Belt and Countryside Study and the Strategic Housing Market Assessment. In failing to acknowledge the emerging GBLP, the draft NP makes no reference to the proposed Gosden Hill strategic allocation within its proposed policies and lacks conformity with the strategic objectives of GBC in this regard.

1.9 As this statement concludes, MGH does not, at present, find the emerging NP to be sound and raises a number of principal concerns regarding whether legal requirements have been met.

## **2.0 PROCEDURE FOR NEIGHBOURHOOD PLANNING**

2.1 The Localism Act (2011) makes provision for Neighbourhood Planning, empowering local communities to develop a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to development and use of land. It sets the following basic conditions that Neighbourhood Development Plans or Orders must meet:

- must have appropriate regard to national policy and advice contained in guidance issued by the Secretary of State;
- must contribute to the achievement of sustainable development;
- must be in general conformity with the strategic policies contained in the development plan for the area; and
- must not breach, and be otherwise compatible with, EU and Human Rights obligations.

2.2 The National Planning Policy Framework ('the NPPF') (March 2012) provides further guidance on the preparation of Neighbourhood Plans at paragraph 184 which states that:

**"The ambition of the neighbourhood plan should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them".**

### Basic Conditions

2.3 To proceed to a referendum, a Neighbourhood Plan needs to meet the 'basic conditions' set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the national Planning Practice Guidance (PPG). The basic conditions are:

- (a) It must have regard to national policies and advice in the form of the NPPF. The PPG is clear that Neighbourhood Plans should support the strategic development needs set out in Local Plans and that they should not promote less development than these.
- (b) It must have special regard to the desirability of preserving/enhancing settings or features or architectural or historical interest.
- (c) It must have special regard to the desirability of preserving/enhancing the character or appearance of any conservation area;
- (d) It must contribute towards the achievement of sustainable development. The PPG emphasises that the plan must contribute to improvements in environmental, economic and social conditions, and show how any adverse impacts have been prevented, reduced or offset.
- (e) It must be in general conformity with the strategic policies contained in the development plan for the area of the authority.
- (f) It does not breach EU obligations such as Strategic Environmental Assessment, Environmental Impact Assessment and Habitats and Wild Birds Directives.
- (g) It meets prescribed conditions such as it should not have a significant effect on a European site.

2.4 In order to meet the aforementioned requirements of the PPG, the Burpham Neighbourhood Plan must be in general conformity with the "...**strategic policies contained in the Development Plan...**" which in this instance comprises the saved policies of the Guildford Local Plan (adopted 2003) and which will remain so until such time as they are replaced.

2.5 However, the Local Plan saved policies are largely out-of-date, particularly in relation to the relevant policies for the supply of housing, covering the period up until 2006 and pre-dating the publication of the NPPF. Its strategic policies fail to cover or mention the NP period 2014 - 2031 and the adopted Local Plan cannot demonstrate that the provision for housing growth within it is based upon an up-to-date, objective assessment of housing need, as required by national planning policy ('the NPPF').

2.6 Consequently, the draft NP must take into consideration GBC's published emerging GBLP (July 2014) and its evidence based documentation in respect of housing needs and Green Belt review, given it represents the 'direction of travel' in local planning policy and will come into effect during the NP period. The inclusion of Gosden Hill as a strategic allocation represents the Borough's latest published proposals and consideration to this should be made within the emerging NP.

2.7 Accordingly, MGH concludes that the draft NP is not legally compliant, having no strategic basis on which to proceed to a referendum until such time as the spatial strategy for the Guildford Borough has been established in the revised Local Plan.

### **3.0 REPRESENTATIONS TO DRAFT BURPHAM NEIGHBOURHOOD PLAN 2015-2035**

3.1 The following paragraphs set out MGHs' representations in response to specific draft policies contained within the draft NP within the context of their proposals for Gosden Hill. Disappointingly, and despite a sizable proportion of the Gosden Hill proposed allocation falling within the NP area, the draft NP only makes one reference to the Site and this is within the 'Introduction and Vision Statement' section which states:

**"Burpham may also have to contend with a large new housing development at Gosden Hill that could be allocated for development by Guildford Borough Council. Gosden Hill lies, in the main, outside the Neighbourhood Plan area, but could potentially have significant impacts on Burpham's roads through the**

**doubling of the number of local residents (and cars), in addition to a new Aldi store in the centre of Burpham that will also attract more traffic to the area”.**

3.2 As such, the draft NP fails to acknowledge the strategic benefits associated with proposals for Gosden Hill, particularly in the form of substantial new market and affordable homes, employment land and significant new transport infrastructure. Consequently, MGH finds the above statement unduly negative and seeks its deletion and replacement with a more balanced statement that identifies the benefits which Gosden Hill could deliver.

Draft Policy B-EN1: Development within the Green Belt

3.3 The above draft policy finds development within the Burpham’s Green Belt “inappropriate” unless it is “...carried out in accordance with the NPPF or its successor policy”.

3.4 MGH finds the inclusion of draft Policy B-EN1 unnecessary and recommends its deletion given it proposes no additional guidance to that contained within the NPPF at Section 9.

3.5 It is also noteworthy that in order to meet their current and future housing needs, GBC has acknowledged the need to release sites from the Green Belt where these no longer fulfil their purpose in full and this policy direction has come forward to date within the emerging GBLP and its supporting technical studies which includes a thorough Green Belt review. Accordingly, GBC is intending to release several sites from the Green Belt to facilitate their strategic development and Gosden Hill forms one of these. Consequently, it will be for GBC, in identifying strategic objectives and allocations, to decide which sites should be released from the Green Belt and this is not a decision for the draft NP which, in order to meet basic conditions, should “...**support the strategic development needs set out in the Local Plan**” (PPG).

Draft Policy B-EN3: Public Open Space and Policy B-EN4: Local Green Space

3.6 The above draft policies are interlinked; draft Policy B-EN3 seeks to designate areas of public open space within Burpham as Local Green Spaces while draft Policy B-EN4 seeks to protect such designations from development.

*Draft Policy B-EN3*

3.7 Draft policy B-EN3, in its current form, is misleading, prescribing only three proposed Local Green Spaces before referring to an Appendix (no. 3) for the full listing of proposed Local Green Spaces within Burpham.

3.8 Merrow Common forms one of the three proposed Local Green Spaces included within the draft Policy B-EN3 wording which it describes as follows:

**“This area of woodland, straddling New Inn Lane and Merrow Lane, is identified in early maps and in the Domesday Book as ‘Swine feed’. The woodland contains many old trees and forms a unique barrier between the Green Belt and the urban area. Any attempt to modify this area in any way is strongly opposed by this Plan. A Tree Preservation Order exists on all trees within the area south west of Merrow Lane to the railway line and an Ancient Woodland Order covers some sections of this ‘continuous’ woodland”.**

3.9 Draft Policy B-EN3 goes on to state that:

**“Proposals for built development on Local Green Spaces (with the exception of wildlife corridors, see B-EN4) will not be permitted unless the proposal is of a limited nature and it can clearly be demonstrated that it is required to enhance the role and function of that Local Green Space”.**

3.10 The wording of the last sentence to draft Policy B-EN3 is ambiguous and it is not understood whether this precludes development on wildlife corridors, or whether it seeks to prevent development in these locations also. MGH recommends that further clarification is provided in this regard.

#### *Draft Policy B-EN4*

3.11 Draft Policy B-EN 4 designates “...**important Local Green Spaces in Burpham to be protected in accordance with the paras. 76-78 of the NPPF**” before designating a ‘New Wildlife Corridor’ at Merrow Common and Merrow Lane” which it describes as follows:

**“The ‘new’ area designated is from the junction of London Road and Merrow Lane 100 metres at right angles to the centre line of the road towards the north east, then along Merrow Lane until it reaches Merrow Common stream. Then, to form a triangle, with its west boundary being the development line to the rear of Gosden Hill Road in the east. Then, following the tree line of Merrow Common until it reaches the railway line in the south. Then, along the railway line to the west, where it joins the development line arriving from the north, which includes the areas of the Tree Protection Order of 1949 and the Ancient Woodland designations of the 1980’s and the area known as Copse Edge. It includes the wooded areas on both sides of Merrow Lane and New Inn Lane”.**

3.12 MGH continues to **object** to the wording of draft policies B-EN3 and B-EN4 in their current form and finds the above description of the proposed ‘New Wildlife Corridor’ to be unnecessarily cumbersome, particularly given its location is depicted on the map at Appendix 3. Neither policies are positively worded and have the potential to act as barriers to appropriate development, being contrary to the overarching aims and objectives of the NPPF and national growth agenda and the emerging GBLP.

3.13 The NPPF requires Local Planning Authorities (LPAs) to prepare and implement legally sound and compliant Local Plans which are “**positively prepared**” and requires Neighbourhood Plans to “**positively support**” these (paragraphs 182 and 184 respectively, the NPPF). The Policy wording within both B-EN3 and B-EN4 is in direct contraction to this, being wholly restrictive of any development in designated Local Green Spaces except where it “**...enhances the role and function of that Local Green Space**”. Moreover, and whilst the NPPF is permissive of local and neighbourhood plans identifying special protection green areas of “...particular importance to them” it stipulates that their designation is “**...consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services**” (para. 76, the NPPF). The NPPF also states that a Local Green Space should only be designated when it is capable of “**...enduring beyond the end of the plan period**” (para. 76, the NPPF).

3.14 Merrow Common is already afforded protection from development by virtue of its common land status. MGH recognises its importance in terms of local and open green space within the Burpham community and the emerging proposals for Gosden Hill seek to retain this land as open green space and enhance the connectivity between both the common land and wider open green space, including the SANG to be made publicly accessible at Gosden Hill.

3.15 The Local Green Spaces identified within the draft NP at Site nos. 1, 2 and 3 of Appendix 3 all fall within the extent of Gosden Hill and whilst MGH supports the retention of important vegetation along this corridor, it is considered that the draft NP overestimates the extent of these spaces and their importance, particularly Sites 2 and 3 which lies to the east of Merrow Lane. Also, the draft NP continues to lack sufficient evidence and justification for their designation, when having regard to the NPPF criteria set out at paragraph 77 which requires Local Green Spaces to:

- Be reasonably close to the community which it serves;
- Be demonstrably special to a local community, holding a particularly local significance; and
- Be local in character and not an extensive tract of land.

3.16 It should be borne in mind that whilst there are larger trees of moderate/high value along this corridor (covered by Sites 1, 2 and 3), they are limited in places, with some boundaries consisting of lower value hedgerows, in particular to the north-west (Site 1) where part of the boundary is actually Lawson's Cypress. Vegetation is not continuous and is not as wide as the proposed Local Green Space designations suggest; most of the areas identified consist at least, in part, of arable land in private ownership. Any development at Gosden Hill will support the retention of important and higher value vegetation, enhancing the corridor for landscape and ecological benefit, whilst helping to define new development from old as well as providing additional visual enclosure for local residents.

3.17 MGH therefore objects to draft Policies B-EN3 and B-EN4 where they seek to designate land at Merrow Lane as Local Green Space "in perpetuity". It has not been demonstrated that the proposed designation meets the prevailing criteria for Local Green Spaces, as set out within the NPPF at paragraph 77, nor has it been demonstrated that it is capable of being endured beyond the plan period in full as it pays no regard to the proposed Gosden Hill allocation and its ability to contribute towards sustainable development through the delivery of much needed homes, investment and key services.

#### Draft Policy B-EN5: Historic Environment

3.18 Draft policy B-EN5 seeks to protect the historic environment by restricting development which results "**...in the loss of either listed buildings, or the buildings or assets of character**" which it lists in part within the Policy and in full at Appendix 7. MGH previously queried the necessity for this policy, given it replicates both NPPF and Local Plan policy. This point remains relevant. However, and in any event, there are no historic views from Sutton Place or Clandon Park toward Gosden Hill and on this basis, MGH does not consider that their future proposals will have any detrimental impact in respect of this draft policy.

#### Draft Policy B-EN6: Adapting to and Mitigating Climate Change

3.19 Draft Policy B-EN6 seeks to ensure all new development achieves high standards of 'sustainable development' which has been designed, constructed and operated to:

- **"Reduce the use of fossil fuels;**
- **Promote the efficient use of natural resources, the re-use and recycling of resources, and the production and consumption of renewable energy;**
- **Adopt and facilitate the flexible development of low and zero carbon energy supply systems through a range of technologies:**
- **Extensions and alterations should link the provision of low and zero carbon energy technologies to the existing building;**
- **Adopt best practice in sustainable urban drainage systems (SUDS); where appropriate.**
- **Support solar energy systems on roofs, when not in conflict with the character or other policies".**

3.20 MGH recognises that viability can act as an obstacle to housing delivery, and as the NPPF states at paragraph 173, development should not be subject to such a scale of obligations and policy burdens that its ability to be developed viably is threatened. Paragraph 173 of the NPPF continues by stating that, to ensure viability, the costs of any requirements likely to be applied to development should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing landowner and a willing developer.

3.21 Whilst the aforementioned measures are acceptable in principle, they should not be applied so rigidly that the viability of development is compromised. Consequently, MGH **objects** to Policy B-EN6 in its current form and **recommends** that the draft NP better aligns Policy B-EN6 with proposed Policy 7 of GBC's emerging GBLP which shows regard to viability or practicality.

3.22 MGH also **recommends** that draft Policy B-EN6 is amended to show regard to the outcome of the Government's Housing Standards Review which was published on 27th March 2015 and which states that from the date the Deregulation Bill 2015 was given Royal Assent (on 26th March 2015), local planning authorities and neighbourhood forums “...**should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to construction, internal layout or performance of new dwellings**” (Written Statement from DCLG dated 25th March 2015).

#### Draft Policy B-FD1: General Development Standards

3.23 The above draft Policy is permissive of development which “...**complements and enhances the character of the local area**” and which promotes “...**designs and scales in harmony**” with such character”. It requires new development to “...**respect existing street patterns, plot sizes, building lines, topography of established views, landmark buildings, roof treatment and aspect relationships with other buildings**”. It specifically states that “**design which fails to have regard to local content and which does not preserve or enhance the character and quality of an area will not be acceptable development**”.

3.24 MGH continues to **object** to draft Policy B-FD1 in its current form, finding the policy unduly restrictive. This is particularly the case in respect of the fourth bullet point to the draft Policy which relates to building heights and which suggests that the built form should be “**no higher than its nearest adjacent neighbour and no higher than three habitable storeys**”. Applying the requirements of draft Policy B-FD1 to all development would not prove effective for larger development sites, such as those of a strategic nature (for example Gosden Hill). Furthermore, and by requiring all development to enhance local character, the draft Policy goes beyond the requirements of national policy, particularly paragraph 58 of the NPPF where it requires local and neighbourhood plans to encourage good design “...**while not preventing or discouraging innovation**” (para. 58, the NPPF). Consequently, the draft Policy in its current form fails to meet basic conditions 8(2)(a) and (e) and is deemed unsound for this reason.

3.25 MGH continues to **recommend** that the general design principles as set out in draft Policy B-FD1 should exclude major strategic sites whose design is guided, at a strategic level, by proposed Policy 6 ('Making Better Places') within the emerging GBLP (July 2014). Of greater use would be a design and character assessment of Burpham which could inform design and density related policies and more importantly help inform development control planning decisions.

#### Draft Policy B-FD2: Dwelling Density and Land-Use

3.26 The above draft Policy requires the footprint of each new house / dwelling to not exceed 33% of its plot size and requires flats to have access to private outdoor amenity space which is “...**equivalent to half its internal floor area**”. The draft Policy also requires all proposed residential developments to include “**4m<sup>2</sup> allocated space for recycling / refuse storage per unit**”. In the case of flatted developments, it states that unless “**central recycling is provided**” this requirement is reduced to 3sqm. It is understood that the BNF has provided no justifiable evidence to support these thresholds.

3.27 In addition to the lack of supporting, justifiable evidence, MGH **objects** to the wording draft Policy B-FD2, finding it to be unduly restrictive in nature and having the potential to conflict with established design guidelines, namely the Urban Design Compendium and Building for Life 12. The draft Policy is also deemed preventative when having regard to the NPPF at paragraph 58 where it requires applicants to “...**plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes**”.

3.28 Draft Policy B-FD2, in its current form, does not give consideration to the variety of characteristics found across a site and should be more prescriptively written in terms of density range rather than plot ratio. This is set out in the Guildford Residential Design Guide SPD where it states “...**new residential development should be at a density of between 30 to 50 dwellings per hectare net. Densities above this range will be permitted in locations with good public transport accessibility**” (Para 5.5 of GBC Residential Design Guide SPD).

3.29 MGH **recommends** the rewording of draft Policy B-FD2 so that it permits a range of densities which would ensure the Policy is aligned to Building for Life principles (no. 4) which establishes the need for “**meeting local housing requirements and that the developer should consider how to incorporate a range of property sizes and types on larger developments**” (BFL para 5).

3.30 MGHs’ proposals for Gosden Hill will deliver a variety of housing types set within a range of plot sizes created in order to meet market needs and in turn GBC’s housing requirement. By limiting the plot ratio this will narrow market possibility and not allow for the potential to establish a diverse community.

3.31 MGH also finds draft Policy B-FD2, where it relates to private open space for flatted development, to be over prescribed. Flatted development will require an area of private amenity space which, depending on their design, should be achieved by “**considering the potential to benefit from solar gain through the buildings orientation and design where this can be achieved without compromising good urban design...**” (BFL sec 6 para. 8). No quantum has been outlined across GBC’s Local Plan or supplementary documents and therefore MGH **recommends** that this is evaluated on a case by case basis by the determining authority. This is recognised by the Government within the PPG which states that: “**Local planning authorities will need to evaluate and understand the defining characteristics of the area as part of its evidence base, in order to identify appropriate design opportunities and policies**”.

#### Draft Policy B-FD3: Dwelling Mix

3.32 The above draft Policy requires proposals for residential development to accommodate “...**a full range of dwelling sizes that reflect the demographic composition of the Neighbourhood Plan area and character of that part of Burpham as set out within Appendix 2**”. It goes on to state that “**proposals for the development of 10 or more residential units will be required to provide 10% for one bedroom units and 10% for two bedroom units**”.

3.33 MGH has **no objection** to the draft Policy in principle and supports the delivery an appropriate mix of dwellings types and sizes but **recommends** that it be made clearer within the Policy that this should be informed by individual site characteristics and constraints. Scheme viability is also a key determining factor in formulating housing mix, and consideration of this should be referenced in the next draft of the Policy.

3.34 In addition, and to ensure the draft Policy works seamlessly with draft Policy B-FD2, MGH **recommends** that consideration is given within the policy to strategic sites which, due to their scale and nature, will need to respond to Borough-wide housing needs and not just those of the immediate locality. MGH **recommends** that draft Policy B-FD3 is reworded accordingly in response to the matters raised above.

#### Draft Policy B-FD4: Improvements to General Infrastructure

3.35 In the first instance, the above draft Policy requires all new development to demonstrate that “...**appropriate levels of infrastructure**” to support a development are provided. It goes on to state that such improvements “...**must include:**

- **Mitigating against traffic congestion, providing disabled friendly footpaths, and measures for the reduction of noise pollution for the community as a whole.**
- **Ensure any location generating noise is treated as a blight on the community and action taken to**

**reduce this problem when planning new infrastructure.**

- **Roads, pavements, drainage essential utilities and other essential infrastructure must be completed prior to occupation of the development”.**

3.36 Secondly, the draft Policy states that for “**significant projects**”, which it defines as those “...**exceeding 50 dwellings**”, infrastructure and services should “...**come on line before or in parallel to completion but before occupation of new homes**”.

3.37 Whilst MGH acknowledges that their proposals for Gosden Hill will be required to appropriately mitigate any adverse impacts, the requirement for such should not fall to the BNF and as such, MGH **objects** to draft Policy B-FD4 in its entirety, finding it wholly unnecessary and a duplication of guidance set at Borough wide level. MGH **objects** to its inclusion in full for the following reasons:

- The draft Policy does not define “**appropriate levels**” and is ambiguous in this regard.
- The application of this blanket approach is extremely onerous and adds unnecessary burden to planning applications, particularly those of a small scale. Without clarity and certainty as to how such an approach could, and would be implemented, there is significant conflict with the NPPF’s aim of allowing sustainable development to go ahead without delay.
- The draft Policy shows no regard to viability which the NPPF recognises requires “**careful attention**” within plan making. Within the context of viability, the PPG adds that “**Local Plans and Neighbourhood Plans should be based on a clear and deliverable vision of the area**” and states that Development Plan should be iterative, comprising “...**draft policies tested against evidence of the likely ability of the market to deliver the plan’s policies...**” (Paragraph: 005 Reference ID: 10-005-20140306).

3.38 Developments of a scale such as proposed at Gosden Hill will be appropriately phased having regard to need and scheme viability. This is particularly important given the type of strategic infrastructure proposed at Gosden Hill which includes a new rail station and park and ride facility, in addition to significant works to the A3.

3.39 MGH considers it essential that such obligations are determined by GBC and/or SCC on a case by case basis, thereby facilitating the delivery of viable sustainable economic development and providing flexibility for unexpected costs. The need for such flexibility is set out within the NPPF at paragraph 205 where it requires Local Planning Authorities, when seeking planning obligations, to “...**take account of changes in market conditions over time, and where appropriate, be sufficiently flexible to prevent planned development being stalled**”. The PPG also requires planning obligations to be “...**fully justified and evidenced**” and local policies for such to be “...**grounded in an understanding of development viability through the plan making process**” (Paragraph 007 of the PPG (23b-007-20140306)). When assessing the viability of their local planning policy, the PPG requires Local Planning Authorities “...**allow for a buffer to respond to changing markets and to avoid the need for frequent plan updating**” (Paragraph: 008 of the PPG (0-008-20140306)).

3.40 Importantly, any obligations sought by GBC and/or SCC will need to meet the following Community Infrastructure Levy (CIL) tests:

- It must be necessary to make the development acceptable in planning terms;
- It must be directly related to the development; and
- It must be fairly and reasonably related in scale and kind to the development.

3.41 For those reasons outlined above, MGH strongly **recommends** that draft Policy B-FD4 is removed.

#### Draft Policy B-FD5: Water Supply & Sewerage Infrastructure

3.42 The above draft Policy requires all new residential units to meet their demand for water supply/sewage and network infrastructure both on and off-site. Note 2 to the draft Policy states in particular that development

**“...must not be allowed to drain to the foul sewer, as this is the major contribution to sewer flooding”.**

This will be demonstrated by providing a Flood Risk Assessment, to be agreed with the Environment Agency and/or the Lead Local Flood Authority Thames Water. Therefore it is not the role of the BNF to assess such matters. MGH objects to the inclusion of Note 2 on this basis. MGH further objects to the draft Policy wording itself where it seeks on-site water mains and sewers given these are not required at the planning application stage. This criterion should be removed otherwise it has the potential to stifle development which is contrary to the overarching objectives of national planning policy. MGH also seeks the removal of Note 3 to the draft Policy as there is no evidence to support its claim and is it unclear what a **“turbo state”** is.

#### Draft Policy B-EMP3: Business Accommodation

3.43 The above draft Policy deals specifically with the loss of existing employment accommodation and fails to show regard to the provision of new employment floorspace. On this basis, MGH **objects** to the draft Policy and requests that it is more positively worded to take into consideration proposals for new employment opportunities within the neighbourhood plan area, including those proposed at Gosden Hill in the form of a range of employment floorspace as part of its wider development. Support for this should be given within draft Policy B-EMP3, particularly where the proposed location is adjacent to the proposed Merrow Halt and within reasonable walking distance of the proposed Park and Ride, thereby being well served by public transport provision.

#### Draft Policy B-T1: Parking Standards

3.44 The above draft Policy, where it assigns local parking standards, is a duplication of Borough and County Council guidance and such, MGH **objects** to its inclusion, finding it unnecessary.

3.45 It is also unclear as to what guidance has been followed, with regard to the recommended sizes for car parking and garages. Any policy stipulating parking requirements must ensure it meets good urban design and place making principles as set out most notably within Manual for Streets (at Figure 7.2), Car Parking - What Works Where (English Partnerships 2006) and the Urban Design Compendium (English Partnerships). On this basis, and should the BNP choose to retain draft Policy B-T1, MGH **recommends** its rewording to read:

**“A range of approaches to car parking design should be allowed for, including parking within curtilage (driveways / garages / car barns and car ports), parking courts, and on street parking. Non-curtilage allocated car parking should ideally to be located within 25m of individual dwellings, while within parking courts, a proportion of parking will be unallocated to provide for efficient use. On-street parking to be provided within discrete parking bays on primary routes through the development. Visitor parking should be served by unallocated parking including on-street provision. For developments where at least 50% of the parking provision is unallocated, no additional provision should be required for visitor parking”.**

3.46 With regard to cycle storage, which draft Policy B-T1 also seeks to govern, MGH considers the standards set out to be overtly onerous and recommends that these are amended as follows:

- Studio and 1 bed units - 1 cycle space; and
- 2, 3 and 3 + (flats and houses) – 2 cycle spaces.

3.47 MGH also **recommends** that consideration is given, within Policy B-T1, to long term cycle parking which should be provided by a secure structure within the curtilage of the property. Acceptable examples would include a garden shed, bespoke cycle store or space within a garage. Garage sizes should be a minimum of 6m by 3m internally.

#### Draft Policy B-T2c: Cycle Routes

3.48 MGH **objects** to Policy B-T2c in its current form due to the presumption on what cycle paths are required to support the Gosden Hill Village development, as provided in Map 2 of Appendix 1 to the draft NP.

3.49 Point A of Appendix 1 suggests new cycle paths either side of the current A3 slip road. Whilst MGH do not object to the provision of improved cycle linkages where these can appropriately be achieved, they wish to make it clear that this land is not within their control and as such, they do not have direct control over the delivery of such linkages. Consequently, the provision of these cycle paths should not be a requirement of the draft NP. The Gosden Hill development will incorporate a network of pedestrian and cycle routes, connecting the site to key destinations via the existing network of paths and cycleways, which will be developed through the masterplan. At this stage it is premature to identify specific routes, such as those shown on Map 2 of Appendix 1 and described at Bullet A, B and C. In this regard, attention is drawn again to the PPG where it requires policies to be realistic and viable.

3.50 A new fourways junction is not currently proposed as part of the Gosden Hill proposal and as stated above, pedestrian and cycle infrastructure will form part of an important part of the access strategy for the site and this would include the existing cycle path provided on the northern side of the A3. Cycle paths along the London Road will be reviewed as part of any proposal to develop Gosden Hill and will be designed on the basis of best practice in consultation with GBC and SCC as part of the wider access and movement strategy and as such the Note 2 should be amended as it does not offer any flexibility for alternative cycle infrastructure provision.

3.51 Therefore, for the reasons set out above, MGH **strongly recommends the removal** of points A, B and C and the re wording of Note 2 to Policy B-T2C as it is premature to specifically designate cycle routes in advance of an agreed masterplan for the site and the development of the wider access and movement strategy.

#### Draft Policy B-T2f: Foot Paths

3.52 MGH has **no objection** to the objective of Policy B-T2f in its current form but requests that clarification is provided in terms of the reference to foot paths and cycle paths. A footpath is a way over which the public has a right of way on foot only and which is not a footway. These are generally stand alone Public Rights of Way. A footway is a pavement or path running alongside a road over which the public has a right of way on foot only. This may however have some separation from its adjacent carriageway.

#### Draft Policy B-C1: Enhancing Community Facilities

3.53 MGH has **no objection** to the draft Policy B-C1 in its current form and wishes to highlight that the proposals at Gosden Hill will include a new local centre, thereby delivering new community facilities in line with the BNF's aspirations. It should also be borne in mind that a new Local Centre at Gosden Hill is afforded policy support within the emerging GBLP and consideration to this should be made within the draft NP.

3.54 At this stage MGH envisages a new local centre at Gosden Hill to accommodate:

- A primary school (size to be confirmed);
- A GP surgery;
- A village green;
- Small-scale village shops and cafes providing local retail opportunities; and
- Community rooms available for hire.

#### Draft Policy B-AT1: Improvements to Public Transport

3.55 MGH has **no objection** to draft policy B-AT1 in its current form. The policy is in line with longer term Borough and County Council aspirations for public transport provision within Guildford.

3.56 The proposals for Gosden Hill will provide significant improvements to public transport which will be of a strategic benefit. These improvements include:

- A new southbound on and off slip road;
- Pedestrian and cycle improvements with way finding strategy; and
- A comprehensive public transport strategy which will facilitate the delivery of a new transport hub comprising a new 'Merrow' rail station, a new Park and Ride facility and local bus services and priority measures.

3.57 A new Merrow rail station will improve not only the accessibility of Gosden Hill but that of the wider Burpham area, providing a direct route to Guildford and London. It is also envisaged that a new rail station in this location will facilitate the regeneration of the GBC owned Merrow Depot to the south of Gosden Hill.

3.58 A new Park and Ride facility will improve radial routes by helping to reduce traffic volumes along the A3 and London Road. It will be integrated into the Gosden Hill site, within walking distance of its future residents.

3.59 Gosden Hill will be designed to achieve a walkable neighbourhood, enhancing the existing network of footways and cycleways within its vicinity. A way finding strategy will link the Site with Burpham and Bushy Hill, with onward links to Guildford, local schools and facilities.

#### Draft Policy B-AT2: The Railway

3.60 Whilst supporting a new Merrow Rail Station, the above draft Policy is silent on its delivery as part of the strategic proposals for Gosden Hill. This is surprising, particularly given such consideration has been recognised by GBC within their proposed allocation for Gosden Hill which notes that “...**Development could facilitate the delivery of a new Park and Ride facility on the site and a new rail station, possibly partly or wholly on the site, for Merrow on the New Guildford Line**” (Site Allocation 59, GBLP (July 2014)).

3.61 Accordingly, MGH requests that the draft NP recognises at Policy B-AT2 that delivery of the Merrow Rail Station is linked to the delivery of the Gosden Hill development. MGH has entered into positive discussions with South West Trains and Network Rail who have provided their agreement in principle to a new station in this location and work to progress the station design, to the satisfaction of Network Rail, is ongoing. MGH is also progressing discussions with SCC as landowner of the Merrow Depot site south of the railway line.

#### Draft Policy B-AC2: Improvements to the A3

3.62 The above draft Policy reiterates the aspirations of the BNF for sound-proofing to be provided along the A3 through the use of CIL and Section 106 monies.

3.63 There is little prospect of this proposed infrastructure being delivered. The project is unlikely to be feasible given the difficulties of physically implementing the scheme. We note that the BNF has not presented any detailed scheme or undertaken any assessment of cost to assess the project. Furthermore, the pooling restrictions on Section 106 contributions prevent this coming through this funding regime. There is no provision through GBC's draft CIL to deliver this and if there is, in our view, very limited justification for it being funded, having regard to the tests set out at paragraph 204 of the NPPF.

3.64 MGH therefore objects to the inclusion of draft Policy B-AC2 and in particular, its last sentence which reads: “**Overwhelming numbers consider traffic noises a problem and that it would be commercially beneficial if solar panels were to be incorporated within the sound barriers**”.

3.65 There is no supporting evidence to demonstrate a need for sound barriers, nor is there any evidence to suggest that the provision of solar panels along these would be “**commercially viable**”.

### Draft Policy B-ASE1: Provision of Schools

3.66 The above draft Policy supports the principle of additional school places being delivered. MGH supports its principle and confirms that the strategic allocation for Gosden Hill would include the delivery of a new primary school on site to meet future demand for such school places. It is proposed that secondary education would be provided through financial contributions to fund off-site provision.

## **4.0 CONCLUSIONS**

4.1 This Statement sets out MGH's representations to the draft Burpham Neighbourhood Plan 2015-2035. MGH concludes that the draft NP, in failing to show regard to the substantial evidence based documentation prepared by GBC in support of the emerging GBLP (July 2014) and the emerging GBLP itself, fails to meet basic condition 8(2)(e) of Schedule 4B of the Town and Country Planning Act 1990 (as amended). By ignoring this evidence base, and GBC's direction of travel in terms of planning policy, the draft NP runs the risk of quickly becoming out-of-date should the proposed strategic allocation for Gosden Hill continue to be supported by GBC.

4.2 Notwithstanding this, and as currently drafted, MGH finds several policies within the draft NP unsound within the context of plan-making criteria established by the NPPF at paragraph 182.

4.3 MGH recommends that the BNF better aligns their draft NP with GBC's emerging GBLP (July 2014) given it represents the Borough's current direction of travel, and is supported by an up-to-date evidence base, particularly in relation to Green Belt review and future housing requirements.

4.4 Most importantly, MGH recommends that the draft NP acknowledges the proposed strategic allocation at Gosden Hill and the substantial benefits it will deliver for the Burpham ward and wider Guildford area in terms of housing provision, both market and affordable and significant new infrastructure including the Merrow Rail Station which is wholly supported by the BNF.

### Natural England

Thank you for your consultation on the above dated 20 March 2015 which was received by Natural England on 20 March 2015.

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.

The pre submission document identifies the issues and concerns affecting Burpham together with identifying potential relevant and appropriate legislation and plans.

### Environment Policies

B-EN1 to B-EN6 are broadly supported

Clearer links to both the National Planning Policy Framework (NPPF) and the Guildford Core Strategy/Local Plan could be made more explicit in the main document, rather than Appendix 4, or alternatively a clear statement referring to Appendix 4 in the main body of the text.

### Future Development Policies

B-FD1 General Development Standards

Reference to respecting biodiversity in this policy is welcomed but could be strengthened by reference to paragraph 118 of the NPPF seeking biodiversity gains from planning applications

#### Policy B-FD4 Improvement to General Infrastructure

Green Infrastructure could be referenced here, this could be used to link into and provide links and access to existing green/open spaces, providing green corridors and chains and further strengthening Policy B-AC1 below.

#### Policy B-AC1 Access to Natural Leisure Facilities

Improved access to natural/green spaces is welcomed and to be encouraged and as mentioned above the provision of green chains/corridors could be used to facilitate this access

#### **Strategic Environmental Assessment**

Overall the approach and methodology used are in line with the advice that would be offered by Natural England, and the conclusion reached in Chapter section 5 could be agreed by Natural England.

The Burpham Neighbourhood Plan does not allocate any sites for development, merely sets policies for the area, does not in itself require a Strategic Environmental Assessment.

Subject to the above, Natural England has no further substantive comments to make in respect of the Sonning Common Neighbourhood Plan pre submission document

#### Member of the Public

This is to affirm my strong support for the content of the Burpham Neighbourhood Plan that is currently out for consultation.

#### Member of the Public

I have received a copy of the neighbourhood plan for Burpham and having read and digested it, I support it completely and without reservation.

#### Member of the Public

I wholeheartedly support the Burpham Neighbourhood Plan. I have four main reasons:

- People choose to live in a particular location for a variety of reasons - as residents, they should have some say in how that location develops.
- Burpham is a pleasant place to live and the Plan seeks to maintain that quality of living whilst supporting appropriate development.
- I am particularly concerned about garden grabbing that shoehorns unsuitable housing into small spaces, with insufficient allowance for parking, and I hope the existence of a Neighbourhood Plan will prevent this.
- I also especially endorse the protection of green spaces, which is a vital part of the Plan.

#### Burpham Neighbourhood Forum

A more comprehensive report of any ward in Guildford, you will not find. This is what you get, when a community gets together to decide what is at the heart of their community, what is important to its functioning as a whole; what is precious in its environment and what threatens the attraction of living in Burpham.

An excellent record of the local peoples views, requirements and aspirations.

The 'Plans' policies set out to protect what the local people prefer and hope for.

1. Keeping the 'character' of its housing stock, avoiding overcrowding that goes with garden grabbing and over development.
2. Outlining requirements for cycle and foot paths, sufficient home parking and safe routes for our children to school.
3. Protect the boundries of the ward from further heavy development and safe guards the wildlife corridors and habitats.
4. Supports the business/retail environments and encourages local employment.

We wish the 'Burpham Neighbourhood Plan' a smooth path through the final stages to successful completion.

# Burpham Neighbourhood Plan examination

## Statement from Guildford Borough Council

### 1. Introduction

- 1.1 The Burpham Neighbourhood Plan (the Plan) has been produced by the Burpham Neighbourhood Forum and is the first example of a neighbourhood plan produced in Guildford borough. This document has been produced to accompany the Plan to examination in order to provide relevant background information for the examiner, and to put forward the Council's view on the Plan.
- 1.2 Guildford Borough Council fully supports neighbourhood planning and appreciates the importance of neighbourhood plans being effective and deliverable in order to realise the vision established by the community through the neighbourhood planning process. When adopted, neighbourhood plans become part of the development plan and will be used by decision makers when determining planning applications and appeals.
- 1.3 The National Planning Policy Framework (NPPF) (paragraphs 17 and 196) calls for the planning system to be plan led so it is important that policies are clear and easy to interpret, both for decision makers and the development industry. The introduction of ambiguity is likely to reduce the speed with which planning decisions are determined. Where policies introduce restrictions and requirements, or have not had sufficient regard to the national policies and advice, there is a possibility that there may be an increase in the number of challenges to planning decisions. The net impact is likely to be greater costs for the council-taxpayer.
- 1.4 The issues raised below are those where the Council feels the Plan could be detrimental to the Development Management process for the reasons given above, or because it could impact upon the ability of the Council to meet the strategic needs of the borough. These issues were raised at the regulation 14 consultation stage but remain unresolved.
- 1.5 These issues are raised here for the examiner to consider.

### 2. Background

#### Burpham Neighbourhood Area

- 2.1 The Burpham Neighbourhood Area is designated along the boundaries of Burpham administrative ward.
- 2.2 In order to understand the wider context for the Burpham Neighbourhood Plan, the examiner may wish to use the interactive map which shows the boundary of the Burpham Neighbourhood Area at <http://www.guildford.gov.uk/burpham>.

#### The development plan for Guildford borough

- 2.3 The development plan for Guildford borough consists of:
  - the saved Local Plan policies of the Guildford Borough Local Plan 2003,

- the remaining two policies of the revoked South East Plan 2009,
- Surrey Minerals Plan Core Strategy Development Plan Document and Primary Aggregates Development Plan Document
- the Surrey Waste Plan 2008 and
- the Surrey Aggregates Recycling Joint DPD

2.4 Of the two saved South East Plan policies, only policy NRM6 has relevance for Guildford as the other relates to Upper Heyford Air Base in Oxfordshire. Policy NRM6 is reproduced at Appendix 1.

2.5 When considering the Local Plan 2003, the examiner may find it convenient to use the interactive planning map located at <http://www.guildford.gov.uk/planningmap>. Paper copies of the Local Plan 2003 and a Proposals Map covering Burpham have been provided.

### Gosden Hill Farm

2.6 The draft Local Plan Strategy and Sites, consulted on in summer 2014, identified a potential strategic site on the edge of Burpham at Gosden Hill Farm. This site was identified in the South East Plan, and in the Surrey Structure Plan before that. Approximately one third of this site falls within the neighbourhood area (see Figure 1).

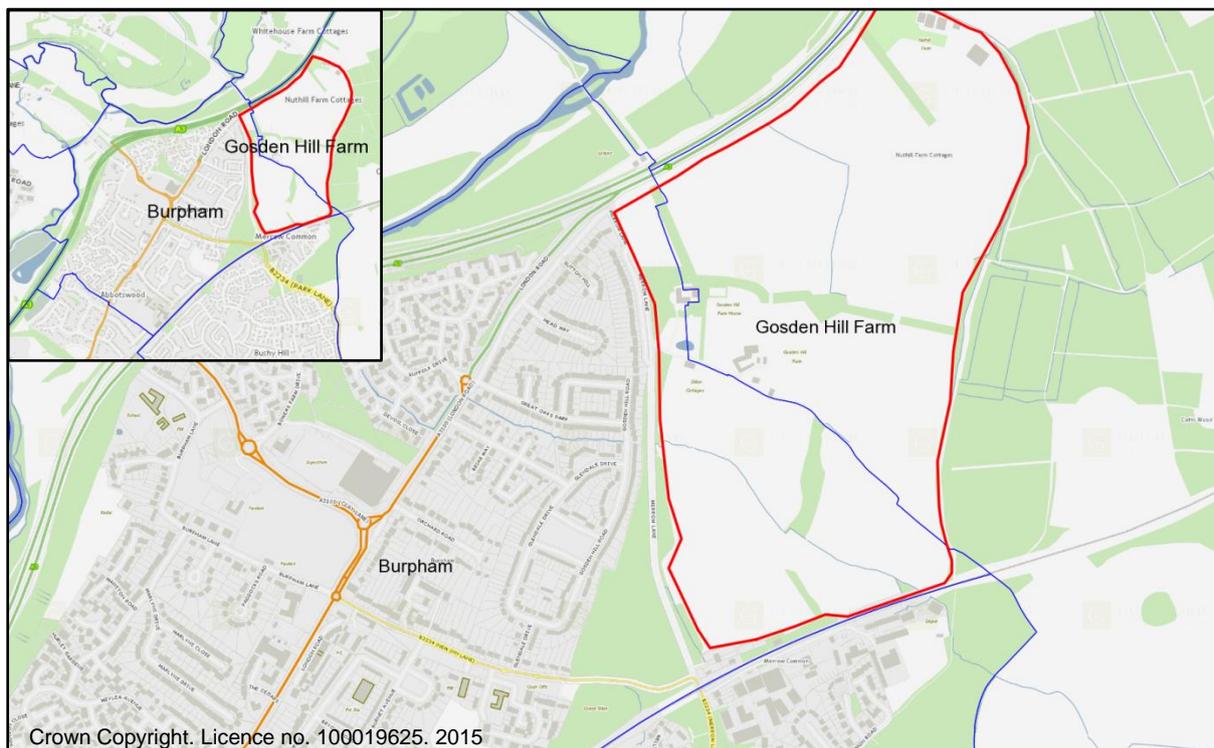


Figure 1: Burpham ward and neighbourhood area (blue outline) and potential development site at Gosden Hill Farm (red outline).

2.7 The draft Local Plan Strategy and Sites identified the site as having the potential to provide up to 2000 homes, a strategic employment site, highway improvements, a two form entry primary school, a local retail centre, a GPs surgery, community buildings,

open space, playing fields and allotments, a new park and ride and part of a new rail station.

- 2.8 The Council is currently working on a further version of the new Local Plan and it is not clear at this stage whether this site will be included.

#### The Regulation 14 consultation

- 2.9 During the six week consultation undertaken by the Forum to meet the requirements of regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (the Regulations), the Council highlighted a series of potential conflicts with the basic conditions. Some of these points were addressed in the regulation 15 submission version of the Plan. Points that were not addressed have been raised again in this document.

### **3. The basic conditions**

- 3.1 The basic conditions that apply to neighbourhood plans and Orders are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The basic conditions are:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
  - 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.
  - 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.
  - d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
  - e. the making of the order (or neighbourhood plan) 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).
  - f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
  - g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 3.2 The Council believes that the neighbourhood plan meets most of the basic conditions. However, there are some concerns that it may conflict with the following two basic conditions in particular.

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

#### **4. Issues the examiner is requested to consider**

- 4.1 In this section, the Council will set out areas where potential conflicts with the basic conditions have been identified.
- 4.2 Some of these issues relate to sustainable development. The NPPF (paragraph 6) states that *'the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.'* The Council is of the view that, in order to meet basic condition d, neighbourhood plan policies should not conflict with the principles of sustainable development set out in the NPPF.

#### General support for development in neighbourhood plan policies

- 4.3 Regarding basic condition a, the NPPF states that neighbourhood plans must plan positively to support local development (paragraph 10) and align their ambitions with the strategic needs and priorities of the wider local area (paragraph 184). Paragraph 47 of the NPPF requires local planning authorities to boost significantly the supply of housing within the housing market area and specifically within the borough. The emerging evidence base for the new Local Plan identifies a significant strategic need for housing, especially affordable housing<sup>1</sup>. The Plan therefore needs to have regard to the strategic priority of boosting the supply of housing and especially affordable housing.
- 4.4 The National Planning Practice Guidance (NPPG) (neighbourhood planning, paragraph 005) states that neighbourhood plans need to be deliverable and that *'the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'*.
- 4.5 Regarding basic condition d, the NPPF (paragraph 7) states that meeting the social dimension of sustainable development includes providing the supply of housing required to meet the needs of present and future generations.

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<sup>1</sup> There were 3,389 households on the housing register on 1 April 2014, of which 2,461 were in Bands A-C, which might equate to having a housing need based on the 1996 Housing Act (as amended by the Homelessness Act 2002).

The draft West Surrey SHMA (December 2014) indicates that the objectively assessed housing need for Guildford borough falls between 620 – 816 homes per year (2011 – 2031). The baseline figure of 620 equates to the minimum level of need required to meet the demographic projection, with an adjustment for improving affordability. The additional uplift from 620 to 816 homes per annum would be sufficient to support economic growth, improvements in affordability and student growth as well as meeting the baseline demographic growth in the borough. This figure does not take account of land supply or development constraints within the borough. <http://www.guildford.gov.uk/shma>

- 4.6 Therefore, to meet basic conditions a and d it is clear that neighbourhood plans should support the provision of housing.
- 4.7 The Council's view is that the submitted Burpham Neighbourhood Plan, taken as a whole, would restrict rather than support the provision of homes and it is therefore not clear whether this meets basic conditions a and d for the reasons presented above. The Council would like the examiner to consider any amendments which would enable the Plan to better support the aim of increasing the housing supply and to better meet the social dimension of sustainable development described in the NPPF.

#### The use of evidence and justification to support policies

- 4.8 The NPPG (neighbourhood planning, paragraph 40) states that '*Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan*'. It also states that policies '*should be concise, precise and supported by appropriate evidence*' (neighbourhood planning, paragraph 41).
- 4.9 Policies in the neighbourhood plan are generally not accompanied by supporting text that sets out the relevant evidence and a reasoned justification, or explains the policy succinctly. There is an exhaustive list of reference documents and sources at Appendix 4, but relevant evidence is largely not signposted or reproduced throughout the main document (BNF1). The result of this format is that there is no clear link between evidence and policy.
- 4.10 There is concern that decision makers will have to read through a large number of supporting documents in order to find the information necessary to apply policies correctly, with delays to the planning process as a result. Therefore the examiner is asked to consider whether sufficient regard has been given to the NPPG and therefore whether basic condition a has been met, or whether the Plan should be amended in this regard.

#### Policy B-EN 1

- 4.11 This policy restates national policy. The Council would like the examiner to consider whether it would be effective and necessary.

#### Policy B-EN 2

- 4.12 There is concern that Policy B-EN 2 is not sufficiently clear in what developers are expected to achieve. The policy is written in a way that is difficult to follow (particularly the definition of 'inappropriate') and the term 'back garden development' is not defined. There is some concern that this could cause problems at the development management stage as the requirements may be open to interpretation.
- 4.13 The NPPG states '*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.*' (neighbourhood planning, paragraph 41). The Council requests that the examiner consider whether

the policy as written has had sufficient regard to basic condition a, or whether it needs to be amended to improve clarity.

- 4.14 When applied in practice, this policy may well have the effect of applying a maximum density across an area. This may not have sufficient regard to NPPF paragraph 58 which requires neighbourhood plans to '*optimise the potential of a site to accommodate development...*'. The supporting text does not establish why the density is appropriate. The examiner is invited to consider whether this policy therefore meets basic condition a.
- 4.15 The policy requires new buildings to be situated '*equidistant from all surrounding properties*'. There is concern that this may not be achievable in most circumstances and the examiner is asked to consider whether has had regard to advice regarding deliverability and therefore whether it meets basic condition a.
- 4.16 The policy is highly prescriptive and it has not been established that the requirements are viable. The examiner is asked to consider whether this policy has regard to advice on viability described in the NPPF and NPPG and therefore whether it meets basic condition a.

#### Policy B-EN 3 and B-EN 4

- 4.17 The final paragraph of B-EN 3 states that '*Proposals for built development... will not be permitted unless the proposal is of a limited nature...*' and the final paragraph of B-EN 4 states that '*Development will not be permitted within any wildlife corridors, except where it provides drainage or minor improvement...*'. Paragraph 78 of the NPPF states '*Local Policy for managing developments within Local Green Space should be consistent with policy for Green Belts*'. As the two neighbourhood plan policies are significantly more restrictive than Green Belt policy, the examiner is asked to consider whether these policies meet basic condition a.
- 4.18 Policy B-EN 3 (Merrow Common) states that '*any attempt to modify this area in any way is strongly opposed by this Plan*'. The NPPF (paragraph 7) states that improving biodiversity is a factor in achieving sustainable development. The examiner is therefore asked to consider whether an amendment to this wording to allow for beneficial activities like conservation measures or habitat management would enable the policy to better meet basic condition a by having greater regard to the NPPF. This will help the Plan achieve sustainable development as defined by the NPPF and therefore better meet basic condition d.
- 4.19 The policies make reference to Appendix 3. The descriptive text for sites 2, 3, 4 and 5 in Appendix 3 could imply that the Local Green Space designation is intended to preserve a "cathedral tree arch" across Merrow Lane. There is concern that this policy would be impossible to implement whilst maintaining tree safety on Merrow Lane and could be detrimental to future woodland management. The Council requests that the examiner consider whether the wording in Appendix 3 needs to be altered to ensure that it supports the tree arch effect that makes the space special whilst allowing for essential works to trees.
- 4.20 The NPPG states '*Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local*

*communities.*' (Open space..., paragraph 5) and '[local and neighbourhood] *plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making*' (Open space..., paragraph 7). The Plan appears to apply the designation to almost all the green space in the neighbourhood area, rather than just those green areas of particular importance to the local community. The examiner is asked to consider whether this has regard to the guidance in the NPPG and therefore whether it meets basic condition a.

- 4.21 The NPPG (Open space..., paragraph 19) states that the qualifying body '*should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space*', but no details of this contact are given. Some of the owners of proposed Local Green Spaces were contacted by the forum during the regulation 14 consultation and the Council confirms that all the owners were contacted during the regulation 16 consultation.

#### Policy B-FD 1

- 4.22 The policy does not set a figure for density, but does place a limit on buildings at three habitable stories. The examiner is asked to consider whether this has regard to NPPF paragraph 58 which requires neighbourhood plans to '*optimise the potential of a site to accommodate development...*' and therefore whether this meets basic condition a.
- 4.23 There is some concern that applying this policy in a blanket manner across the neighbourhood area could impact upon the delivery of sustainable development. As an example, part of the potential strategic site at Gosden Hill Farm falls within the neighbourhood area (see figure 1). There are emerging proposals in the Surrey Rail Strategy (2013) for a new rail station at Meroo, which would be located in or near the part of the site that falls within the Burpham Neighbourhood Area.
- 4.24 Under the principle of sustainable development, the most dense development should be located near the railway station to maximise opportunities to reduce travel to the station, and it is not clear at this stage whether this would need to exceed three storeys. If development above three storeys is needed, this policy could have the effect of pushing it away from the station to the northern part of the site that falls outside the Burpham Neighbourhood Area. The examiner is therefore asked to consider whether this part of the policy meets basic condition d.
- 4.25 There are also concerns about the impact on the delivery of a school on the site if all buildings are limited to three stories. Again, it may be considered more sustainable to locate a school near the railway station if the site is developed.

#### Policy B-FD 2

- 4.26 This policy contains some ambiguity which may make it difficult for planning officers to apply effectively:
- The first sentence states that dwelling density will be based on plot size – it is not clear what this means as density is a function of quantum of floorspace and net plot size

- The second bullet point states '*In addition, each flat must have access to the equivalent of half its internal floor area as communal external amenity space (this applies to each flat individually)*' – it is not clear what the part in brackets means and this wording may not be needed.
- 4.27 The examiner is invited to consider whether this wording should be amended so that it has regard to the NPPG requirement for clear and unambiguous policies and therefore to meet basic condition a.
- 4.28 There is some concern that the policy does not present evidence to support the requirement for dwellings and flatted development to avoid exceeding 33% of a plot size. The examiner is requested to consider whether this has regard to the NPPG advice regarding the use of evidence (neighbourhood planning, paragraphs 40 and 41) and therefore whether meets basic condition a.
- 4.29 The examiner is also asked to consider whether this has had regard to NPPF paragraph 58 which requires neighbourhood plans to '*optimise the potential of a site to accommodate development...*' and therefore meets basic conditions a and d.
- 4.30 The policy is seeking to apply minimum garden sizes for flats without providing evidence that the standard is viable, and therefore whether the Plan is deliverable. The examiner is asked to consider whether this conflicts with guidance on viability and therefore meets basic condition a.

#### Policy B-FD 3

- 4.31 The Council has produced a draft SHMA (2014) which includes a breakdown of future need (see footnote 1). In terms of housing mix, the SHMA (page 159) identifies a projected need for provision of different sized dwellings as follows:
- market homes; 1-bed dwellings at 10 per cent, 2-bed dwellings at 30 per cent
  - affordable homes; 1-bed dwellings at 40 per cent and 2-bed dwellings at 30 per cent.
- 4.32 The Council acknowledges that this mix has been developed to meet the needs of a housing market area covering Guildford, Waverley and Woking and that local needs may justify deviation from this mix. However, the draft SHMA mix does not seem to have been considered and there is no explanation as to why a figure of 10 per cent is more appropriate for one and two bed market and affordable homes in Burpham. The supporting text presents data from the Council's housing list as justification, but no analysis is provided and it is not clear how this evidence supports the 10 per cent ratios in the policy.
- 4.33 it is not clear that the Plan has had regard to NPPF paragraph 184 which states that the ambition of the neighbourhood should be '*aligned with the strategic needs and priorities of the wider local area*' or the NPPG requirement for the use of evidence. The examiner is asked to consider whether this meets basic condition a.

#### Policy B-FD 4

- 4.34 Bullet point three asks for essential utilities and infrastructure to be completed prior to occupation of the development and bullet point four asks for services and infrastructure to come online *'before or in parallel to completion but before occupation of new homes'*.
- 4.35 The NPPF (paragraph 177) states that there should be *'a reasonable prospect that planned infrastructure is deliverable in a timely fashion'*. The Council understands the concerns that policy B-FD 4 is trying to address and asks the examiner to consider whether it would be more appropriate but equally effective for the policy to require infrastructure and services to come online *'ready for when it is first needed'* in order to meet basic condition a.

#### Policy B-FD 6

- 4.36 It is not clear what future developers on the site need to achieve or avoid. The examiner is asked to consider whether this provides enough clarity to meet basic condition a.

#### Policy B-T 1

- 4.37 The policy requires all new development within the neighbourhood area to provide off road parking and sets out minimum standards. The justification given is the *'high car usage identified in the 2011 census within Guildford Borough and surroundings'* and *'the narrow lanes and roads'* which make on-street parking unsustainable. It is not clear whether this has had regard to the need for proportionate and robust evidence and therefore whether it meets basic condition a.
- 4.38 The examiner is asked to consider what the impact of the written ministerial statement from Eric Pickles (then Secretary of State for Communities and Local Government) dated 25 March 2015 which adds the following text to the NPPF: *'Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network,'* and therefore whether the policy meets basic condition a.

#### Appendix 5 – Survey Summary April - May 2013 and BNF15 (sample of Burpham Neighbourhood Survey)

- 4.39 The NPPG states *'Proportionate, robust evidence should support the choices made and the approach taken'* (neighbourhood planning, paragraph 40). There are concerns over the phrasing of some of the questions in the survey, notably question E4 which asked:

*"If new homes are to be built, how many should be assigned by 2026 within the Burpham Ward?"* and offers the following options:

- *"Over 1000 on Green Belt. The implication over 20 years of 'going into green belt' with development"*
- *"None; Burpham ward is full up"*

- *“Under 100 in Back Gardens and on our village green spaces”*

4.40 The options of ‘over 1000’ and ‘under 100’ do not relate to any recent development proposals put forward for Burpham, either by developers or through the Local Plan process. The Council considers that a range of alternative options should have been offered, and regards the inclusion of the phrase ‘*Burpham ward is full up*’ as an error that could be considered a leading statement. The examiner is asked to consider the robustness of this evidence and any impact it may have had on the resulting policies.

Chris Mansfield

Executive Head of Development