

WOKING BOROUGH COUNCIL

DRAFT NOTES OF A MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP

HELD ON 22 SEPTEMBER 2021 IN VIRTUAL MEETING

Present: Councillor Simon Ashall
Councillor Tahir Aziz
Councillor Steve Dorsett
Councillor Will Forster
Councillor Louise Morales

Giorgio Framallicco
Ernest Amoako
Daniel Ashe
Gillian Bernadt
Stephanie Bradley
Tom Simpson
Roubeena Joghee

Absent: Councillor Gary Elson
Councillor Adam Kirby

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4. **Woking Site Allocations Development Plan Document**

Ernest Amoako updated the group on the Inspector's Final Report to the Site Allocations Development Plan document (DPD). The Inspector's Final Report was received by the Council on 6 August 2021. In accordance with Section 20 (8) of the Planning and Compulsory Act 2004 (as amended) the Council published the Inspector's Report on 25 August 2021 to provide local residents the opportunity to access the document. It has since been published on the Council's website at the Examination webpage and can be accessed by: <https://www.woking2027.info/allocations/sadpdexam>

Hard copies of the report were accessible at Woking, Byfleet and Knaphill libraries and the Civic Offices. A Public Notice and a Press Release had been published in the local newspapers.

The Site Allocations DPD had been found sound and legally compliant subject to the Inspector's Main Modifications. It was therefore necessary that it is adopted so that its provision can be given full weight in justifying day to day planning decisions. The key and tough decisions that the Council had to make to inform the preparation of the DPD had mainly been supported by the Inspector. When adopted this will help shape the future growth of the borough in a sustainable manner by determining the quality of development that would come forward and where they will be located. It would also help protect the natural and historic environment of the borough.

The Inspectors Final Report addressed the following key questions regarding the assessment soundness:

- Is the Site Allocations DPD justified and effective in meeting the requirements set out in the Core Strategy in relation to housing provision and whether at adoption the DPD will ensure a supply of land capable of delivery five years' worth of housing the adopted housing requirement?;
- Is the DPD's approach to employment, infrastructure and European protected sites robustly based and consistent with the Core Strategy and national policy?;
- Does Exceptional circumstances exist to justify the DPD's proposed revisions to Green Belt boundaries; and is the DPD's approach to allocations and safeguarded land in the Green Belt justified, effective and consistent with national policy?;
- Is the allocated sites in the urban area justified, consistent with the national policy and deliverable/developable?;
- Is the DPD's policies to manage the development of the site allocations justified, consistent with the national policy and clearly written;
- Does The DPD set out effective mechanism for monitoring and implementation?

Overall the Inspector had concluded that the Site Allocations DPD was sound, legally compliant and its preparation had met the requirements of the Duty to Cooperate. The DPD provides an appropriate framework for the planning of the borough, provided that the recommend number of main modifications were made to it.

Attention was drawn to the key recommendations in the Inspectors Report/Main Modifications which are listed below:

- Woking Football Club, Woking Gymnastic Club, Woking Snooker Club, Westfield Avenue – for consistency, the Inspector had recommended that the indicative quantum of the number of homes on the site should be 93 dwellings. The Council had originally allocated the site without any indicative number of homes.
- Nursery land adjacent to Egley Road, Mayford – the site is allocated for a residential development and a secondary school. The school had been built and was operational. The part of the land north of the school had been designated as an area of visual gap between Woking and Mayford where no built development should occur. The Inspector had acknowledged the importance of a visual gap between Woking and Mayford, but has recommended that the policy as draft is unnecessarily restrictive and the need to maintain the visual gap cannot justify the proposed approach taken by the Council. He recommended

that the designation should be deleted. Instead, any proposal to develop the site should incorporate a new and an improved open space and appropriate landscaping, taking into account the topography of the site to achieve the visual gap.

- The Inspector had supported the Council's proposal to realise land surrounding West Hall to deliver about 550 new homes and 15 travellers pitches between 2022 and 2027. He had recommended a specific location within the site to deliver the travellers pitch.
- Land adjacent to Hook Hill Lane, Hook Heath, the Inspector had recommend the site should remain in the Green Belt and the Council's proposal release it from the Green Belt and allocate it for the Green Infrastructure should be deleted.
- McLaren Campus, the Inspector had recommended that the site should continue to remain in the Green Belt. The Council has proposed to allocate the site as a Major Development Site in the Green Belt. The Inspector concluded that the given national policy on Green Belt, the Council's proposal was unnecessary.
- Woking Palace, the Inspector had expressed doubt about the deliverability of the Council's proposal, in particular a proposal for the 64.4 hectare heritage parkland. The area proposed for the parkland is not owned by the Council. The owner of the land had made it clear that the land will not be available for the proposed use. The Inspector had recommended that the Council should prepare a development brief for the site which provided an opportunity to address the deliverability issues.
- Land at Bradfield Close and 7 York Road, the site had been allocated by the Council for residential development. The Inspector has recommended that the allocation should be deleted from the DPD because of the owner's intention to retain the site for commercial purposes and there is no realistic prospect of it coming forward for development during the plan period.
- To provide further clarity as the Council had agreed at the Hearings to re-format the proposal of the DPD.

Ernest explained that the Inspector's report was binding and as a matter of law the Council could not adopt the Site Allocations DPD without accepting the Inspector's recommended Main Modifications. It was noted that the Council could not pick and choose which parts of the Inspector's recommendations it wished to adopt. The Council had a binary choice to adopt the Inspector's recommendations or not to adopt the DPD. Section 5 of the report sets out substantial implications if the Council were not to accept the Inspectors recommendations, this included the high risk of the Secretary of State intervening by calling in the DPD for determination or leading the Council to adopt it. Section 6 of the report sets out the implications and benefits for adopting the

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DPD.

Ernest acknowledged that some members expressed different views throughout the process, however, overall the Council had supported and approved all proposals that went to the Inspector for consideration.

Following a query regarding the Woking Palace, Ernest stated that the Inspector had recommended for a development brief for the site, the process would allow the Council to resolve some of the following deliverability issues which included, for the land owner to sell some of the land; identify funding for the project within the plan period and setting out the component parts of the allocation, practicality and design in order to be delivered. The process is expected to begin once the DPD is adopted. Members will be updated on the progress of the programme.

E. Amoako

Councillor Ashall stated that he did not accept that it was impossible to maintain the current separation distance between Woking and Mayford area. Whilst acknowledging the importance of accepting the Inspector's modifications and adopting the DPD, he said it was a shame to see that parts of the Green Belt were being released for a small amounts of housing.

Following a query on the Sustainability Appraisal Statement, Ernest confirmed the statement is short overview on how sustainability had been taken on board in preparation of the Site Allocations DPD until adoption. Delegated authority had been sought, the Statement to be approved by the Director of Planning in consultation with the Portfolio Holder for Planning. Ernest to forward a link to the draft Sustainability Appraisal Statement to the Chairman when it has been completed.

E. Amoako

The Chairman recommended that members had two choices on either accepting the entire DPD with all the modifications recommended by the Inspector or reject the DPD as a whole. It was noted that careful thought would need to be considered, as rejecting the whole DPD would overshadow the few recommendations that were suggested by the Inspector.

Councillor Will Forster submitted to the Working Group a proposed amendment to recommendation (i) of the Officers' recommendation to read as follows:

“ The Working Group accept that the Inspector's report is binding and that the Council has a binary choice to adopt the Inspector's recommendations in full or to not adopt the DPD. Although in main the DPD presents a sustainable way forward for the development of the borough taking into account housing requirements, elements of the report are not what some Councillors and some local residents would want. Notwithstanding this, it is clear that the failure to time adopt the recommendations would result in a worse outcome for the Borough as a whole. Taking into account the above and National Planning Policy this Working Group recommends the Inspector's final report and Main Modifications documents accepted by the Council in full”.

Subsequent to a query on the legal consequences to the recommended wording, Giorgio Framalitto confirmed that there were no concerns regarding legal implications as this was a Working Group.

Concerns were raised on whether the wording would be challenged under a planning appeal. It was thought that once accepted as is by full Council it then became a legal material consideration in all planning applications.

The Members were in agreement with the recommended wording to (i) of the recommendations to the Executive.

The Working Group RESOLVED to RECOMMEND to the Executive that:

- (i) The Working Group accept that the Inspector's report is binding and that the Council has a binary choice to adopt the Inspector's recommendations in full or to not adopt the DPD. Although in main the DPD presents a sustainable way forward for the development of the borough taking into account housing requirements, elements of the report are not what some Councillors and some local residents would want. Notwithstanding this, it is clear that the failure to time adopt the recommendations would result in a worse outcome for the Borough as a whole. Taking into account the above and National Planning Policy this Working Group recommends the Inspector's final report and Main Modifications documents accepted by the Council in full.**
- (ii) subject to the Main Modifications recommended by the Inspector and the Council's Additional Modifications, the Woking Site Allocations Development Plan Document and the Proposals Map be adopted for the purposes of development management and all other planning decisions;**
- (iii) the entire provisions of the Woking Site Allocations DPD (draft is in Appendix 4) and the Proposals Map (Appendix 3) should be given full weight for the purposes of development management and all other planning decisions;**
- (iv) delegated authority be given to the Director of Planning in consultation with the Portfolio Holder for Planning to make sure that the Inspector's Main Modifications and the Council's Additional Modifications are fully incorporated into the Site Allocations DPD. A draft of the DPD is in Appendix 4;**
- (v) delegated authority be given to the Director of Planning in consultation with the Portfolio Holder for Planning to oversee the preparation and publication of the post adoption Sustainability Appraisal Statement; and**
- (vi) delegated authority be given to the Director of Planning, Director of Legal and Democratic Services in consultation**

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with the Portfolio Holder for Planning to ensure that the adoption process as set out in Section 7 (next stages) of the report is strictly followed.

The Chairman and the Members of the Group thanked Ernest Amoako and his entire team for the huge amount of work that had gone into finalising the Site Allocations DPD.