

SITE ALLOCATION DEVELOPMENT PLAN DOCUMENT (DPD)

Executive Summary

The Council at its meeting on 20 October 2016 resolved that before it decided on the preferred approach to the safeguarding of Green Belt land to meet future development needs between 2027 and 2040, a further public consultation exercise should be undertaken in respect of the possibility of substituting the six sites safeguarded in the draft Site Allocations DPD with land to the east of Martyrs Lane. The Sites that are proposed to be substituted are in Mayford, Pyrford and Byfleet. A Map showing the locations of the six sites together with the land east of Martyrs Lane is in Appendix 1. Members also requested that Officers revisit the suitability of Ten Acre Farm to meet the accommodation needs of Travellers. Officers have undertaken the consultation and reviewed the available evidence on meeting Travellers accommodation needs.

Based on the analysis of the representations received and the review of the available evidence, on the binary choice of whether the six sites should be substituted by the land east of Martyrs Lane, Officers are recommending that the six safeguarded sites except site GB13: land east of Upshot Lane and south of Aviary Road, Pyrford should continue to be the Council's preferred approach to safeguarding for the purposes of the Regulation 19 consultation. The safeguarding of the land east of Martyrs Lane will carry far greater risk of being found unsound and might not be able to withstand scrutiny at an examination when compared with other alternatives. Regarding the suitability of Ten Acre Farm for Travellers accommodation, Officers are recommending that the site should no longer be allocated.

Officers reported their conclusions and recommendations to the LDF Working Group at its meeting on 5 September 2018. The Officers report sets out the main issues raised by the representations, how Officers have responded to them, the evidence base that has informed the Officers conclusions, the full reasons for rejecting Martyrs Lane and the policy context within which the representations have been considered. A copy of the Officers' report to the Working Group is attached at Appendix 2. It is not intended to repeat the details of the Officers' report to the Working Group. Members are therefore encouraged to read the report in full to understand the reasoning behind the Officers' recommendations.

The Working Group accepted the Officers' recommendation not to safeguard the land east of Martyrs Lane. The Group also accepted the recommendation not to allocate Ten acre Farm as a Travellers' site, and supported the Officers revised proposal for meeting the accommodation needs of Travellers. However, regarding the safeguarding of the six sites and on the DPD as a whole, the Group resolved to make the following key conclusions:

- There are exceptional circumstances which justifies revising the Green Belt boundary in the locations set out within the draft Site Allocations DPD so as to meet the need for homes, infrastructure and Suitable Alternative Natural Greenspace (SANGs) from 2022 to 2027;
- Exceptional circumstances do not exist so as to justify the release of the proposals in Pyrford and Mayford from the Green because the use of those sites for residential development will conflict with both local and national planning policies;
- To ensure the enduring permanence of the Green Belt boundary, the Group was satisfied that exceptional circumstances have been demonstrated to justify the release of the two sites in Byfleet from the Green Belt and for their safeguarding to meet development needs into the next plan period.

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In the main, the Group recommended that only the two Green Belt sites in Byfleet should be released from the Green Belt and be safeguarded to meet future development needs between 2027 and 2040. The Working Group has provided clear and detailed reasons for their conclusions and recommendation and this is attached as Appendix 3. The recommendations of this report as set out below incorporate the proposed changes made by the Working Group. The Minute of the Working Group's meeting is in Appendix 4. A copy of the draft Site Allocations DPD is attached at Appendix 5. Subject to Council agreeing the recommendations of the report, the DPD will amended to reflect the proposed changes and be published for Regulation 19 consultation in November 2018.

Recommendations

The Council is requested to:

RESOLVE That

- (i) the various responses to the consultation on the possibility of substituting the land east of Martyrs Lane for the six sites in Pырford, Mayford and Byfleet identified for safeguarding in the draft Site Allocations DPD together with Officers' response and recommendations be noted. The Officers' response with recommendations are in the Members' Lounge for inspection;
- (ii) save as for proposal sites GB9 (land north east of Saunders Lane), GB10 (land to the north west of Saunders Lane) and GB11 (land to the rear of 79 – 95 Lovelace Drive) which not are to be released from the Green Belt in order to be safeguarded for future development needs or otherwise, the draft Site Allocations DPD (see Appendix 5) and the accompanying Sustainability Appraisal report and the Habitats Regulations Assessment (copies in the Members' Lounge) be supported for the purposes of Regulation 19 consultation to give the public an opportunity to make formal representation;
- (iii) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning to approve any minor changes to the DPD and its supporting Sustainability Appraisal report, including the presentation of the documents and any updates on the status of the proposed sites before they are published for Regulation 19 consultation;
- (iv) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning to oversee the preparation and approval of the following accompanying Submission Documents which will be sent to the Secretary of State for Examination – the Consultation Statement, the Duty to Cooperate Statement and Equality Impact Assessment Statement; and
- (v) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning to approve any minor changes to the DPD and its supporting documents to reflect any further changes to national planning policy.

The Council has the authority to determine the recommendations set out above.

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- Background Papers:** Woking Core Strategy
Local Development Scheme (2016).
Draft Site Allocations DPD (Regulation 18 version)
Representations received during the draft Site Allocations DPD
Regulation 18 consultation with Officers response
Report on the draft Site Allocations DPD to the Working Group on 5
September 2018
Statement of Community Involvement (2015)
National Planning Policy Framework (NPPF)
Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Local Planning) (England) Regulations
2012
- List of Appendices** Appendix 1 – Map showing location of proposed safeguarded sites
Appendix 2 – Officers report to Working Group on 5 September 2018
Appendix 3 – Reasons for the proposed recommendation by the
Working Group
Appendix 4 – Minute of Working Group meeting
Appendix 5 – Draft Site Allocations DPD
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1.0 Introduction

1.1 The Council at its meeting on 20 October 2016 received a report on the responses to the Regulation 18 consultation of the draft Site Allocations DPD, the Sustainability Appraisal and the Habitats Regulations Assessment. The Council resolved that before it makes a decision on the draft DPD that it wishes to publish for Regulation 19 consultation, a further bespoke public consultation exercise should be undertaken in respect of the possibility of substituting the following proposed safeguarded sites in the draft Site Allocations DPD to meet future development needs between 2027 and 2040 with the land east of Martyrs Lane:

- Land to the south of Parvis Road, Byfleet;
- Land to the south of Rectory Lane, Byfleet;
- Land to the north east of Saunders Lane, between Saunders Lane and Hook Hill Lane, Mayford
- Land to the north west of Saunders Lane, Mayford;
- Land rear of 79 – 95 Lovelace Drive, Teggs Lane, Pyrford; and
- Land east of Upshot Lane and south of Aviary Road, Pyrford.

1.2 The consultation took place between 6 January and 27 March 2017. A total of 32,164 separate representations were received from 3,018 individuals, organisations and resident groups. Of the 3,018 individuals and organisations that made representations, about 2,445 objected to the possibility of safeguarding the land east of Martyrs Lane. The representations covered a range of broad issues as well as site specific matters. A summary of the main issues are covered in detail in the Officers report to the Working Group. Officers have comprehensively responded to each representation with recommendations in the following documents, which are all in the Members' Lounge for inspection:

- Woodham and Horsell Neighbourhood Forum Issues and Response Topic Paper;
- Duty to Cooperate Bodies Topic Paper; and
- The summary of representations with Officers' response and recommendation.

1.3 Based on the analysis of the representations and a review of the available evidence, Officers recommended that the sites in Byfleet, Pyrford and Mayford as listed above with the exception of the land east of Upshot Lane and south of Aviary Road in Pyrford should continue to be the Council's preferred approach to safeguarding for the purposes of the Regulation 19 consultation. The safeguarding of the land east of Martyrs Lane will carry far greater risk of being found unsound and might not be able to withstand scrutiny at a Public Examination when compared against other alternative. Members should note from the report they received in October 2016 that the Working Group is content with the sites that are identified in the draft Site Allocations DPD to meet the development requirements of the Core strategy up to 2027. For the avoidance of doubt, these include:

- All the site identified within the urban area;
- Land south of Brookwood Lye Road, Brookwood;
- Land at Five Acres, Brookwood Lye Road;
- Brookwood Cemetery;

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- Six Crossroads roundabout and environs;
- Nursery land adjacent to Egley Road, Mayford;
- Land surrounding West Hall, Parvis Road;
- Broadoaks, Parvis Road; and
- Land identified for the purposes of SANG.

1.4 Officers reported their conclusions and recommendations to the LDF working Group at its meeting on 5 September 2018. The Working Group agreed with Officers that the land east of Martyrs Lane should not be safeguarded. However, the Group recommended that of the sites listed above in paragraph 1.1, only the two sites proposed to be safeguarded in Byfleet should be released from the Green Belt to meet future development needs between 2027 and 2040.

2.0 Summary of reasons for rejecting the land east of Martyrs Lane as possible alternative

2.1 Based on the analysis of the representations received, Officers are recommending that the land east of Martyrs Lane should not be safeguarded for the following key reasons:

- The safeguarding of the land for future development will not be justified by the recommendations of the Green Belt boundary review report and other evidence;
- The development of site will lead to urban sprawl and an encroachment into the countryside;
- The development of the whole of the site including the Golf Course will lead to loss of open space. The development of the site without the Golf Course will lead to an isolated development in the Green Belt;
- The New Zealand Golf Course and the land in the ownership of McLaren will not be made available for housing development. Compulsorily purchasing the land is unlikely to be successful;
- There is limited scope to introduce sustainable transport measures of mitigation to address the traffic impacts of the development;

Full details of the above reasons are covered in Section 9 of the Officers report to the Working Group.

3.0 Revised proposal for meeting Travellers accommodation needs

3.1 Members have requested that Officers revisit the suitability of Ten Acre Farm to meet the accommodations needs of Travellers. Based on the representations received, a review of the available evidence and the current status of the site, Officers are recommending that Ten acre Farm should no longer be allocated as a Travellers site.

3.2 The Council has already identified a need for 19 additional pitches to be provided up to 2027. With the loss of the three pitches at Ten Acre Farm, the need is increased to 22 pitches. It is proposed that the need should be met as follows:

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- The Hatchingtan and Five Acres sites should continue to be retained and prevented from loss to alternative uses.
- Five Acres should be allocated to enable a net addition of 6 pitches. The overall number of pitches on the site will increase to 19 pitches;
- The temporary planning permissions at Murrays Lane (4 pitches), Stable Yard (1 pitch) and land south of Gabriel Cottage (1 pitch) should be made permanent with specific key requirements to ensure their effective operation;
- About 1.2 hectares of land should be set aside at land at West Hall, West Byfleet to enable the provision of 15 pitches.

3.3 The proposals will strike a good balance in the geographical distribution of pitches across the Borough and between privately and publicly owned sites. They will be in general conformity with national guidance and be backed by evidence in the Council's Green Belt boundary review. The proposals follow the general principle for Travellers accommodation to be met where possible as an integral part of large allocated housing sites. Full details of the reasons for the proposals and the policy context within they are considered are set out in Section 11 of the Officers report to the Working Group. The Working Group has supported the above revised proposals.

4.0 Sustainability Appraisal (SA), Habitats Regulations Assessment and other supporting documents

4.1 A Sustainability Appraisal report has been prepared to accompany the Site Allocations DPD. The SA assesses the social, economic and environmental implications of the DPD. A Habitats Regulations Assessment has also been prepared to assess the impacts of the DPD on European designated sites within the Borough. Overall, the SA has concluded that the draft Site Allocations DPD will contribute towards sustainable development. Copies of the SA Report and the Habitats Regulations Assessment are in the Members' Lounge.

4.2 A revised Proposals Map has been prepared to reflect the proposals in the DPD. A copy is in the Member Lounge. The Proposals Map will be published alongside the DPD for Regulation 19 consultation. Officers are also preparing a Consultation Statement, Duty to Cooperate Statement and Equality Impact Assessment Statement. Drafts of the documents have been prepared, but will have to take into account the outcome of the Regulation 19 consultation before they can be finalised. In this regard, delegated authority is being sought for the Deputy Chief Executive to supervise the preparation of these documents. These documents will be accompanying the DPD when it is submitted to the Secretary of State for Examination.

5.0 Next stages

5.1 On the agenda for the meeting is the Local Development Scheme (LDS). The LDS sets out the timetable for the subsequent stages of the Site Allocations DPD process. Subject to the Council approving the recommendations of the report, it is intended that the DPD will be published for six weeks consultation starting in early November. A Consultation Plan setting out what, how and when various consultation events will take place will be prepared in due course under the supervision of the Deputy Chief Executive. Members are reminded that one of the legal requirements that the Council has to satisfy to get a sound DPD is for it to be prepared in accordance with the agreed timetable in the LDS. Members will have the opportunity to consider the representations received during the Regulation 19 consultation before the DPD is submitted to the Secretary of State by June/July 2019. An Independent Examination of the DPD is likely to be in Winter 2019 with an adoption of the DPD by early 2020.

6.0 Implications

Financial

- 6.1 The cost of preparing the DPD has been and will be met from existing Planning Policy service Plan budget and approved investment programme

Human Resource/Training and Development

- 6.2 There are no human resource or training and development implications for preparing the DPD.

Community Safety

- 6.3 Addressed as part of the Sustainability Impact Assessment

Risk Management

- 6.4 The Local Development Scheme (LDS) includes risk and contingency planning for the preparation of Local Development Documents including the Site Allocations DPD. Given the contentious nature of the proposals in the DPD, in particular the release of Green Belt land for development and the range of interested parties who have expressed an interest in the DPD, it is critical that the decisions of the Council are justified by evidence that is robust and credible to be able to withstand scrutiny at a Public Examination.
- 6.5 The purpose of the DPD is to identify sufficient deliverable sites to enable the delivery of the Core Strategy. Without the expeditious preparation of the DPD, there is the likelihood that the delivery of the Core Strategy could be undermined and a resultant risk that inappropriate developments will be approved on an ad hoc basis through the appeal process.

Sustainability

- 6.6 Addressed as part of the Sustainability Impact Assessment.

Equalities

- 6.7 The DPD will contribute towards meeting the accommodation needs of Travellers.

Safeguarding

- 6.8 There are no safeguarding implications for preparing the DPD.

7.0 Conclusions

- 7.1 The Officers' recommendations on the two key requests by the Council are that the land east of Martyrs Lane should not be safeguarded to meeting future developments needs between 2027 and 2040 and Ten Acre Farm should not be allocated to meet the accommodation needs of Travellers.
- 7.2 The Working Group agrees with the above key recommendations. However, the Working Group has reviewed all the proposed safeguarded sites against relevant planning policies and the available evidence and has come to a different planning judgment regarding the proposed safeguarded sites in Pyrford and Mayford. The Working Group has concluded that exceptional circumstances do not exist so as to justify the release of sites in Pyrford and Mayford from the Green Belt because the use of those sites for residential development will conflict with both national and local planning policies. The Group is also satisfied that to ensure the enduring permanence of the Green Belt boundary, exceptional circumstances

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have been demonstrated to justify the release of the two sites in Byfleet from the Green Belt and for their safeguarding to meet future development needs between 2027 and 2040.

- 7.3 The Working Group has provided clear and coherent reasons to justify their conclusions and recommendation. Officers have always said that final decisions on the DPD will be planning judgment to be made by Members and Officers are satisfied that the conclusion of the Working Group is one that was open to them. The recommendations of the report reflect the amendments proposed by the Working Group. Council is therefore requested to approve the DPD for the purposes of the Regulation 19 consultation. Subject to the Council approving the recommendations of the report, the intention is to publish the DPD for Regulation 19 consultation in November 2018.

REPORT ENDS