

# WOKING BOROUGH COUNCIL

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

HELD ON 5 SEPTEMBER 2018 IN THE BOARD ROOM - CIVIC OFFICES

Present: Councillor Simon Ashall  
Councillor Tahir Aziz  
Councillor David Bittleston  
Councillor Ashley Bowes  
Councillor Liam Lyons  
Councillor Nancy Martin  
Councillor Louise Morales

Ernest Amoako  
Douglas J Spinks  
Daniel Ashe  
Gillian Bernadt  
Stephanie Broadley  
James Stansfield

### Actions

#### 1. Election of Chairman

Councillor Bittleston moved and Councillor Ashall seconded the election of Councillor Bowes as Chairman.

RESOLVED

That Councillor A Bowes be elected Chairman of the Local Development Framework Working Group for ensuing year.

#### 2. Appointment of Vice-Chairman

Councillor Ashall moved and Councillor Martin seconded the appointment of Councillor Bittleston as Vice-Chairman.

RESOLVED

That Councillor D Bittleston be appointed Vice-Chairman of the Local Development Framework Working Group for ensuing year.

#### 3. Apologies for Absence

There were no apologies for absence.

### 4. Minutes

The minutes of the meeting for the Working Group held on 6 March 2018 were received.

### 5. Matters Arising from the Minutes

No matters were raised.

### 6. Site Allocation Development Plan Document (DPD)

Ernest Amoako provided a brief summary of the report before the Working Group. The Members of the Working Group were invited to consider the various responses to the consultation on safeguarding land to the east of Martyrs Lane, as well as consider the content of the amended draft Site Allocations DPD, with a view to submitting recommendations to Council for the public consultation. The Members were reminded that at its meeting on 1 July 2016, the Group had agreed to support the sites proposed to be allocated to enable the Core Strategy to be delivered up to 2027.

Members had requested that Officers undertake a public consultation exercise in respect of the possibility of substituting a number of sites safeguarded in the 'Regulation 18' version of the draft Site Allocations DPD which would meet future development needs between 2027 and 2040 with land to the east of Martyrs Lane. The consultation had taken place between 6 January and 27 March 2017. Overall, 3,018 individuals and organisations had submitted comments comprising of 32,164 separate representations. A significant proportion of respondents – 2,445 (81%) – had objected to the possibility of safeguarding the land east of Martyrs Lane. The Members of the Working Group were provided with an electronic summary of representations received with Officers' responses and recommendations, including a summary of key issues raised and how the Officers had sought to address them.

Section 9 of the report had provided in detail a summary of the reasons why Officers had come to the view that the original six sites safeguarded in 'Regulation 18' DPD (except site GB13, Land east of Upshot Lane and south of Aviary Road, Pyrford) would continue to be Council's preferred approach to safeguarding. Safeguarding the land to the east of Martyrs Lane would pose a higher risk to the soundness of the DPD. It had therefore been recommended that Martyrs Lane would not be safeguarded for the purpose of going forward with the Sites Allocations DPD.

Members had also requested that Officers revisit the suitability of Ten Acre Farm to meet the accommodation needs of Travellers. Officers had addressed this matter in Section 11 of the report. A revised, defensible recommendation for meeting Travellers accommodation needs had been proposed in Section 11.6 of the report. This had taken into account a recent planning application approved at Planning Committee for the relocation of the Woking Gymnastics Club to Ten

Arce Farm (subject to legal agreement). Douglas Spinks had confirmed to the Group that the Secretary of State had indicated that the application would not be called in.

Ernest Amoako highlighted Section 15 of the report, which summed up a number of changes to the draft Site Allocations DPD, mainly due to the status of some of the sites changing since the Site Allocations DPD had been published for Regulation 18 consultation (for example the deletion of sites where development had been completed). The schedule of proposed changes was provided in Appendix 8 of the report.

Officers were seeking support from the Group to recommend to Council that the draft DPD and accompanying Submission Documents including the Sustainability Appraisal and the Habitats Regulations Assessment, be published for Regulation 19 consultation. The consultation would give the public an opportunity to make final representations that would be considered by the Council before the DPD was submitted to the Secretary of State for examination.

The Group noted the details of the report. Councillor Bowes had commented on the substantial response to the consultation on land to the east of Martyrs Lane and agreed with Officers' recommendation that the land east of Martyrs Lane should not be safeguarded.

Douglas Spinks informed the Members of the Working Group that Ten Acre Farm had been referred to the Secretary of State under recommendations from the Planning Committee. The Secretary of State had decided not to intervene, and as such a Decision Notice would soon be issued.

Recommendation (ii) of the Officers' report proposed to safeguard five of the six sites in the draft DPD for the purposes of the Regulation 19 consultation. Officers had recommended that Proposal GB13, land east of Upshot Lane and south of Aviary Road, Pyrford should not be safeguarded based on the review of the available evidence.

Councillor Bowes submitted to the Working Group a proposed amendment to recommendation (ii) of the Officers' report. Councillor Bowes proposed and Councillor Bittleston seconded that recommendation (ii) of Agenda Item 6 be amended as follows:

- (ii) Save as for the proposal sites GB9 (Land of the East of Saunders Lane), GB10 (Land to the North West of Saunders Lane) and GB11 (Land rear of 79-95 Lovelace Drive) which would not be released from the Green Belt in order to be safeguarded for future development needs or otherwise, the draft Site Allocations DPD (Appendix 3) and the accompanying revised Sustainability Appraisal report and the Habitats Regulations Assessment (copies are in the Members' Lounge) be supported for the purposes of Regulations 19 consultation to give the public an opportunity to make formal representations.

Councillor Bowes read out the reasons for the amendment to the Group (attached in full in Appendix 1). Together with Councillor Bittleston, Bowes had reviewed the Officers report together with the appendices, supporting evidence and responses from both the Regulation 18 consultation and Martyrs Lane consultation. They had concluded that exceptional circumstances did exist to justify revising the Green Belt boundary in the locations set out within the draft DPD in Appendix 3 of the report to meet the demand for homes, infrastructure and SANGs from 2022 to 2027 in accordance with CS6 Core Strategy and Paragraph 137 NPPF. However, having considered the land available to meet longer-term development needs of the Borough between 2027 and 2040 in order to ensure the enduring permanence of the Green Belt boundary, they had further concluded that there was not an exceptional circumstances justification for the release of the two sites in Pyrford (GB12 and GB13 in the draft DPD) and the two sites in Mayford (GB10 and GB11 in the draft DPD) for the reasons given in Appendix 1 of these minutes.

Councillor Bowes had also provided clear reasons why exceptional circumstances reasons existed to justify the safeguarding of the two sites in Byfleet to meet future development needs between 2027 and 2040. The other Members of the Working Group were invited to make comments on the report and the proposed amendment.

Councillor Lyons sought clarity on why it remained necessary to remove sites at this stage of the DPD preparation. He further enquired if it would be possible to leave in all sites for comment by the public at Regulation 19 stage. Councillor Bowes stressed that the DPD published for Regulation 19 stage consultation would be the version that the Council intended to submit to the Secretary of State, and would therefore represent the Council's preferred strategy for safeguarding. In the view of the Chairman, enough information had been provided in the Officers' report and the proposed amendment for the Working Group to make a recommendation to Council on the best approach to safeguarding.

Councillor Morales queried whether harm to heritage assets and landscape justified not safeguarding land to the north east of Saunders Lane, between Saunders Lane and Hook Hill Lane, Mayford (GB9) and land to the rear of 79 – 95 Lovelace Drive, Teggs Lane, Pyrford (GB11). She commented that development in the Town Centre would accommodate whilst mitigating impacts of development on heritage assets such as the mosque in Oriental Road. She agreed, however, with the view that land to the north west of Saunders Lane, Mayford (site GB10 of the revised DPD) should not be safeguarded for its peculiar shape to the northern edge and the impact that would have on the Green Belt boundary.

Councillor Bowes stressed that, in order to change the Green Belt boundaries, the test of exceptional circumstances needed to be met as per policy in the NPPF. This had led to both himself and Councillor Bittleston forming a different planning judgement to Officers, based on harm to heritage assets. They had given limited consideration to how

the shape of a site would affect the Green Belt boundary as this was, of itself, not a material consideration beyond whether its shape affected permanence. Councillor Bowes reiterated that having reviewed the results of the Sustainability Appraisal with Councillor Bittleston, they had both come to a view that sites GB9, GB10, and GB11 of the revised DPD performed a critical function in Green Belt terms and that removing them from the Green Belt would offend various sustainability objectives, as well as local and national policy (as detailed in the reasons at Annex 1). Accordingly, it was not felt that exceptional circumstances existed as per the NPPF to justify releasing them from the Green Belt.

Councillor Morales felt that the Council needed to be visionary and plan for the needs of future generations. She was concerned that not safeguarding the land at GB9 and GB11 would jeopardise the ability of the Council to provide lower density, family housing outside of the Town Centre, and the provision of affordable housing in the future. Councillor Bowes clarified that there would be another opportunity in 2027 to plan to meet the needs of future generations, as the Core Strategy would need to be revised.

The Chairman called for a vote to be taken on the proposed amendment and the votes for an against refusal of the amendments were recorded as follows:

In favour: Cllrs S Ashall, T Aziz, D Bittleston, L Lyons, N Martin

Total in favour: 5

Against: Cllrs L Morales

Total against: 1

It was therefore

RESOLVED

That the proposed amendment attached in Appendix 1 to these minutes be noted.

Councillor Morales moved and Councillor Lyons seconded a motion to amend Recommendation (ii) to safeguard sites GB9 and GB11 in the draft Site Allocations DPD for release from the Green Belt to meet future development needs between 2027 and 2040. The proposed amendment read as follows:

- (ii) Save for proposal site GB10 (Land to the North West of Saunders Lane) which had not to be safeguarded for future development needs or otherwise, the draft Site Allocations DPD (Appendix 3) and the accompanying revised Sustainability Appraisal report and the Habitat Regulations Assessment (copies are in the Members'

Lounge) to be supported for the purposes of Regulation 19 consultation would give the public an opportunity to make formal representations.

In debating the motion, Councillor Bowes expressed concern that this approach would result in safeguarding land which had in fact performed poorly in the Green Belt boundary review. Parcel 20, for example, had ranked 10<sup>th</sup> in Table 3.10 of the Green Belt boundary review in terms of its potential to deliver sustainable development relative to others, whereas Parcel 9 was assessed to be less sustainable. He reiterated that opting to safeguard the less sustainable sites would result in a DPD that would not be defensible at Examination. Councillor Lyons, however, argued that a more 'human' aspect to assessing sustainability should be given merit.

The votes for an against refusal of the amendment were recorded as follows:

In favour:	Cllrs L Lyons, L Morales
Total in favour	2
Against:	Cllrs S Ashall, T Aziz, D Bittleston, N Martin
Total against	4

The proposal to amend the amendment was therefore not supported.

The Members of the Working Group had commended the Planning Policy team on their extensive hard work in compiling an exceptional report.

Councillor Ashall examined the policies in the DPD in more detail. He requested that policy GB7 (Nursery land adjacent to Egley Road) be amended to be more prescriptive about the amount of green infrastructure that should be provided as part of any development coming forward. He had been concerned about the impact of development on existing housing, particularly in Chiltern Close and Hillside. Ernest Amoako reminded Members that the 'key requirements' of each site allocation proposal sought on-site measures to support the creation, protection, enhancement and management of local biodiversity and green infrastructure. Table 4.3 on p70 of the Green Belt boundary review report provided estimates of the net developable area of each site, and specified the additional area available for strategic open space and landscaping. He advocated a design-led approach at planning application and master planning stage, rather than being too prescriptive at the plan making stage.

The Chairman flagged up the footnotes on p70 of the Green Belt boundary review, which describe how additional land for green infrastructure that may come forward from other eastern parts of parcel

20 as a whole.

The Group agreed the following minor amendments to site GB7 (Nursery land adjacent to Egley Road, Mayford) to be incorporated in the DPD;

- To delete bullet point two of the key requirements beginning ‘the potential to focus development’ from the list of key requirements; and
- The last but two bullet point to be rephrased to read: “appropriate landscaping, potentially to include landscaping to provide buffer to the road and the railway lines, Hillside and Chiltern Close”.

Ernest Amoako highlighted the key requirement of policy GB7 which had promoted opportunities for an appropriate landscaping to be considered, potentially to include landscaping to buffer new development from the road and railway lines. A specific function of the buffer would be to reduce noise from the railway line. The Chairman agreed, but proposed that the bullet point be amended to specifically refer to Hillside and Chiltern Close as set out above. It was agreed that the draft Site Allocations DPD be amended to reflect this.

Councillor Lyons proposed and Councillor Morales seconded a motion to remove GB7 altogether from the proposed sites to be released from the Green Belt. Councillor Bowes stressed that the DPD would not be found sound if the site were to be removed and an alternative had not been found to deliver the estimated 188 dwellings to meet needs to 2027 (as set out in the Core Strategy). Councillor Lyons sought clarity from Officers. Douglas Spinks agreed that removing the site would undermine the integrity of the DPD. The motion to remove site GB7 from the DPD was subsequently retracted by Councillors Lyons and Morales, though Councillor Lyons asked that it be noted that he would not support housing development on the site.

The Group proceeded to discuss other site allocation policies. Having declared a pecuniary interest in the Woking Football Club stadium redevelopment proposal, Councillor Bowes had left the room and the Vice-Chairman led the following discussion on policy UA45.

Councillor Morales was concerned that the proposed number of dwellings on the site (992 dwellings) was significantly higher than the number of dwellings proposed on other urban sites of comparable size. She felt the proposed density would be inappropriate for a site outside the Town Centre and the proposal should reflect the capacities quoted in the DPD for sites of similar locations. Ernest Amoako acknowledged the significant increase in estimated numbers (caused in part by the expanded site area), but felt the approach taken had been suitable as it had accurately reflected the latest position on intended use of the site as agreed by the Council. Representations from public consultation had recommended that the site be considered for the proposed uses which had subsequently been appraised and recommended for inclusion in the DPD. The policy recognised that any planning

application for the site would be decided on its own merits.

Douglas Spinks clarified that, without the quantum of development proposed in the DPD, redevelopment of the site may not be feasible, including the redevelopment of the stadium which would affect the achievement of a number of positive objectives for the Borough. He added that there would be an opportunity to debate the figure at an Examination in Public, and then at Planning Committee in due course when a scheme came forward for determination.

Councillor Morales moved and Councillor Lyons seconded that policy UA45 should be amended to reflect a reduced number of dwellings. The votes were recorded as follows:

In favour:	Cllrs L Lyons and L Morales
Total in favour:	2
Against:	Cllrs S Ashall, T Aziz, D Bittleston, N Martin
Total against:	4

The proposal was therefore not supported.

Concerned about the potential loss of a community centre, Councillor Aziz asked that it be made explicit in policy UA33 (Walton Road Youth Centre) that 'community uses' should be stipulated as 'youth facility'. Officers stated that being too prescriptive about the specific function of the community facility was inadvisable and that, as it currently stood, the policy would allow for an assessment to be made at planning application stage of what specific community use would be needed at that time.

The discussion came to an end, and the following recommendations were agreed:

### Recommendations

**The Working Group agreed to recommend to the Council that:**

- (i) the various responses to the consultation on the possibility of substituting the land east of Martyrs Lane for the six sites in Pyrford, Mayford and Byfleet identified for safeguarding in the draft Site Allocations DPD together with Officers' responses and recommendations as set out in Appendix 2 be noted.**
- (ii) Save for proposal sites GB9 (Land north east of Saunders Lane), GB10 (Land to the north west of Saunders Lane) and GB11 (Land rear of 79-95 Lovelace Drive) which are not to be released from the Green Belt in order to be safeguarded for future development needs or otherwise, the draft Site Allocations DPD (Appendix 3) and the accompanying revised**

**Sustainability Appraisal report and the Habitats Regulations Assessment (copies are in the Members Lounge) be supported for the purposes of Regulation 19 consultation to give the public an opportunity to make formal representations.**

- (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.**

## **7. Proposed Revision to Local Development Scheme (LDS)**

Ernest Amoako introduced the report and briefly summarised the timetable set out in the updated Local Development Scheme (LDS). Subject to approval by Council, in accordance with the revised LDS, the Regulation 19 consultation on the Site Allocations DPD had been scheduled to begin in October/November 2018. The LDS anticipated that the DPD will be submitted to the Secretary of State by June/July 2019. An Examination would be likely in Winter 2019 with adoption of the DPD likely to be early 2020.

The Group did not have any further comments on this item, and following Officers recommendations were agreed.

### **Recommendations**

**The Working Group requested the Executive to recommend to Council that:**

- (i) the proposed revisions to the LDS be approved and the revised LDS as set out in Appendix 1 be adopted to provide an up to date timetable for the preparation of the Site Allocations DPD; and**
- (ii) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning, to approve any minor changes to the revised LDS to reflect new information, including national guidance before it is adopted.**

**8. Review of Woking Core Strategy**

As a consequence of an amendment to the Town and Country (Local Planning) (England) Regulations 2012 brought about this year, local planning authorities had now been required to review a local development document within the following time periods:

- (a) In respect of a local plan, the review must be completed every five years, starting from the date of the adoption of the local plan, in accordance with section 23 of the Act (adoption of local development documents); and
- (b) In respect of a Statement of Community Involvement, the review must be completed every five years, starting from the date of adoption of the Statement of Community Involvement in accordance with Section 23 of the Act.

Ernest Amoako summarised the report, which set out in detail the outcome of the Officers' review of the Core Strategy. Having conducted a thorough review, it had been concluded that there is no justification for an immediate modification to the Plan. As per Government procedure, the reasons for this decision as set out in the review would need to be published on the Council's website.

Councillor Bowes was satisfied with the review and the Officers' conclusions. The Group had no further comments and agreed the recommendations.

**Recommendations**

**The Working Group recommended to Council that:**

- (i) The view of the Woking Core Strategy included in Appendix 1 be approved;**
- (ii) the Woking Core Strategy continue to be up to date for the purposes of managing development across the Borough;**
- (iv) the details of the review be published on the Council's website as soon as it is reasonable to do so after Council's approval; 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 review to reflect new information, including any national guidance before it is published.**

**9. Any Other Business**

No matters were raised under Any Other Business.

**10. Date of Next Meeting**

It was agreed that a meeting would be called as and when it was needed.

The meeting commenced at 6.30 pm  
and ended at 8.10 pm