

SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD)

Executive Summary

At its meeting on 18 October 2018 the Council approved the draft Site Allocations DPD and its supporting Sustainability Appraisal Report, Habitats Regulations Assessment and the Proposals Map for Regulation 19 consultation. This version of the DPD is what the Council approved to be submitted to the Secretary of State for Examination, subject to any further modifications it may wish to make in response to the Regulation 19 consultation. A copy of the Site Allocations DPD is in Appendix 1. The consultation took place between 5 November and 17 December 2018. Analysis of the individual representations received with Officers' analysis and recommendations is in the Members' Lounge for inspection. Based on the analysis of the representations, Officers have proposed a schedule of modifications which is included in Appendix 2. Subject to the proposed modifications being approved, Officers are satisfied that the DPD is defensible, justified by evidence and can withstand scrutiny at the Examination and should be submitted to the Secretary of State.

At this stage, it is not intended to amend the DPD itself before it is submitted for Examination. The modifications that the Council may approve will be set out in a separate 'schedule of proposed modifications' for the Secretary of State to consider at the Examination. The proposed changes will only be incorporated into the DPD and the accompanying Proposals Map after they have been approved by the Secretary of State.

The report was considered by the Local Development Framework (LDF) Working Group at its meeting on 4 July 2019. The Group has requested the Council to approve all the recommendations of this report. The minutes of the Working Group meeting are attached in Appendix 3.

Recommendations

The Council is requested to:

RESOLVE That

- (i) the various responses to the Regulation 19 consultation on the Site Allocations DPD and its supporting Sustainability Appraisal report, Habitats Regulations Assessment and the Proposals Map together with Officers' response and recommendations be noted (copy in Members' Lounge);
- (ii) the list of Submission Documents in paragraph 1.6 be approved to be sent to the Secretary of State for Examination;
- (iii) the proposed schedule of modifications in Appendix 1 be approved to be sent to the Secretary of State for consideration;
- (iv) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning, to approve any minor changes to the Site Allocations DPD and the other Submission Documents to reflect new information, including national guidance before they are sent to the Secretary of State. This will also include overseeing the presentation of the documents;

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- (v) authority be delegated to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning to agree changes that might be proposed by the Inspector during the Examination process; and
- (vi) authority be delegated to the Deputy Chief Executive to ensure the preparation and participation of the Council at the Independent Examination of the Site Allocations DPD.

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

Background Papers:

Representations received during Regulation 18 consultation
Summary and analysis of the representations received during the Regulation 18 consultation
Representations received during consultation on the land east of Martyrs Lane
Local Development Scheme (LDS)
Statement of Community Involvement
Woking Core Strategy
National Planning Policy Framework
The Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended)
Strategic Housing Land Availability Assessment (2014, 2017)
Employment Topic Paper
Green Belt boundary review
Woking Local Plan – Potential Mitigation
A320 Corridor Study – Feasibility Study Final Report (2018)

List of documents in Members' Lounge for inspection

Draft Site Allocations DPD
Summary of representations with Officers' response and recommendations
Proposals Map
Sustainability Appraisal Report for the Site Allocations DPD
Habitats Regulations Assessment
Consultation Statement
Duty to Cooperate Statement
Equalities Impact Assessment

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1.0 Introduction

- 1.1 On 18 October 2018, the Council approved the draft Site Allocations DPD (Appendix 1), the Sustainability Appraisal Report, the Habitats Regulations Assessment and the Proposals Map for Regulation 19 consultation to allow the public a final opportunity to comment on them before they are submitted to the Secretary of State for Independent Examination. The Site Allocations DPD is in Appendix 1. Copies of the other documents are in the Members' Lounge for inspection. Copies can also be provided on request. Members should note that the documents are the same as they were approved for the Regulation 19 consultation. The DPD was published for consultation between 5 November 2018 and 17 December 2018. The consultation was widely publicised to encourage people to respond. Direct letters and e-mails were sent to individuals and organisations on the consultation database, workshops were organised in communities where sites are allocated or safeguarded, leaflets were distributed at key locations, there were open days for people to have a discussion with the Planning Policy Team and there were Press Releases. Officers are satisfied that everything possible was done to encourage people to respond.
- 1.2 The preparation of the DPD has evolved over time. Public consultation has been central to the process, and the Council has valued and taken into account comments received at each stage of the process. The Examination, which is the next stage of the process will give everyone a further opportunity to be heard by the Independent Inspector of the Secretary of State. The report:
 - Outlines the various responses received during the Regulation 19 consultation with Officers' analysis and recommendations;
 - Sets out the schedule of proposed modifications to be sent to the Secretary of State for consideration;
 - Sets out the list of Submission Documents that will have to be sent to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended); and
 - Seek authority to submit the Site Allocations DPD together with the schedule of proposed modifications and the accompanying Submission Documents to the Secretary of State for Examination in accordance with the timescales set out in the Local Development Scheme.
- 1.3 A total of 2,797 individuals and organisations submitted comments comprising of 3,583 separate representations. The total number of people who made representations included 1,173 signatories to the Byfleet Residents Petition and 923 signatories to the Pyrford Residents Petition. Of the total number who made representations, 971 were supportive of the DPD, 1,783 raised objections, 41 made comments that were neither supporting nor objecting to the DPD and 2 supported and objected to various aspects of the DPD at the same time. A summary of the representations, the main issues raised with Officers response and recommendations is in the Members' Lounge.
- 1.4 As a result of representations received and further information on the status of some of the sites, Officers are proposing some modifications to enhance the quality of the DPD and to help meet statutory or technical requirements. A modification has also been proposed regarding the status of the McLaren campus. This is addressed separately in Section 4 of the report. The schedule of proposed modifications is included in Appendix 2. Members are requested to approve the proposed modifications. If approved, the proposed schedule of modifications will be sent to the Secretary of State for consideration at the Examination. The proposed modifications will be incorporated into the DPD if they are accepted by the Secretary of State. The DPD should be able to stand up to technical scrutiny at the Examination. In this regard, any further changes that Members wish to make should have the evidence to justify them. It is

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stressed that the proposed schedule of modifications are of minor nature and would not fundamentally change the general thrust of the DPD nor undermine its overall objective. If that were to be the case, the advice would be for the Council to carry out another round of consultation to give the public the opportunity to comment on that. Members should note this advice if they are minded to introduce any further changes.

- 1.5 The Sustainability Appraisal and the Habitats Regulations Assessment are legal and/or international requirements that have to be prepared to support the DPD. They have been prepared as an integral part of the DPD process. Members have already considered these documents before they were published for consultation, and Officers are not proposing any significant changes to the documents except a new Sustainability Appraisal to inform the designation of the McLaren Campus as a Major Developed Site in the Green Belt and the proposed modification to Policy UA14 (Poole Road Industrial Estate). The Proposals Map is a spatial illustration of the policies and proposals in the development plan. Changes have been proposed to reflect the proposed schedule of modifications to the DPD. The nature of the changes is set out in the schedule of proposed modifications. A copy of the Proposals Map is in the Members' Lounge.
- 1.6 Subject to Council approving the recommendations of the report, the next stage of the process will be to submit the DPD to the Secretary of State for Examination. In accordance with the timescales set out in the Local Development Schemes, this is expected to be the end of July. In addition to the DPD, Regulations 17 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prescribes the following Submission Documents to also be submitted to the Secretary of State:
 - Sustainability Appraisal Report and Habitats Regulations Assessment;
 - Proposals (or Policies) Map;
 - Statement setting out which bodies and persons invited to make representations, how those bodies and persons were invited to make representations under Regulation 18, a summary of the main issues raised by representations made pursuant to Regulation 18, how any representations made pursuant to Regulation 18 have been taken into account;
 - Copies of any representation made in accordance with Regulation 20, in this case the Regulation 19 consultation (copies are available for Inspection at the Planning Policy Team and on the Council's website); and
 - Such supporting documents as in the opinion of the Council are relevant to the preparation of the DPD. Under other national and international requirements, a Consultation Statement, Duty to Cooperate Statement and Equality Impact Assessment have been prepared to be submitted to the Secretary of State (copies in the Members' Lounge). The Council has an approved Statement of Community Involvement, which is a background document to the report and is on the Council's website. The Statement of Community Involvement will also be submitted to the Secretary of State.
- 1.7 It is a statutory requirement under the Duty to Cooperate for a number of prescribed bodies such as the Council to work together to address strategic matters that crosses administrative boundaries. The list of the prescribed bodies is set out in Section 4 of the Regulations. At the Examination, the Council will be required to demonstrate by evidence how it has met this duty. The Duty to Cooperate Statement is the Council's evidence to demonstrate compliance with this duty

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- 1.8 Members are reminded that Council has already approved the DPD that it wishes to submit to the Secretary of state for Examination. At this stage, it is not intended to amend the DPD itself before it is submitted for Examination. The modifications that the Council may wish to make will be set out in a separate 'schedule of proposed modifications' for the Secretary of State to consider at the Examination. The proposed changes will be incorporated into the DPD after they have been approved by the Secretary of State.

2.0 Nature and analysis of representations

- 2.1 A total of 2,797 individuals and organisations made comments comprising of 3,583 separate representations. Two sets of petition were received from Byfleet residents and Pyrford residents respectively. Of the individuals and organisations who made comments, 971 were in support of the DPD, 1,783 objected, 41 made comments that were neither objection nor support and 2 objected and supported various parts of the DPD. The representations covered a wide range of issues. The issues that received most comments relates mainly to infrastructure provision and the release of Green Belt land for development, and includes the following:

- No justification for the release of Green Belt land to meet future development requirements in the Borough;
- No justification to safeguard Green Belt land to meet future development needs beyond the Core Strategy period;
- No need to release Green Belt land to meet the accommodation needs of Travellers
- There is a disproportionate amount of Green Belt land being released in West Byfleet and Byfleet to meet development needs across the Borough;
- Lack of infrastructure to support the proposed development. There has been no proper assessment of the scale of infrastructure to support the proposed development. The traffic implications of the proposed development especially but not exclusively on Parvis Road have not been fully assessed;
- No proper assessment of risk of flooding, in particular, regarding the sites in Byfleet and West Byfleet
- Inadequate evidence base to support the DPD;
- Inadequate consideration given to air pollution;
- Lack of assessment of alternative brownfield sites. There should be independent consultants study on availability of brownfield land; and
- The DPD should identify more land to meet Woking's unmet housing need and not just the Core Strategy's housing requirement.

- 2.2 The above list of issues is not exhaustive and does not imply that they are more important than any other issue raised by the representations. They are highlighted because of the relatively high number of individuals who have raised the issues. A summary of each representation with Officers' analysis and response is in the Members' Lounge. An Issues and Matters Topic Paper has been prepared to comprehensively address the common issues that were raised. The Topic Paper is in Appendix 4. Whilst the above are highlighted and addressed in detail in the Issues and Matters Topic Paper, this should not underplay the importance that should be attached to the careful consideration of all the other individual representations.

2.3 The general thrust of the DPD as approved by Council has not changed as a result of the representations. However, Officers are proposing some modifications in response to the representations which will enhance the overall quality of the DPD. The schedule of proposed modifications is in Appendix 2.

3.0 Release of Green Belt land

3.1 The release of Green Belt land attracted a wide range of opinions from residents, developers and neighbouring authorities. The release of Green Belt land has been singled out for commentary in the report because of the sensitivities surrounding the issue and the number of individuals who have commented on it. Residents from communities such as Byfleet and West Byfleet have been concerned about the release of Green Belt land for development in their area, in particular, what they believe to be the disproportionate amount of Green Belt land being proposed to be released for allocation and safeguarding in the area. They have also raised concern about the allocation and overconcentration of Traveller sites in the area. Residents of communities such as Pyrford have broadly been supportive that the DPD is no longer safeguarding Green Belt land to meet future development needs in their area. A number of developers are concerned that the Council has not gone far enough to release Green Belt land to meet its objectively assessed housing need, which currently stands at 409 dwellings per year but instead is only allocating land to meet the Core Strategy's housing requirement of 292 dwellings per year. This is also a view shared by some of the neighbouring authorities. Each representation has been addressed in detail. The Issues and Matters Topic Paper on the summary of issues submitted during the Regulation 19 consultation with Officers response addresses these matters comprehensively.

3.2 Officers have reviewed all the representations, the policy basis for the allocations and the evidence base and are still satisfied that very special circumstances exist to justify the allocation and/or safeguarding of the sites that Council approved for Regulation 19 consultation. Members are reminded that the in-principle justification to release Green Belt land has been established by the 2012 Core Strategy and agreed by the Secretary of State. It is highly unlikely that the Core Strategy would have been found sound if the Council had not committed to release Green Belt land to meet housing need at the back end of the Core Strategy period. It is also highly unlikely that the Site Allocations DPD would be found sound if it did not allocate sufficient land including land in the Green Belt to meet the policy requirements of the Core Strategy. Whilst the concerns raised by residents are well understood and shared, the DPD is informed by a number of evidence base studies and includes key requirements to make sure that the release of Green Belt land would not undermine the overall integrity and purposes of the Green Belt. A copy of the Site Allocations DPD is attached at Appendix 1. For the avoidance of doubt and for information, Appendix 5 provides a summary of Green Belt land that are proposed for allocation or safeguarding.

4.0 McLaren Campus

4.1 McLaren Group Limited has made representation requesting the Council to remove its campus site (excluding land in its ownership east of A320) from the Green Belt and allocating it for strategic employment use or alternatively, to designate the same site as a strategic employment site within the Green Belt. Members are reminded that at the Core Strategy Examination, McLaren Group Limited made a similar representation which the Council resisted and was supported by the Secretary of State. At the time there was a single building at the campus – the McLaren Technology Centre (MTC). The Council at the time argued that the site did not meet the criteria to be designated as a major developed site in the Green Belt. Circumstances have changed since the adoption of the Core Strategy regarding the status of the site. The McLaren Production Centre (MPC) has been built and there is an extant planning approval for the McLaren Applied Technology Centre. Officers have considered the merits of the representations in the light of the current status of the site, the planning history, the policy context and a Sustainability Appraisal of the site, and are recommending that the site as defined by the Map in Appendix 2 should be designated as a Major Developed Site within the

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Green Belt in accordance with the definition set out in the Glossary of the Core Strategy. For information, and as examples, there are two other Major Developed Sites in the Green Belt – Broadoaks and the Thames Water Sewage Treatment Works at Carters Lane. Full details of the representations with Officers analysis and reasons for the recommendation are set out in 'the summary of individual representations received with Officers' response and recommendations' in the Members' Lounge. Details of the proposed policy designation, its reasoned justification and the key requirements to make development of the site acceptable is set out in the proposed schedule of modifications in Appendix 2. Whilst the proposed designation offers an in-principle use of the site for the sole employment use by McLaren Group Limited, the Council will continue to exercise a similar degree of control over details of any proposal that might come forward. The development of the site will continue to require a planning application to be submitted to and determined by the Council with the same degree of detail scrutiny. The recommendation to designate the site as Major Developed Site in the Green Belt is informed by a Sustainability Appraisal. A copy of the SA Report is in the Members' Lounge.

- 4.2 Officers are of the view that the site should not be removed from the Green Belt, which is an option that McLaren Group Limited has requested the Council to consider. Policy CS1 (a Spatial Strategy for Woking Borough) of the Core Strategy is concerned to ensure that any land that is removed from the Green Belt to meet future development needs does not undermine its purposes and overall integrity. The Council has carried out a Green Belt boundary review to provide the necessary evidence to help it achieve this objective. The Study concluded that the area within which the McLaren site is situated is fine-grained landscape where it would be difficult to accommodate significant change without significant adverse effects on the landscape pattern and features. Removal of the site from the Green Belt would leave an area of development unconnected to the urban area. There would be no clear well defined features that may be used to secure an enduring alternative Green Belt boundary. It would lead to an isolated development within the Green Belt. Retaining the site within the Green Belt would allow the relevant requirements of the Green Belt policies to be applied to any development that would come forward. Consequently, the request to remove the land from the Green Belt for strategic employment use is unacceptable and should be resisted.

5.0 How the Site Allocations DPD will be judged at the Examination

- 5.1 Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) prescribes amongst other things that the local planning authority must submit every development plan document to the Secretary of State for Independent Examination, but the authority must not submit such a document unless they have complied with all relevant requirements contained in Regulations and they think the document is ready for Independent Examination. Officers have followed the relevant Regulations in preparing the DPD.
- 5.2 Paragraph 35 of the NPPF sets out the tests against which the DPD will be judged. The DPD will be judged against the following:
- Is the DPD identifying sufficient range of sites to deliver at least the requirements of the Core Strategy?
 - Is the DPD an appropriate strategy, taking into account reasonable alternatives (is it justified)?
 - Are the proposals justified by credible evidence?
 - Has legal, procedural and international requirements been met?
 - Is the DPD in general conformity with National Planning Policy (NPPF)?

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- Has there been appropriate consultation, including meeting the specific requirements of the Duty to Cooperate?

5.3 The Site Allocations DPD will stand or fall on the extent that it has met the above tests and all other legal and procedural requirements. The above tests should guide decisions about the DPD. The LDF Working Group has considered the report at its meeting on 4 July 2019. The Group is supportive of all the recommendations of the report. The Group had suggested minor modifications to the scheduled of proposed modifications in Appendix 2. The proposed amendments are already incorporated into the report.

6.0 Next steps

6.1 The report seeks authority to submit the DPD, the proposed schedule of modifications and the supporting Submission Documents to the Secretary of State for Examination. Subject to Council agreeing the recommendations of the report and the further changes they may wish to make, it is intended that the DPD will be submitted to the Secretary of State by end of July 2019. The purpose of the Examination will be to determine whether the DPD satisfies legal and procedural requirements and is sound. Anyone who has made representation during the Regulation 19 consultation will be given the opportunity to appear before, and be heard by the Inspector conducting the Examination.

6.2 It is most likely that during the course of the Examination, the Inspector may propose changes to be agreed by the Council. It will be difficult for relevant committees of the Council to convene to agree such changes. It is therefore requested that delegated authority be given to the Deputy Chief Executive in consultation with the Portfolio Holder for Planning to agree any such changes. This is common practice at Examinations and not unique to Woking.

6.3 The Inspector will issue a report after the hearing part of the Examination with recommendations and reasons for the recommendations, which must be published. The Council cannot adopt the DPD without modifications recommended by the Inspector. If found sound, it is anticipated that the DPD will be adopted in early 2020. The Council will have the opportunity to consider the Inspector's Report before the DPD is adopted.

7.0 Implications

Financial

7.1 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

7.2 No additional human resources/training and development implications.

Community Safety

7.3 There are no community safety implications

Risk Management

7.4 The Local Development Scheme 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 the Examination and avoid potential legal challenge. The Planning Act requires the Council to prepare the DPD in accordance with the timescales set out in the Local

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Development Scheme. Any delay in the preparation of the DPD would require a review of the approved LDS to make sure that the preparation of the DPD is measured against up to date and achievable timetables. A delay in having an adopted DPD could potentially lead to speculative development in unsustainable locations, including Green Belt locations, something the Council may wish to avoid.

- 7.5 There is no doubt about the Government's objective of significantly boosting the supply of homes and the need for Councils to identify land to help achieve that. The expectation is that Councils must plan to meet at least their objectively assessed housing need (and to take into account the unmet need from neighbouring areas). Based on current data, the objectively assessed housing need for the Borough is about 409 dwellings per year. Given the timing of the Core Strategy period (2010 – 2027) there is a high risk that any delay to the preparation of the Site Allocations DPD will result in significant pressure on the Council, including pressure from Government to start a new Plan making process with the possibility of the housing requirement being increased from the current 292 dwellings per year to 409 dwellings per year.

Sustainability

- 7.6 Addressed as part of the Sustainability Impact Assessment.

Equalities

- 7.7 The Site Allocations DPD will contribute towards meeting the accommodation needs of Travellers and the elderly. An Equality Impact Assessment has been prepared as one of the Submission Documents to be sent to the Secretary of State.

Safeguarding

- 7.8 There are no safeguarding implications.

8.0 Conclusions

- 8.1 The Council has a policy obligation to prepare the Site Allocations DPD to identify sufficient range of sites to enable the comprehensive delivery of the Core strategy. The preparation of the DPD has evolved with significant public and Members' involvement. At its meeting on 18 October 2018, the Council approved the draft DPD and its supporting documents that it wishes to submit to the Secretary of State for Regulation 19 consultation to give the public the final opportunity to comment on them before they are submitted. The representations that were received during the consultation have been analysed in detail with Officers' recommendations. Modifications are being proposed to enhance the overall quality of the DPD. These modifications will be incorporated into the DPD if they are accepted by the Secretary of State. At this stage, Officers are satisfied that the general course taken in the DPD is defensible, justified by evidence and credible to withstand scrutiny at an Examination and should be submitted to the Secretary of State.
- 8.2 There is no doubt that a range of views and concern have been expressed about the release of Green Belt land for development. These are valued and well understood. The DPD is informed by robust evidence and includes key requirements to minimise the adverse impacts of developing the sites and ensuring that the overall integrity and purposes of the Green Belt are not significantly undermined.
- 8.3 The report seeks authority to submit the DPD, its supporting documents and the other Submission Documents to the Secretary of State for Examination. Whilst this is a significant stage in the preparation of the DPD, there is still a significant amount of work to defend the DPD at the Independent Examination against a range of objections, in particular, objections from development interests who are requesting the Council to identify more land, including land in the Green Belt to meet its objectively assessed housing need rather than the 292

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dwellings per year requirement. It is requested that delegated authority be given to the Deputy Chief Executive to ensure the preparation and participation of the Council at the Examination. At this stage, Officers are satisfied to the best of their knowledge that the documents listed to be submitted to the Secretary of State meets all the expected requirements.

REPORT ENDS