Runnymede Local Plan EIP
Statement on Behalf of Richborough Estates.
Matter 1.

November 2018
1. **Introduction**

1.1 This Statement is submitted on behalf of Richborough Estates Ltd., in relation to ‘Land at Ottershaw East’. This particular Statement addresses Matter 1, and supplements our previous submissions.

1.2 Our client controls land to the east of Brox Road and north east of Southwood Avenue. Brox Copse is situated to the south and further areas of vegetation are located to the north. Existing residential dwellings bound the site to the west and south west. The site is proposed for release from the Green Belt to facilitate its allocation for residential development.

1.3 We provided detailed representations to the Regulation 19 Consultation on the Proposed Submission Local Plan. Accordingly, we do not seek to extensively repeat the analysis set out previously, but provide commentary in relation to the ‘Inspectors Initial Questions’, where appropriate.

**Matter 1 – Legal Requirements, Duty to Co-operate and the Plan Period**

1.4 Is the Runnymede 2030 Local Plan (the Plan) compliant with the Planning and Compulsory Purchase Act (2004) (as amended) and the 2012 Regulations (as amended)? In particular, is the Plan compliant with the Local Development Scheme and the Statement of Community involvement?

1.5 The Runnymede Local Plan is timetabled and identified in the most recent version of the Local Development Scheme (LDS). This includes a timetable for submission, Examination and adoption.

1.6 The LDS identifies the stages of formal public consultation for the production of the Plan. The Statement of Community Engagement sets out how the Council engaged with the community.

**Is the Habitats Regulation Assessment and the Sustainability Appraisal (SA) adequate? Does the SA demonstrate that the Plan has been tested against all reasonable alternatives?**

1.7 The adequacy of the Habitats Regulations Assessment (HRA) is a matter for Runnymede Borough to demonstrate.

1.8 In relation to the SA, it is noted that Sustainability Appraisals were published for each key stage of the Plan-making process, and were subject to comment during the associated consultations. The Submission Local Plan is similarly supported by a Sustainability Appraisal. Part 3A of the Appraisal concerned the consideration of alternatives, against the relevant legislation.

1.9 We do not provide comment on every aspect of the Appraisal’s analysis, as it is considered that this is a matter for the Council to respond to. However, in relation to the consideration of the Spatial Strategy, it is noted that, at Table 2.2a (of said report) consideration is given to the preferred option and potential alternatives.
The analysis confirms that SS1 to SS4, and SS7, were discounted because they would fail to help to achieve the identified OAN. SS6 and SS7 would exceed the identified OAN and therefore score ‘significantly positive’ in relation to Sustainability Objective 9. However, these alternative options would require the release of additional Green Belt land, with consequent negative scores.

It is also notable that the preferred approach allows the Plan to meet the identified OAN (7,507 over the Plan period, 2015-2030). The scale of development apportioned to settlements varies according to their size and sustainability, and the preferred option will see the delivery of new dwellings on previously developed sites as well as land which is proposed for release from the Green Belt. In this way, the preferred option shall facilitate sustainable patterns of development.

 regard has also been had to the need to avoid impacts on the Thames Basin Heaths Special Protection Area (SPA) and the capability of a sites considered for allocation to deliver Suitable Accessible Natural Greenspace (SANG). Where sites are able to deliver SANG on-site, there is greater potential for this SANG to come forward. Furthermore, the provision of SANG (particularly when it is of a strategic scale) can facilitate wider housing development, without this resulting in detrimental (and unacceptable) harm to the SPA. This is highly relevant in Runnymede, an authority which is significantly affected by the Thames Basin Heaths SPA.

Green Belt releases are proposed as part of the Council’s preferred approach. This is considered all but inevitable in a Local Authority which is so extensively constrained by this designation. Alternative options are identified which would not require the release of Green Belt Land or would require more limited alterations to Green Belt boundaries. However, it is noted that such an approach would fail to provide a strategy that comes anywhere close to meeting the identified housing need. There exist clear ‘Plan-wide’ exceptional circumstances that justify the release of Green Belt. Similarly, it is evident from the Plan, Duty to Cooperate Compliance Statement (and supporting correspondence) that none of the adjoining LPAs have (at this stage) indicated a willingness to meet any unmet need arising.

Alternative SS6 would deliver a slightly higher quantum of housing and this would seem to be achievable, albeit it would potentially require the release of additional Green Belt land. It is noted (in table 2.2a) that the “overall spatial strategy remains the same regardless of whether SS5 or SS6”. There is then possible scope to pursue this option, should it be found that the OAN figure is higher than presently considered. However, if the identified OAN is assumed to be correct then this would seem to be unnecessary. Notwithstanding this point, we would maintain that additional dwellings could be achieved on land at Ottershaw East, without any materially greater impact on the Green Belt.

Accordingly, the Spatial Strategy is regarded as having appropriately considered all reasonable alternatives.

Does the Plan as a whole accord with s19(1A) of the Act by including policies that are designed to secure that the development and use of the land in the Borough contribute to the mitigation of, and adaptation to, climate change?
1.16 Planning and Compulsory Purchase Act (2004) (as amended) requires that Development Plan documents shall “include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”.

1.17 The Submission Local Plan sets out a number of policies which address this matter. Policy EE13, sets out a strategy for the directing development away from areas of flood risk and denotes how mitigation shall be required. The Plan is also supported by a Strategic Flood Risk Assessment, which models the predicted effects of climate change. Policy EE9 denotes that developments shall be expected to assess ecological implications and provide net biodiversity gains. Policy SD8 promotes sustainable design and construction methods, whilst SD9 seeks to facilitate renewable energy projects and promote energy / resource efficiency in new developments.

1.18 Has the Council engaged constructively, actively and on an on-going basis with all relevant organisations on the strategic matters that are relevant to the Plan’s preparation, as required by the Duty to Cooperate?

1.19 The council has submitted a Duty to Cooperate Update and Compliance Statement in support of the Local Plan and has concluded Statements of Common Ground with adjoining LPAs. A Statement of Common Ground is to be concluded with Highways England. Details of the Council’s engagement with partners have been provided in the form of minutes and correspondence.

1.20 It is clear then that the Council has pursued a more systematic approach to fulfilling Duty to Cooperate obligations. Notwithstanding this, it is noted that LPA’s within the same HMA are progressing Local Plans at different rates and which have advance to different stages. This presents a problem for many LPAs and the Plan seeks to initiate Local Plan review within 5 years of adoption, which reflects the emerging NPPF approach to Plan-making as well.

Is the Plan period (2015-2030) justified? If not, how should this be rectified?

1.21 The Plan is to be assessed in accordance with the 2012 National Planning Policy Framework (NPPF). Accordingly, whilst paragraph 157 of the Framework indicates that a 15 year Plan-period is preferred. Ultimately, it will be possible to re-evaluate the position (regarding the Plan-period) through the envisaged Local Plan Review. In the case of Runnymede, we would maintain that this approach is a preferable alternative to delaying the adoption of the Plan.

1.22 In Runnymede, housing delivery will only be achieved (at scale) through the release of Green Belt land. Alternations to Green Belt boundaries can of course only be achieved through the Plan-making process, so to delay the adoption of the Plan is effectively to delay the provision of housing. We are however concerned that the end date of the Plan will be just 11 years from possible adoption. The NPPG is clear that a 15 year time horizon is preferred, and therefore the end date of the Plan should be extended and further sites (or expansion of existing allocations) be identified over the latter plan period between 2030 and 2034.