05 November 2018

Dear Charlotte,

Runnymede 2030 Local Plan Stage 1 Hearings

I write in response to the main matters and questions for Stage 1 Hearings as part of the Runnymede Local Plan examination where PRP is acting on behalf of PLP. These statements cover all four matters raised by the Inspector Mary Travers and are set out below.

1. **MATTER 1: LEGAL REQUIREMENTS, THE DUTY TO CO-OPERATE AND THE PLAN PERIOD**

1.1 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?

No comments.

1.2 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?

No comments.

1.3 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?

No comments.

1.4 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 Co-operate?

It is acknowledged that RBC has carried out meetings with neighbouring LPAs under the Duty to Co-operate requirements. It is considered that the most important of these
undertakings is the one with Spelthorne Borough Council ("SBC"). RBC and SBC are the only two LPAs within their Housing Market Area ("HMA") and it is therefore crucial that the two LPAs work together to fulfil their housing need in line with paragraph 47 of the NPPF (2012). In addition to this, neighbouring LPAs have indicated that they will be unable to meet any unmet need from the Runnymede and Spelthorne HMA.

RBC and SBC’s Duty to Co-operate identifies housing need as a key issue but does not demonstrate clear, positive outcomes or solutions which have been integrated into policy. For example, there are no proposed solutions resulting from the increase in pressure on housing need from London on the Metropolitan Belt. Additionally, there are no solutions to what would happen to housing delivery within RBC and the wider HMA should SBC fail to meet their assessed housing need.

This is further compounded by the partial update to the SHMA (2015) for RBC in 2018 in the context of a government drive to increase housing delivery through the introduction of the standard method to assess housing need which will result in higher housing targets for both RBC and SBC.

The publication of the revised NPPF (2018) in July 2018 will mean that RBC will have a Local Plan assessed under the 2012 version and against the SHMA’s calculation of the HMA’s objectively assessed need. SBC however will have their Local Plan assessed against the revised NPPF (2018) and the standard method calculation of housing need. The potential disparities and difficulties arising from this change in national policy do not appear to have been assessed or addressed as part of the Duty to Co-operate.

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

Whilst the Local Plan covers the 15 years minimum required by paragraph 157 of the NPPF (2012), assuming the examination runs smoothly and the Plan is adopted in mid-2019, the effective lifespan of the Plan will be just over 10 years.

This is somewhat short-sighted and in the interests of positive plan-making, does not address the requirement of Local Plans to establish the longer-term requirements of the borough as sought in the NPPF (2012).

Further, as set out in the minor modifications to the Local Plan, it is clear that RBC shortened the Local Plan period in order to prevent more Green Belt land to be released and allocated for residential development in order to meet the housing need until 2035. This approach was chosen over the positive plan-making approach which would have reconsidered potential land for release from the Green Belt in order to meet RBC’s housing need in full until 2035.

2. MATTER 2: OBJECTIVELY ASSESSED NEED FOR HOUSING AND EMPLOYMENT LAND PROVISION (POLICY SD2 AND PARAGRAPHS 5.22-5.27).

2.1 Does the objectively assessed housing needs figure of 7507 dwellings (2015-2030) (500dpa) form a justified, positively prepared basis for setting the Plan’s housing requirement figure? In particular:

a) Taken together, are the Runnymede-Spelthorne Strategic Housing Market Assessment (SHMA) 2015 and the 2018 Partial Update an appropriate starting point for setting the housing requirement for Runnymede?
As set out in Matter 1 (points 1.4 and 1.5), the partial update to the SHMA fails to consider the housing need of the HMA holistically and is likely to lead to an inaccurate assessment of the total housing need. Further, it is important to consider how this partial update will positively tackle the affordability issues in RBC.

The SHMA needs to consider the appropriate market signals for the whole of the HMA. If RBC does not allow for a significant uplift in their housing target to tackle the worsening affordability in their borough, then it will fall to SBC to make up for this uplift alongside their own. This does not constitute positive plan-making.

The impact of this partial update to the SHMA is particularly pertinent in light of the revised NPPF (2018) which shows that the standard method would mean a significant increase in housing delivery and targets excluding any increase in market signals to meet housing need for both RBC and SBC. It is recommended that RBC increase their housing allocations to meet this increased need in order to avoid a further worsening of affordability levels.

b) Does the fact that an update of the SHMA 2015 has not been requested by Spelthorne Borough Council at this time give rise to any substantive difficulty in considering the evidence base for Runnymede’s OAN figure?

This indicates that there has been a lack of effective co-operation between the two boroughs. An update to the SHMA should have been undertaken to establish the need across the HMA, irrespective of SBC’s stage of the Local Plan process. The SHMA is intended to calculate the housing need from a ‘policy-off’ viewpoint rather than dictate a definitive housing target. This update would have allowed the two boroughs to collaborate more effectively and agree positive solutions to delivering the appropriate level of housing need.

By not meeting housing need within the HMA in the first instance, RBC is not complying with paragraph 47 of the NPPF (2012) as required. Additionally, neighbouring LPAs have indicated that they will be unable to meet any unmet need from RBC, making co-operation between RBC and SBC even more important.

c) Are the demographic assumptions (including future trends in household formation and migration), the account taken of affordability and market signals, forecast growth in employment, commuting patterns, the need for affordable housing, the role of students in the local housing market, the potential impact of Heathrow expansion, Brexit and any other relevant factors adequately considered, and are the conclusions justified?

Following on from matter 2.1 (a), it needs to be noted that RBC’s affordability ratio is now 12.07 and is still increasing. It is clear from past completions that RBC have not been meeting their housing need. The adopted housing target is out of date and should not be used as a comparison when assessing delivery rates as it is not indicative of the housing need in recent years. The previous housing target was based on the South East Plan which has been revoked for some time and is a constraints based target rather than a needs based one. This has resulted in an increase in house prices and worsening affordability and is something which will need to be addressed moving forwards.

In addition, the impact of London on affordability has had little consideration. RBC is situated in close proximity to Greater London and within a SHMA adjacent to outer London boroughs. This means that it is highly receptive to policy decisions and population trends affecting Greater London. With the London Mayor, Sadiq Khan, placing an emphasis on outer London boroughs to deliver a greater proportion of the
capital's housing need, it is likely that council's surrounding London will have to play their part as well.

In line with other recent Local Plan examinations such as Waverley Borough Council, Guildford Borough Council and Mid Sussex District Council, it is recommended that an uplift of 25% be applied to RBC's housing requirement in order to address the worsening of affordability.

d) What are the implications for the Plan of the 2016-based household projections, published in September 2018?

The release of the 2016-based household projections in September 2018 showed a reduction in household growth in comparison to the previous 2014-based projections. When these figures are input into the standard method housing need calculation it shows a reduction in housing need for RBC and SDC alongside the whole of England. This caused many LPAs to consider that this meant they were able to reduce their housing targets.

However, what this information doesn't take into consideration is the high level of household suppression caused mainly as a result of unaffordable house prices. Household formation rates are lower partly due to many young adults living with their parents as they are unable to put down a deposit for a house; many young adults flat-sharing for the same reasons; and to the hidden homeless.

The projections showed a housing need far short of the Government's target of 300,000 new homes built every year. The Government has since released a document for consultation which seeks to clarify their position on household projections and the standard method for calculating housing need. Paragraph 19 of the Technical consultation on updates to national planning policy and guidance states that the Government proposes:

1. For the short-term, to specify that the 2014-based data will provide the demographic baseline for assessment of local housing need.

2. To make clear in national planning practice guidance that lower numbers through the 2016-based projections do not qualify as an exceptional circumstance that justifies a departure from the standard methodology.

This demonstrates the Government's ambition to increase housing delivery and in the interests of positive plan-making, RBC should be seeking to increase their housing numbers.

2.2 a) Are the Borough-wide targets for the provision of employment land as set out in Policy SD2 based on robust evidence of need and demand?

No comments.

b) Are they consistent with the proposed level of growth in housing?

No comments.

c) In terms of the proposed quantity and type of provision, would they make an appropriate contribution to meeting overall economic development needs in the wider area that includes Runnymede?

No comments.
If the Plan is unlikely to meet the identified needs within the relevant time period, how should this be addressed?

No comments.

3. MATTER 3: OVERALL SPATIAL STRATEGY (Policy SD2, Paragraphs 5.8-5.13, 5.19-5.21, 5.28-5.36)

Is the Plan's overall framework for the roles that will be played by various parts of the Borough in meeting development needs and protecting and, where possible, enhancing the environment sound? In particular:

a) Is the broad apportionment of housing, economic and other development to the various centres and locations throughout the Borough consistent with the Plan's spatial vision and objectives?

No comments.

b) Is it based on robust evidence, consistent with national planning policy, and is it deliverable?

No comments.

c) Does it take proper account of potential impacts on the natural environment, landscape, flood risk, air quality and other matters and provide for mitigation where necessary?

Policies SD3 and SD10 of the emerging Local Plan allocate a minimum of 1,700 units to be delivered across 14 years at a new settlement, Longcross Garden Village. This accounts for almost 23% of RBC’s expected housing delivery. The reliance on such a large, single allocation is risky.

Part of Longcross Garden Village, Longcross North, is currently under construction but this represents a relatively small proportion of the proposed homes (200 units out of 1,700). Longcross South is much larger and is proposing development up to 1,400 dwellings.

A key planning risk is the site’s location in relation to the Thames Basin Heath Special Protection Area. The entirety of the site sits within the 5km buffer zone and a significant proportion falls within the 400m buffer zone. As part of the EIA scoping decision for the site, RBC did not agree to scope out waste, stating that the development has to have a significant effect upon the Thames Basin Heath SPA (Reference RU.17/0793).

After a European Court of Justice ruling was handed down in May 2018 (C 323/17 - People Over Wind and Sweetman 2018) which related to the issues of appropriate assessments under the Habitats Directive, another Surrey Local Authority, Waverley Borough Council, issued a temporary moratorium on new residential planning applications within the 5km buffer zone of the Thames Basin Heath Special Protection Area.

The case involved the decision to allow the laying of cables to connect a wind farm to the electricity grid across two European Special Areas of Conservation (“SACs”) within the Republic of Ireland. The concerns raised were about the impact of the construction on a protected species of freshwater pearl mussel. The Court of Justice of the European
Union ("CJEU") concluded that the Habitats Directive did not refer to mitigation and that because mitigation was required, it provided evidence that the application would significantly affect the Special Protection Area. As a result, new evidence would therefore be required to ensure that the appropriateness of mitigation could be considered with the benefit of a full appropriate assessment.

The restrictions around mitigation measures in assessing applications have strengthened and by locating a large new settlement within the 5km buffer zone it is debatable whether RBC has followed a sustainable spatial strategy which seeks to protect the environment whilst also meeting development needs.

d) Have the strategic infrastructure constraints and needs been adequately assessed and is there reasonable confidence that they will be addressed in a timely manner?

A large proportion of the sites allocated for residential development are contingent on the delivery of mitigation of the A320. Policy SD3 sets out the site allocations which are conditional on this mitigation and it appears that the number reliant on this mitigation has increased throughout the Local Plan process.

Despite the publication of the Infrastructure Delivery Plan Schedules, neither the Local Plan nor the evidence base documents provide sufficient justification as to how the phasing of each of these developments has been decided. With approximately 930 units reliant on the delivery of mitigation to the A320, it opens up the Local Plan to significant risk with regards to meeting their housing need over the plan period. The mitigation of the A320 is reliant on RBC, Surrey County Council and Highways England and should the process become delayed for any reason, this will have a knock-on effect on the delivery of these sites.

The potential impacts of this required mitigation not occurring are not clearly stated. It appears that RBC do not have a ‘back-up plan’ should the required mitigation take longer than expected or be delayed. There is an absence of a clearly defined strategy which would detail exactly how RBC would intend to meet its housing need if such mitigation did not come forward in a timely manner.

4. MATTER 4: GREEN BELT BOUNDARIES AND EXCEPTIONAL CIRCUMSTANCES (PARAGRAPHS 5.8-5.13)

4.1 Having regard to the Green Belt’s purposes and subject to consideration of the implications of the Plan’s specific proposals, do exceptional circumstances exist to justify changes to Green Belt boundaries in the Borough? In particular:

a) Does the Plan’s strategy make as much use as possible of suitable brownfield sites and underutilised land, including estates regeneration and surplus public land where appropriate?

It is considered that RBC has not sought to make use of suitable brownfield sites and underutilised land through the Green Belt review process. This is in part due to the shortcomings of the Green Belt Review.

Around 79% of RBC is classed as Green Belt and thus the ability to allocate all housing need within existing settlements is limited. As a result, the release of some Green Belt land will be required to meet RBC’s housing need.
A Green Belt Review was undertaken by Arup in 2014. In this report, it was considered that it was only necessary to assess land in relation to the first three purposes of the Green Belt. These are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment.

This approach is welcomed as the remaining two purposes of the Green Belt do not relate to RBC. Arup's assessment of the Green Belt looks initially at broad areas which is an approach deemed to be appropriate with regards to Planning Practice Guidance. However, the next stage of analysis which is intended to look at individual parcels of land vary much in size and scope, meaning that vast areas have been identified as contributing strongly to the Green Belt, despite smaller parcels of land within them contributing less. Some areas looked at extend to over 30 hectares and the review does not consider smaller parcels of land which may constitute previously developed land or contribute less to the purposes of the Green Belt within these large areas.

Planning Practice Guidance states that Housing and Economic Land Availability Assessments (“HELAA”) form key components of a council’s evidence base for their Local Plan. When housing trajectories indicate that there are insufficient sites to meet the council’s OAN, plan makers need to revisit the assessment until the full need has been met. It must be robustly justified that if this need is still unable to be met locally, they have to demonstrate that there have been substantial efforts to work out strategies for meeting this need in adjoining areas. In RBC’s Site Suitability Methodology Assessment (May 2017), 48 housing sites were taken through to Stage 5 Assessment which considered the Green Belt. Only 21 of those sites were taken through to Stage 6.

Therefore, with regards to positive plan-making, it is these sites which should be looked at again as a priority in order to meet RBC’s housing target.

b) Does the strategy seek to optimise the density of development in line with national planning policy to make the most effective use of land?

No comment.

c) Is it clear that the Plan has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development?

As set out in previous matters it is considered that whilst RBC has sought to engage with neighbouring authorities, there has been a lack of clear outcomes and strategies relating to housing need.

It is understood that many of the neighbouring LPAs are struggling with their own housing need and cannot meet any of RBC’s unmet need. It is therefore imperative that RBC seek closer collaboration and practical outcomes with SBC to ensure that housing need is met.

Having regard to the proposed releases of land from the Green Belt, does the Plan promote sustainable patterns of development?

No comment.
Are there adequate reasons in this case for not identifying safeguarded land as part of the Green Belt review? Are the consequences for the permanence of the Green Belt boundaries acceptable?

It is considered that due to RBC not meeting its identified need and the shortening of the plan period, it is important for RBC to deliver more housing early on in the plan period. This means that smaller sites need to be released from the Green Belt now in order to reduce the risk of large areas of the Green Belt being released during the next Local Plan Review.

Smaller sites enable development to come forward quicker due to the reduced need for major infrastructure and shorter timescales for achieving planning. This will aid in stopping the worsening of affordability ratios in the borough which will become even more acute should RBC fail to take action now.

It is recommended that RBC reconsider their Green Belt Review and consider the release of smaller parcels of the Green Belt which do not strongly meet the three assessed Green Belt purposes.

Does the proposed release of land from the Green Belt take adequate account of the effects on broader purposes that it may serve e.g. provision for outdoor sports and recreation, access to the countryside, protection and enhancement of landscapes, visual amenity and biodiversity?

No comment.

By way of this letter I would like to confirm our intention to appear at the hearings commencing on 27 November 2018 regarding the four matters. Should you require any additional information then please do not hesitate to contact me.

Yours sincerely,

Lucy Morris
Planner