Runnymede Local Plan Examination Stage 2 – Matters Issues and Questions

*Matter 5 – Longcross Garden Village
Natter 6 – Allocations for housing and mixed uses*

*Representor reference number: 2288*

*WYG on behalf of Kitewood Estates Limited*
Runnymede Local Plan Examination – Matters Issues and Questions

1. This statement has been prepared by WYG on behalf of our client, Kitewood Estates Ltd (Kitewood). It should be read in conjunction with representations upon the submitted plan, dated June 2018 (Representation ID: 2288). It should also be read in the context of the statements that have been made to the Stage 1 Local Plan Examination which relate to Kitewood’s contention that the Local Plan is unsound on the basis of the inconsistency of allocations compared to the spatial strategy; the lack of appropriate allocation for housing in the Woodham/ New Haw area (given the results of the sustainability appraisal) and concerns over deliverability of allocations which are all also referred to with particular regard to the discussion on matter 6.

2. It is appreciated that the Inspector cannot recommend to the Council ‘exclusion sites’ are added to the list of allocations as a result of this process. However, in the context of the criticisms that have been made of the Council’s strategy – which in the objector’s view casts severe doubt over the timing of delivery of certain key allocations – it is important to emphasise that the Wey Manor Farm site being promoted by Kitewood is a deliverable site in terms of land control; infrastructure and viability. The masterplan that has been concluded indicatively as part of other representations shows that the site can deliver a minimum of 220 dwellings (with employment and community uses). There are no technical constraints to development as has been established through the SHLAA process and Kitewood’s further investigations. Should further sites be required to be identified for housing, particularly to deliver housing within the current five year period (2018 to 2023) Kitewood is content that all of the houses shown on the plan could be delivered within that timeframe.

3. This is relevant in the context of discussions that took place, particularly on matters of the A320 sites at the Stage 1 Examination. Some eleven sites within Runnymede’s Local Plan are reliant upon the infrastructure works required along the A320 corridor. These sites are understood to have a combined capacity of approximately 3,700 dwellings, almost half of the housing requirement for the Plan period. The Council is reliant upon many of these sites to demonstrate it has a five year supply of housing land upon adoption of the Plan. At the time of preparing these representations a further ‘statement of common ground’ is anticipated between Highways England and Runnymede Borough Council. Given the high proportion of sites that are dependent upon the A320 improvements to be made the fact that no agreement had been reached between Highways England and the Council through the submission stage of the Plan up to its Examination is a highly significant failing. Given the lack of explicit support from Highways England to these sites, if each individual site was considered currently against the Housing Delivery Test set out in accordance with the 2018 NPPF definition they would fail that test in WYG’s view. This would make the Plan unsound in relation to deliverability of sites referred to in matter 6. It is not
considered, with respect, that the Council’s position on the HE stance on the Plan as reported to the Examination was entirely credible. It was somewhat unusual for a Council to inform the Inspector and the Examination in the morning of 28 November that all matters with HE had been agreed (by the Council’s barrister) only for some three hours later the statement of common ground clearly stated that all matters had not been agreed. We await further developments. However, this does have a clear bearing on the Inspector’s questions in matter 6 (and indeed general matters on housing land supply).

**Matter 5 – Longcross Garden Village**

4. WYG has not objected to Longcross Garden Village as a proposed policy in the Plan. Kitewood does not have an in-principle issue with that development coming forward as part of the Council’s housing strategy. Given the long standing nature of the proposal, WYG’s concern is that its history suggests that the programme for delivery of the garden village may not be as optimistic as put forward in the housing delivery paper submitted by those advising on the Longcross Garden Village proposal. The allocated site is for circa 1,700 dwellings or nearly a quarter of the Local Plan requirement – made up of the two elements of Longcross north, some 400 dwellings, and Longcross south, approximately 1,300 dwellings. There are only 300 units currently under construction leaving a further 1,400 to be delivered in the remainder of the Plan period – approximately eleven years. The delivery table suggests that from 2020 onwards Longcross south will come forward from a starting position in 2020 and deliver (in the main) 150 dwellings per annum whereas Longcross north will deliver 100 dwellings per annum in 2020/2021 and 2021/2022. Kitewood’s view, having experience of the housing market in the Surrey area, is such that the 150 dwelling per annum figure on Longcross south may be somewhat optimistic given the extensive infrastructure required to be delivered for a proposal of this scale. This also has to take account of the current position of Highways England with the A320 because the delivery of the remainder of Longcross south (like several other allocations relies) upon agreement being reached on the A320, the appropriate mitigation being funded etc. As it stands with the current situation of HE and the Local Plan, the delivery of Longcross on programme is in WYG’s view significantly in doubt. This will have a significant impact upon both the overall plan requirement and the five year housing land supply (see our matter 6 statement).

5. A more realistic view needs to be taken of the housing delivery which may therefore extend beyond 2030 and, in particular the delivery of less than the 150 dwellings per annum from 2022 onwards that seems to be anticipated. A reduction in delivery in the five year period of say between 100 to 150 dwellings (aside from the A320 issue) is not unreasonable. Therefore in relation to the Inspector’s questions on matter 5, WYG’s view is as follows:

5.1 Yes, the principle of Longcross Garden Village is justified.
5.2 No, this is not justified in terms of the history of delivery; the market evidence of achievability and the partial reliance on the completion of the development being caught up in the issue of the A320.

5.3 WYG has no comment on the questions raised in paragraph 5.3.

5.4 WYG agrees that the Plan’s proposals for Longcross Garden Village align with the key principles as a locally led garden village in the Government’s documents in 2017. However the issue relates to its delivery which needs to be taken into account through a re-assessment or identification of further sites that can deliver housing in the early years of the Plan.

Matter 6 Other allocations for housing and mixed use

6.1a Has the Council applied suitable methodologies in a consistent way in selecting allocations? If not what are the weaknesses in the evidence base, do they fundamentally undermine the Plan making process and which of the allocations may be unsound?

6.1b Is it clear why the Council has decided to allocate the specific sites and not others?

6.1c Is the proposed development of each of the allocated sites consistent with the Plan’s spatial vision and objectives and with national planning policy?

6. WYG in its statement on matter 3 has identified inconsistencies in how the Council has applied its methodology, particularly in relation to the distribution of development and the site selection process including the methodology and conclusions from the Green Belt review and the sustainability assessments carried out by the Council and its consultants. We refer the Examination to the statement submitted on Main Matter 3 – the overall spatial strategy Policy SD2 and related paragraphs.

7. In relation to the sustainability appraisal, WYG/Kitewood maintains significant concerns with regard to the robustness of the exercise. Part 3a of the updated January 2018 Sustainability Appraisal identifies seven alternatives related to the spatial strategy. The options consider variations in the housing requirement and whether the village of Thorpe is retained or released from the Green Belt. None of the options consider reasonable alternative distributions – for example greater levels of development proposed within the local centres of Virginia Water; Woodham/New Haw; Inglefield Green and Ottershaw. This is considered a flawed approach.

8. Our concerns are not just limited to the broad distribution but also the assessment of individual sites. The inadequacy of the assessment is highlighted when comparing the sustainability appraisal of the Wey Manor Farm site undertaken by RPSCGMS Limited submitted alongside our client’s comments on the Issues and Options/Preferred Options consultation in August 2016 and the draft Plan in June 2018 and the Council’s assessment. Our client maintains that the scoring
contained within Part 3a of the updated January 2018 Sustainability Appraisal continues to be based upon inaccurate information. For example, objective 3 “Soils and Mineral Sources” is scored a double negative on the Wey Manor Farm site. This is despite more recent evidence and agreeing with Surrey County Council that the site's potential for mineral excavation is very low.

9. Taking this matter further it is noted that in the Council’s statement of responses to the Inspector’s Matters and Questions for Stage 1 Hearings it sets out in tables 3.1 and 3.2 a final distribution of identified housing land supply in support of Policy SD2. This confirms that as far as employment floorspace is concerned, Woodham and New Haw is a location where 22% of proposed employment floorspace capacity in the Local Plan period is to be allocated. However, despite it scoring equal highest amongst the local centres for sustainability in the Centre Hierarchy report (SD-010D), it only receives 0.5% of the final distribution of housing land supply. Other local centres which score less than Woodham and New Haw (and receive less or no additional employment floorspace) are allocated for more housing. In these terms there is not a logical progression from the evidence base that the Council has used to decide, for example, that the majority of new employment land should be at Woodham and New Haw compared to the same evidence base where they conclude that there should be nothing other than 0.5% of the new housing allocated. This is a significant flaw in the spatial strategy and therefore soundness of the Plan in relation to the allocation of housing sites.

10. Therefore, in relation to question 6.1b it is not clear why the Council has taken the view that alternative housing sites within the local centres should be made at the expense of Woodham and New Haw which has the largest single employment allocation in the Plan. In relation to 6.1c, the site allocations strategy needs to be consistent with the Plan’s spatial vision and in the case of Woodham and New Haw it is not.

6.2 Are there exceptional circumstances sufficient to justify the proposed alterations to the Green Belt boundary?

11. WYG considers that the need to accommodate appropriate housing both in the Local Plan period and beyond would constitute in the context of the Local Plan Review sufficient exceptional circumstances to lead to site allocations for housing (and indeed other development) being contemplated in the Green Belt. However, as set out above the assessment of which sites could be considered for allocation in the Green Belt is not considered sound. This has been set out in relation to the Kitewood site at New Haw in our main matter 4 statement.

12. Whilst the Green Belt Review Part 1 is acknowledged to deal with large areas of land that could not then in itself be directly used to identify smaller parcels within those large areas in terms of Green Belt impact, the conclusions that were made in relation to some of the larger areas have been transferred into Part 2. As one example, the Wey Manor Farm site was divided into two areas for consideration in the Part 2 review; sub areas 6 and 12. Sub area 12 could in our view
have been reduced in size further in consideration of the exiting vegetation which marks the site ownership boundaries. The recommendation of the Green Belt Review Part 2 relating to sub area 6 was that it was "performing moderately against the NPPF purposes but makes a lesser contribution to the overall integrity of the strategic Green Belt. Subject to mitigation along its northern boundary it could be considered further” (paragraph 4.2.74 SD004Q). This recommendation was never followed up by the Council and in Kitewood’s view it remains the case that the Wey Manor Farm site should have been considered as one sub area because of the potential to consolidate the settlement pattern in a sustainable manner, or at the least, sub area 12 should have been sub divided further to consider the existing vegetation located on the eastern and northern site boundaries where there is an opportunity to for enhancements. The example of Wey Manor Farm highlights the inconsistency in the approach to the review because in some scenarios, the review recommends that mitigation could be introduced to enhance boundaries (sub area 6) whilst in other areas sites have been discounted because the sub areas do not correspond with 'real' parcels of land where and the opportunity for mitigation has not been considered (sub area 12).

13. The Council therefore acted inconsistently in the example of Wey Manor Farm and there may well be other examples of such inconsistency. This is important because of what the Inspector’s conclusions may be in relation to the Stage 1 Hearings relating to the overall adequacy of the housing allocations in the Plan (and therefore its soundness) to deliver housing given the constraints that have been identified, particularly on the A320. It also relates to what the Inspector’s conclusions will be about the case put forward at the Stage 1 Hearing that the Council’s Green Belt strategy is not sound because it does not identify either safeguarded land or reserve housing sites that could be considered for development should the housing delivery rates not achieve what the Council hoped for. It is also the case that the Green Belt boundary will (according to the Council) have to be reviewed again in the next review of the Local Plan thus the boundaries as currently defined will not endure beyond the Plan period, contrary to paragraph 85 of the 2012 NPPF. The Council’s justification for not reviewing the Green Belt at this time put forward a series of highly speculative propositions that it suggested would make a Green Belt review in the future more sensible. Speculation of this type has been used as a reason for many years why a comprehensive Green Belt has not taken place – itself leading to the difficulties many authorities currently experience.

14. In the context of the Inspector’s question however, there are inconsistencies in the way that the Green Belt case for each allocation has been justified in terms of exceptional circumstances. Indeed certain areas identified in the Part 2 Green Belt Review, which were identified as having potential, as exceptional circumstances to justify release of land have not been taken forward (see our matter 4 statement).
15. Therefore the Plan is not sound in terms of its lack of comprehensive strategy for the Green Belt and the existence of sites currently in the Green Belt that have the exceptional circumstances to justify allocation. In terms of question 6.3, we have commented about the difficulties with the allocated sites that rely on the A320 in the introduction to this statement as that matter has been covered in the Stage 1 process. We await the statement of common ground between Highways England and the Council and reserve the right to comment further on the likely deliverability of the eleven sites (approximately 3,700 dwellings) which are understood to rely on the solution to the A320 improvements funding (and a programme) being resolved.

16. In respect of the 2012 version of the NPPF, there is need for the Plan to demonstrate a five-year housing land supply on the date of adoption. On current evidence, it is not considered that the housing trajectory put forward for those sites within the A320 and indeed Longcross Garden Village can be accepted as robust. For the five-year period 2019 to 2023 the case being put forward by the Council has to why those site are deliverable would not pass the housing delivery test (Glossary, 2018 NPPF). It is recognised that for the purposes of the Local Plan Examination, the previous 2012 NPPF is being used. However, it is considered important that the housing delivery test in the latest NPPF is taken into account as once the Plan is adopted it will be applied to any five-year requirement/supply discussions that will be raised in the determination of planning applications or monitoring of the Local Plan. It is unlikely that the Council would be able to convince an Inspector at a future appeal that the housing sites within the Local Plan (whilst adopted) should not be required to pass the housing delivery test simply because the Examination considered the policies of the 2012 NPPF. It will also be necessary that in accordance with paragraph 75 of the 2018 NPPF that if housing delivery fails to meet the 95% target in that paragraph the Council will need an “action plan”. That plan could include bringing forward either reserved sites or safeguarded land for immediate development – however, it would be better if the Council had more certainty that they were not going to have difficulties achieving five-year land supply in the first place.

17. In terms of the five-year supply the Council acknowledged in January 2018 that it could not fully identify a five-year housing land supply (RBC, 2018 Interim Note on Five Year Housing Land Supply). Whilst it is recognised the Council intends to keep this under review it is notable that over the next five years (2019/20 to 23/24) the eleven sites identified as being reliant upon the A320 improvements are suggested to deliver a total of 2,084 dwellings (see table 1). Based upon the Council’s housing trajectory (Appendix 6, 2018 SLAA, ref: SD-006G) this represents over 60% of the identified supply of 3,409 dwellings in the five-year period. Failure of Longcross Garden Village or any other of these sites to deliver in the timescales or rates envisaged will mean that a five-year supply of housing land cannot be demonstrated upon adoption of the plan. Given the current uncertainties regarding the delivery of A320 improvements it appears highly likely there
will be a shortfall in the five year supply. This is clearly an unsound position which requires rectifying.

Table 1: A320 sites five year supply contribution

<table>
<thead>
<tr>
<th>Site</th>
<th>19/20</th>
<th>20/21</th>
<th>21/22</th>
<th>22/23</th>
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<td>100</td>
<td>100</td>
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<tr>
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<td>100</td>
</tr>
<tr>
<td>SL18 Chertsey Bittams B</td>
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<td>40</td>
<td>40</td>
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<tr>
<td>SL11 Parcel B, Vet Labs Site</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>100</td>
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<tr>
<td>Chertsey Bittams C</td>
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<td>0</td>
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<td><strong>Total</strong></td>
<td><strong>358</strong></td>
<td><strong>376</strong></td>
<td><strong>470</strong></td>
<td><strong>345</strong></td>
<td><strong>535</strong></td>
</tr>
</tbody>
</table>

Source: RBC, WYG analysis

Furthermore, as discussed within our matter 5 statement the proposed delivery rates at Longcross Garden Village as well as several other sites are considered very optimistic. Many of the sites contained in the Council’s housing trajectory will require multiple developers operating multiple outlets at the same time. To achieve and sustain delivery rates of 100 units per annum or more on a site is not in our experience considered realistic. This will further undermine the
Council’s five year housing land supply position. The Council should therefore provide robust evidence to support its trajectory.

19. To remedy this situation other sites which can deliver within the first five years are required. This includes our client’s site.

20. WYG has no comment to make on the Inspector’s question in 6.4.

21. We trust these comments are of assistance to the Inspector in making conclusions in relation to the consistency (or lack of it) that the Council has adopted to identified allocated sites in a sustainable way taking account of the exceptional circumstances required to release land from the Green Belt. It is emphasised that these comments relate to the evidence base and decision making that relate to overall housing provision and thus are central to the soundness of the Plan. The use of the Wey Manor Farm site is an example of how those processes are considered to result in an unsound Plan and the Inspector will have to consider advising the Council further about the need to identify further sites for housing or as safeguarded land or as reserved sites depending on her conclusions on these wider issues. At the time of preparation of this statement there has been no revised statement of common ground between the Council and Highways England so we reserve the right to comment on that statement and its implications – particularly for housing delivery on the sites relying on improvements to the A320 corridor.