Runnymede Local Plan EIP
Statement on behalf of Richborough Estates – Land at Ottershaw East (SL12)

Matter 6
January 2019
Contents

1. Introduction ........................................... 2
2. Matter 6: Other Allocations for Housing and Mixed Uses ........ 3

Appendix 1: Extract: Regulation 19 Representations - Section 6 .......... 10
Appendix 2: Green Belt Appraisal - Tyler Green ......................... 11
Appendix 3: Illustrative Layout .................................. 12

Contact
Tim Burden
tim.burden@turley.co.uk

17 Jan 2019
1. **Introduction**

1.1 This Statement is submitted on behalf of Richborough Estates Ltd in relation to ‘Land at Ottershaw East’. We have attended the Stage 1 Hearing Sessions which focussed on the strategic matters associated with the Local Plan.

1.2 This Statement responds to “Matter 6: Other Allocations for Housing and Mixed Uses” with a specific focus on Policies SD3 and SL12 which directly relate to our Client’s land interests. We consider the way in which the site allocation has been assessed through the Local Plan process, and suggest opportunities for modifications to the policy pursuant to satisfying the tests of soundness as required under the National Planning Policy Framework.

1.3 The comments contained within this Statement build upon the detailed representations submitted to support the Regulation 19 consultation on the proposed submission Local Plan, in light of the Inspector’s questions and the Minor Modifications that were submitted by the Council alongside the plan.
2. **Matter 6: Other Allocations for Housing and Mixed Uses**

**Matter 6.1 -** Have the other site allocations in Policy SD3 and detailed in Policies SL2 - SL18 emerged from a thorough, objective assessment of all potential sites, including review of Green Belt boundaries, sustainability appraisal and Habitats Regulations Assessment where necessary? In particular:

a) In selecting the allocations, has the Council applied suitable methodologies in a consistent way? 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

2.1 Land to the east of Ottershaw is considered under policy SL12 and extends to 14.1 hectares, and is currently proposed for allocation for 200 dwellings with land further east identified as SANG. The site itself has been continually assessed through the Council’s evidence base within the Green Belt Assessments, Site Selection Methodology and Assessment, Site Assessment Capacity Analysis to inform the Local Plan, and our Client has sought to assist the Council through the consultation process.

2.2 The identification of Ottershaw as a local centre and being a location where growth should be considered to meet the Council’s housing requirement is supported, on account of the Local Plan settlement hierarchy and the evidence underpinning that. The Site Selection Methodology (December 2017) identifies the site as benefiting from good accessibility to a range of local facilities within Ottershaw with a low constraints impact, and as such is an appropriate site to consider for allocation through Green Belt release.

2.3 The supporting Green Belt Review has been undertaken on account of RBC exhausting all opportunities for development on brownfield sites. Given that this is a ‘Green Belt’ authority with no other sources of land available to meet its needs, we support the Council’s approach to releasing Green Belt to assist in ‘significantly boosting the supply of housing’ (para. 47 of the Framework).

2.4 With regard to the site specifically, we support the overall conclusion that it does not meet the purposes of the Green Belt, and falls within 250m of an existing settlement that can ‘promote sustainable patterns of development’ (para. 84 of the Framework). A detailed review of the site’s Green Belt function and suitability for release is enclosed at Section 6 of the Regulation 19 representations (re-enclosed as Appendix 1 of these submissions for convenience).

2.5 However, whilst supportive of the release of the site, our Client has challenged whether the proposed Green Belt boundary is the most appropriate and considers that it could be moved eastwards in order to provide for further development at this sustainable location.

2.6 A Green Belt Appraisal has been prepared by Tyler Green and is enclosed at Appendix 2. The matters raised within it can be summarised are as follows:
• The identification of the existing footpath is not considered to meet the requirements of para 85 of the Framework given an alternative recognisable and permanent boundary can be identified at Bousley Rise to the east. A position which is supported within the Council’s Exceptional Circumstances Statement (page 22). The green belt boundary could, and should, be extended further eastwards.

• Alternative boundaries can be identified with the gardens of Bousley Rise and the existing access road/agricultural shed acting as a new Green Belt boundary through any proposal and bringing the footpath into the development rather than on the edge of it. An illustrative layout has been provided to demonstrate this option where a new characteristic edge to the settlement could be created (Appendix 3).

2.7 Furthermore, the SANG can be taken out of the green belt designation because it is an area of green space that will permanently (and in perpetuity) exclude built form.

2.8 The above position was then further considered within the supporting Sustainability Appraisal (January 2018), and was considered favourably against the SA objectives/criterion. The SA confirms there are no significant or uncertain effects that will require mitigation, and that the allocation will deliver the following:

• Significant positive effects on biodiversity;

• Significant positive effects on provision of housing and community infrastructure; and

• Significant positive effect on health through provision of safe and attract links to the PROW and healthcare facilities.

2.9 Our Client is fully supportive of the findings of the SA and the conclusion that the site is a ‘reasonable alternative’ where new development can come forward.

2.10 As such, our Client is supportive of the allocation of the site within the Local Plan, besides the matters referenced above, and considers that there is sufficient evidence to support its inclusion within the Plan as a matter of principle. There is however the opportunity to increase the size of the allocation to meet needs beyond the Council’s current plan period.

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

2.11 We consider that it is for the Council to respond to this question, although offer a number of comments to inform the Examination.

2.12 In line with the Council seeking to meet its objectively assessed needs over the stated plan period, the Local Plan has pursued an approach which seeks to ensure that where Green Belt release is proposed that it ‘promotes sustainable patterns of development’ (para 84 of the Framework) especially in light of there being no ability for neighbouring authorities to meet its unmet need. This approach has been demonstrated through the SA process (as mentioned above) and also the Green Belt Part 2 Assessment, with the
indication of buffers around the most sustainable settlements dependent on the level of services provided to establish the quantum of growth that should be considered.

2.13 The identification of Ottershaw as a location for growth with the provision of a 250m buffer around the existing settlement is a logical and appropriate approach to consider Green Belt release.

2.14 The site has been included based on the site performing ‘weaker’ against the purposes of the Green Belt than other sites within the Borough, and it being located within 250m of the settlement of Ottershaw. The Council has clearly evidenced the approach to the release of this site, and we consider the allocation of this site is justified. If the boundary were to be amended in light of comments at paragraph 2.6 above, the residential element of the scheme would be within the 250m buffer identified within the Green Belt Assessment.

2.15 Further, this site is capable of providing its own SANG of sufficient scale and suitability to meet Natural England’s requirements, as per the draft allocation of a minimum of 200 dwellings, or as an extended allocation of 230 dwellings. In both cases, SANG provision is in excess of standards, and the site is one of a limited few which will provide new SANG land on site which could potentially assist in meeting the needs of other sites.

2.16 We do not comment on other proposed allocations.

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

2.17 The allocation of site reference SL12 aligns with the Council’s spatial vision set out at paragraph 5.6 of the Submission Local Plan as follows:

- The allocation of our Client’s site will retain the general extent of the Green Belt by removing an area of the parcel which performs weaker against the purposes of the Green Belt and proposals can incorporate permanent defensible boundaries alongside side a SANG to ensure that the boundaries will not need amending after the plan period (para. 83 of the Framework).

- The proposal is capable of providing an inclusive development of at least 200 dwellings at an appropriate density. To deliver an efficient use of land we consider that the site (as proposed to be allocated) can accommodate a minimum of 230 dwellings, which was proposed in the initial Regulation 19 consultation, but was later dropped to 200 dwellings in the submission version. There is no evidence tabled by the Council to justify this reduction in numbers. This is before any boundary change to the green belt in this location, which could extend the extent of the developable site eastwards as noted above.

- The incorporation of supporting open space, land for a new health facility and the SANG are all significant benefits to the proposal. We would encourage the Council to consider opportunities for the existing PROW to be fully incorporated ‘into’ the site (rather than adjoining it), in order to ensure it can
be appropriately designed from a surveillance and safety perspective and providing greater connectivity to the SANG.

- The allocation will deliver environmental, social and economic benefits and deliver sustainable growth within a short distance of local facilities within Ottershaw and can promote active and sustainable modes of transport.

2.18 With regard to Local Plan objectives, the allocation will support the following:

- The delivery of at least 7,480 additional homes between 2015-2030 incorporating affordable housing, through providing a minimum of 230 dwellings at an appropriate density that will deliver an efficient use of land;

- Improves the health and wellbeing through land for an on-site health centre which will be a new community facility serving the wider community at Ottershaw, alongside areas of open space and a new SANG for use by the wider community;

- Deliver a development that responds technically to flooding, water efficiency and renewable/ low carbon requirements in line with policy; and

- Provides an opportunity to protect and enhance biodiversity through on-site proposals including SANG.

Matter 6.2 With regard to the specific characteristics of each of the allocations, are there exceptional circumstances that are sufficient to justify the proposed alterations to the Green Belt boundary

2.19 Our Client supports the Council’s preparation of an Exceptional Circumstances Statement (January 2018), and the subsequent Addendum in April 2018. The statement highlights the heavily constrained nature of the Borough with the only areas outside the Green Belt being existing settlements - where brownfield opportunities have already largely been exhausted. The Green Belt designation covers 79% of the Borough and Runnymede will not be able to meet its housing need without fully considering Green Belt release as part of the spatial strategy.

2.20 The lengthy delays for Runnymede to proceed to this stage of a Local Plan (following withdrawal of the Core Strategy in 2014) has resulted in a continued reduction in housing supply with very limited opportunities to rectify this position without undermining other spatial objectives through the loss of employment and retail provision. This is reflected in the lack of a current 5 year housing land supply.

2.21 The recognition that Green Belt release is required to address the significant step change in housing delivery from 207 dpa to 498 dpa is supported and is the only reasonable option for Runnymede to address its worsening affordability and housing position. There is no willingness from other authorities, who experience similar constraints, to meet any of Runnymede’s unmet need. Runnymede has clearly exhausted all alternative options for housing delivery as required within the Housing White Paper.
2.22 The Exceptional Circumstances Statement sets out the local exceptional circumstances for each site proposed for allocation. This is reflective of the matters set out in our response at para. 2.13 - 2.14 of this statement. We support the Council’s conclusion that there are exceptional circumstances on a strategic and site specific basis.

2.23 It is clear from RBC’s evidence and site selection methodology in relation to our Client’s site that the site no longer serves the Green Belt purposes as defined under paragraph 80 of the Framework, and thus the Council has undertaken an appropriate approach to demonstrating that the site should be released from the Green Belt both in terms of its Green Belt function, sustainability and meeting housing need.

Matter 6.3 - Is each of the allocated sites viable and likely to be delivered within the expected timescales? Does the evidence, including any up-to-date information, support the housing trajectory of the individual sites?

2.24 Our Client considers that the site is deliverable and viable within the timescales envisaged within the policies. Indeed, its location currently within the Green Belt is the only reason why a planning application has yet to be submitted.

2.25 However, the Sustainability Appraisal provides no justification for the proposed minor modification to SL12 with regard to delivery of the site between 2019-2023 ‘subject to necessary mitigation to the A320’. The SA (January 2018), unlike other allocations, makes absolutely no reference to any mitigation measures being required related to the A320 (page 10), and nor is this position amended through the SA Addendum (May 2018). Similarly, there is nothing before the Examination from Highways England or the County Highways Authority that stipulates any impact on the A320 from our Client’s development. As such, it is unclear as to the justification for this amendment to the policy based on the Council’s evidence base and such requirements could, potentially, induce unnecessary delay in delivery.

Matter 6.4 Taking account of each of the Policies SL2 - SL18, are the specific requirements for development of the sites justified, consistent with national planning policy, and likely to be effective? And in particular, do they make sound provision for the number and types of dwellings, pitches for Gypsies and Travellers, the range of infrastructure required, flood protection, acceptable noise standards and air quality and protection and enhancement of the natural environment?

2.26 It is considered that the allocation of SL12 has generally been positively prepared, justified and will be effective in delivering the spatial strategy and housing requirements for the Borough to 2030. Recent amendments assist in that regard, but we do offer comments regarding the latest draft of the policy.

2.27 The Local Plan is based on the premise that there are exceptional circumstances for Green Belt release and has sought to meet its objectively assessed needs to 2030. The proposed allocation, SL12, is one of a number of allocations where exceptional circumstances have been demonstrated to justify its release. It incorporates SANG provision which is a key infrastructure requirement for the Borough and the release of Green Belt land at Ottershaw is consistent with achieving sustainable development. Our Clients consider that the Plan has been positively prepared in this regard.
2.28 With regard to whether the allocation is justified, the Council has undertaken due process through the Green Belt Assessment Part 1 and Part 2 alongside the Site Selection Methodology Assessment to demonstrate the site is a reasonable alternative site for allocation within the Local Plan. The Sustainability Appraisal reviews the site and its technical considerations and we support its conclusion that the site is unconstrained and is considered to be an appropriate site when considered against reasonable alternatives to meet its housing needs. The policy wording is considered sufficient to guide any future planning application.

2.29 The allocation will assist in not only delivering housing but also land for a new healthcare facility and SANG, which is considered to be deliverable over the plan period.

2.30 This said, there are a number of matters within the policy itself which we consider are unsound and should be considered further by the Council through any future main modifications:

- We do not think the proposed new Green Belt boundary is justified as mentioned at para. 2.4 of this Statement and this amendment would increase the site capacity further, adding a further 30 dwellings to the allocation (over and above any uplift in numbers within the allocation boundary itself). Any capacity increased should be identified as a minimum figure as identified within the proposed policy.

- The Applicant considers that the provision of 0.1ha of land to accommodate a new health facility on-site is appropriate.

- The inclusion of 2 net additional Gypsy and Traveller pitches is not justified, based on a lack of justification within the Exceptional Circumstances Report (January 2018) for discounting pitches as part of the existing supply.

2.31 In light of all the comments made above, it is considered that the policy should be revised, and the proposals map amended accordingly, as follows:

Timing: 2019-2023 subject to the delivery of necessary mitigation on the A320

This 13.6ha site is located to the south east of Ottershaw and will deliver a high quality development that will:

a) Make provision for a minimum of 230 C3 dwellings and 2 net additional serviced Gypsy and Traveller pitches (if required);

b) Within the area shown in purple on the plan above provide an area of SANG to avoid impacts to Thames Basin Heaths Special Protection Area, as well as contribution towards SAMM;

c) Take account of site boundary vegetation and the built development strategy for unit SS4 of the Surrey Landscape Character Assessment in the design and layout of the site and provide new boundary planting with native species where necessary.
d) Include measures to mitigate the impact of development on the local road network and take account of impacts on the strategic road network as identified through a site specific Travel Plan and Transport Assessment. Given the expected impact of development at the site on the A320, proportionate financial contributions to deliver relevant mitigation will be required. The applicant will also be expected to explore opportunities for the site to link with and contribute to links to the A320 cycle route.

e) Make a financial contribution(s) either through S106 or CIL (or its successor) towards the provision of early years, primary and secondary school infrastructure.

f) Provide 0.1ha of land and a proportionate contribution to the building of up to 800sqm for a new health facility comprising a GP surgery with associated parking and landscaping.

2.32 The proposed new red line allocation boundary, showing the whole of the area to be removed from the Green Belt is as detailed in the illustrative masterplan below. The proposals map would need revising accordingly and we would welcome the opportunity to discuss this with the Council at the appropriate time.
Appendix 1: Extract: Regulation 19
Representations - Section 6
Section 6: Green Belt

6.1 Our client supports the Draft Plan’s approach to releasing land from the Green Belt, in order to contribute towards meeting the Borough’s identified OAN. The Exceptional Circumstances Statement (January 2018) sets out that the Council consider that there are exceptional circumstances to justify Green Belt release on account of the following:

- The heavily constrained nature of the Borough (79% of the Borough is Green Belt);
- The need for housing, alongside the need to accommodate identified needs for Gypsies and Travellers; and
- To ensure that the Green Belt boundary is defensible and logical.

6.2 It is notable that the current rate of housing delivery averages at 207 dpa, with this falling well short of the 501 dpa OAN figure identified in the SHMA. There is therefore a necessity to facilitate a step-change in the provision of new housing within the Borough.

6.3 The Council proposes Green Belt releases where it can be demonstrated that the subject land no longer fulfils the purposes of the Green Belt, in accordance with the NPPF at paragraph 80. In this context, we consider it appropriate that our client’s land interests are released from the Green Belt given the findings of the Council’s evidence base. However, as we note below (and in Section 7 of these representations), we do not agree with the proposed location of the revised Green Belt boundary, as it relates to proposed allocation SL12.

**Green Belt Review Part 2 (March 2017)**

6.4 The Council has committed to Green Belt release as part of its Plan’s spatial strategy. As noted, this is considered appropriate in order that new housing can be brought forward to meet identified needs. However, proposals for Green Belt release are particularly robust in instances where it can be demonstrated that a particularly site / land parcel no longer fulfils the stated purposes of the Green Belt.

6.5 The approach being adopted in Part 2 assists by reviewing sites in the more sustainable areas of the Borough and directing development in accordance with paragraph 84 of the Framework, with the objective being to contribute towards sustainable patterns of growth. In broad terms our client agrees with this staged approach. Similarly, and in this context, we consider it appropriate that our Client’s land interests are released from the Green Belt, taking account of the findings of the Council’s evidence base.

6.6 However, whilst our client agrees with the findings of the Green Belt Review, to the extent that it concludes that overall the site\(^1\) functions moderately against the purposes of the Green Belt, they do not agree that the proposed Green Belt boundary is correctly located. We consider this below in the context of the 2017 Review, as it relates to sub-area 11 and 11i.

---

\(^1\) Identified and located within ‘Map Tile 161a, 169a and 170’ on the Green Belt Review. It also falls within Sub-Area 11i at page 76 of the March 2017, Stage 2 Report.
6.7 **Part 2 Assessment:** “Sub-area 11i comprises the western part of sub-area 11. As a whole, sub-area 11 scores moderately against Purposes 2 and 3. It contributes to maintaining the general extent and openness of the gap between Ottershaw and Addlestone (Row Town), which further east is fragmented as a result of existing built-form. Additionally, the southeastern part of the sub-area has a particularly unspoilt, rural character and a stronger sense of remoteness.”

6.8 **Turley Comment:** We broadly agree with the above statement. If taken as a whole, Sub-Area 11 would make a more significant contribution to the purposes of the Green Belt, particularly Purposes 2 and 3.

6.9 **Part 2 Assessment:** “However, the western part of the sub-area, 11i, has a more limited connection to the wider countryside and its rurality is diminished by visually prominent residential development at the edge of Ottershaw, which wraps around to the west and south-west; existing residential development in the north-east further reduces linkage with more open, rural areas to the south-east (Purpose 3). In terms of the wider strategic Green Belt, the loss of this area would not reduce the overall scale of the gap between the settlements, particularly given the existing residential development along Bousley Rise (Purpose 2).”

6.10 **Turley Comment:** We agree that the western extent of sub-area 11 makes a more limited contribution to the identified Green Belt purposes. However, we do not agree that the eastern boundary of 11i should constitute the revised Green Belt boundary. Rather our client’s consider that a more robust boundary can be achieved further to the east.

6.11 **Part 2 Assessment:** “It is judged that, overall, sub-area 11i plays a limited role in terms of the integrity of sub-area 11 and the wider strategic Green Belt. However, it should be noted that, in order to limit harm to the wider Green Belt, part of its eastern boundary (aligned with the existing public footpath) would require substantive strengthening to increase its durability and permanence, and additionally limit visual impacts to the more open, rural areas to the east. Recommendation: Sub-area 11i makes a lesser contribution to the NPPF purposes than the wider sub-area 11, and furthermore makes a lesser contribution to the overall integrity of the wider strategic Green Belt. Subject to mitigation to improve the durability of its eastern boundary, it could be considered further.”

6.12 **Turley Comment:** Whilst it is agreed that the developable area of this site should be restricted to the western extent of Sub Area 11, we do not accept the proposition that the public footpath provides a particularly suitable or defensible boundary to the Green Belt. Indeed, the Council themselves do not seem convinced either because their evidence says it would need substantive strengthening to increase its durability and permanence. In this respect, we note that the proposed allocation SL12 envisages that an extensive area of SANG will be provided to the east, on land in our client’s control. As part of this provision, our client will introduce areas of new planting, contoured land and green infrastructure. It would therefore be entirely possible to create a reinforced boundary somewhat further to the east. Such an approach would be no different to that of the Council and their proposition of enhancing the planting along the footpath.

6.13 We provide further analysis of the approach the Green Belt (as relevant to our client’s land interest) within the accompanying Landscape and Visual Technical Note and Green Belt Appraisal reports. Further commentary is also provided in the following Section of these
representations, where we set out how our client envisages the proposed allocation at land at Ottershaw East and draft policy SL12 could be enhanced. Notwithstanding these points, it is clear that the subject land is appropriate for Green Belt release, with the site being capable of contributing towards meeting the identified OAN and providing SANG.
Appendix 2: Green Belt Appraisal - Tyler Green
1.0 Introduction

1.1. The report has been prepared by Tyler Grange LLP on behalf of Richborough Estates to support the promotion of ‘Land at Ottershaw East’ (the site) within the emerging Runnymeade Local Plan, and forms a technical appendix to Representations to the Regulation 19 Consultation prepared by Turley.

1.2. The site area includes land that is allocated within the Draft Runnymeade Local Plan for housing (Policy SL12) and SANG provision. The draft housing allocation is situated on land east of Brox Road and is proposed for release from the Green Belt. An existing Public Right of Way (Public Footpath 30) and associated hedgerow are proposed as a new Green Belt boundary that separates the housing allocation from an area to the east that is allocated as an area of open space comprising SANG which is to be retained within the Green Belt.

1.3. Details of the allocation, including the area proposed for release from the Green Belt for housing, footpath and SANG area are illustrated on the plan at Appendix 1 extracted from the Runnymeade 2020 - Exceptional Circumstances Addendum, April 2018.

1.4. This report includes a review of the Council’s Green Belt evidence base that supports the local plan, with particular emphasis on the assessment of the contribution that land to the east of Ottershaw makes to the purposes of the Green Belt, as well as options for release and identification of new Green Belt boundaries.

1.5. Building on the Council’s studies, alternative options for new Green Belt boundaries within the site area identified which take into account the contribution to the function and purposes of the Green Belt and requirements of the NPPF when seeking to release land, including the need for boundaries to be recognisable, permanent and likely to endure beyond the plan period.

1.6. Finally, this report identifies how the boundary options may influence the opportunities for development of land at east Ottershaw and the enhancement of existing and retained Green Belt, with reference to masterplan options that have been prepared by Richborough Estates and are submitted alongside the Regulation 19 Representations.

2.0 Green Belt Evidence Base

2.1. The emerging local plan is supported by several Green Belt assessments, including the following:
**Green Belt Review - Part 1, December 2014**: The Part 1 Review undertook a borough-wide assessment of the Green Belt and identified the contribution that land made to the Green Belt and whether there was scope for any alterations to boundaries.

**Green Belt Review – Part 2, March 2017**: The Part 2 Review undertook a finer grain assessment of smaller sub-areas surrounding settlements, and has been used to inform the Regulation 18 consultation and identify proposed areas for allocation and release from the Green Belt.

**Exceptional Circumstances Addendum, April 2018**: This document identifies the individual site allocations proposed for removal from the Green Belt within the draft local plan and provides a description of the local level exceptional circumstances for each site. The addendum draws upon the findings of the Green Belt Reviews when considering the appropriateness of sites for release in relation to the Green Belt purposes, as well as identification of new Green Belt boundaries.

2.2. The findings of the above evidence base documents as they relate to the site and its local Green Belt context are summarised below.

**Green Belt Review- Part 1
Assessment of General Area**

2.3. The Part 1 Review undertook a strategic assessment of the contribution that land across the borough makes to the Green Belt, dividing the land into strategic parcels knowns as ‘General Areas’. The site is situated within General Area 28 that extends to include land to the south and east of Ottershaw, extending from the A320 to the west, M25 to the east and the edge of Woodham and New Haw to the south. The extent of General Area 28 is illustrated on Map 8.2 ‘Resultant Land Parcels’ extracted from the Part 1 Review, and contained at Appendix 2 of this report.

2.4. The findings of the Part 1 Review for General Area 1 conclude the following, as set-out in Annex 1 of the Review. It should be noted that the Review did not consider Green Belt purposes 4 ‘to preserve the setting and special character of historic towns’ due to their being no historic towns within the borough that are constrained by Green Belt. Purpose 5 ‘to assist in urban regeneration by encouraging the recycling of derelict and other urban land’ was also omitted from the Review as it is considered that all of the Green Belt serves this purpose by default. Tyler Grange agree with the position taken by the Part 1 Review with regard to Green Belt Purposes 4 and 5.

2.5. **Purpose 1 ‘to check the unrestricted sprawl of large built-up areas’**: The Review found the General Area to protect open land that is contiguous with, or connected to the large built up areas of Addlestone to the north and Woodham / New Fleet to the south from urban sprawl.

2.6. **Purpose 2 ‘to prevent neighbouring towns merging into one another’**: The General Area was assessed as providing a narrow and essential gap between Addlestone, Ottershaw, New Haw and Woodham as well as a wider strategic gap between Ottershaw and Woking, whilst acknowledging that: “There may be some scope for development, particularly in the north-west corner of the land parcel, which would not result in coalescence.” This is the area within which the site is situated, adjacent to the edge of Ottershaw.

2.7. **Purpose 3 ‘to assist in safeguarding the countryside from encroachment’**: The Review acknowledges that, whilst much of the wider land parcel has an open character, there are a significant number of dispersed farm buildings and dwellings across the parcel, and that dwelling houses along Woodham Park Road contribute to the semi-urban character of the
parcel. Woodham Park Road extends northwards to join with Ottershaw to the west and southwest of the site.

2.8. The findings of the review of the large General Areas does not allow for a finer grain analysis of individual sites or smaller, distinct land parcels within the Green Belt. The findings of the Part 1 Assessment are therefore of limited relevance when considering the contribution that the site at Ottershaw East makes to the Green Belt. However, the Review does identify that there may be scope for development within the site area where coalescence between Ottershaw and Addlestone would not occur.

**Resultant Land Parcels**

2.9. The Part 1 Review also identifies a number of “Resultant Land Parcels” that were recommended for further study due to their limited contribution to the Green Belt and potential for release to accommodate new development.

2.10. As illustrated on the extract of Map 8.2 at Appendix 2, an area of land east of Ottershaw that includes the site area was identified as a Resultant Land Parcel. This reflects the findings of the Review for the larger General Area that land adjacent to Ottershaw to the northwest of the parcel may be able to accommodate development without causing coalescence.

2.11. It is worthy of note that the area identified east of Ottershaw is greater than that proposed for release under Draft Policy SL12, and extends further eastwards to align with Bousley Rise.

**Green Belt Review – Part 2**

2.12. The Part 2 Review divides land adjacent to settlements that may be suitable for development into smaller Sub-Areas and undertakes a more focussed, finer grain analysis of the contribution that these areas make to the Green Belt. The Review also assesses the role of the sub-areas within the wider Strategic Green Belt and provides a commentary on the existing boundary features.

2.13. The Part 2 Review defines the land at Ottershaw East as falling within Sub-Area 11 which extends from the western edge of Ottershaw at Brox Road to the track adjacent to Ford Farm to the east. To the south, the area is defined by Brox Copse. The sub-area includes Bousley Rise and associated properties and their gardens, and extends eastwards from the southernmost property on the Rise.

2.14. The extent of Sub-Area 11 and Part 2 assessment is included on the extract at Appendix 3 of this report. The findings of the assessment are summarised below:

- **Purpose 1 ‘to check the unrestricted sprawl of large built-up areas’**: The sub-area is not situated adjacent to a distinct, large built-up area (Ottershaw is classified as a smaller settlement) and therefore has not been assessed as contributing to Purpose 1.

- **Purpose 2 ‘to prevent neighbouring towns merging into one another’**: Whilst the Review acknowledges that the sub-area forms part of a wider gab between Ottershaw and Addlestone, it recognises that the eastern half of the sub-area plays a more significant role in maintaining the gap between settlements, with greater links to the countryside. The assessment states that: “The remainder of the site plays a much lesser role, and would not significantly impact the gap if released.”

- **Purpose 3 ‘to assist in safeguarding the countryside from encroachment’**: The assessment identifies the sub-area as having: “… an overall sense of tranquility, and strong
links to the wider countryside and forest” whilst acknowledging that there are urbanising influences, including visual links to lines of residential dwellings. Overall, the assessment considers the sub-area to be largely rural in character.

Assessment of role in the Strategic Green Belt

2.15. The Review concludes that locally the western part of the sub-area is more enclosed by the built-up area of Ottershaw and has less of an important role in maintaining the scale and openness of the strategic gap between settlements. In summary, it is stated that: “It is unlikely that the loss of the western part of the sub-area from the wider green belt would harm the strategic role of the green belt, however the boundary would require strengthening and more clearly defining to regularise development, and strengthen the role of the surrounding green belt land.”

Commentary on existing boundary features

2.16. The Part 2 Review recognises that, in its current form: “... the outer boundary of the sub-area is defensible, potential internal boundaries are relatively weakly defined.”

2.17. In the absence of removing the whole sub-area from the Green Belt, the Review identifies Public Footpath 30 that runs north-south across the site as a potential boundary: “There is a clear divide between the areas east and west of the public footpath passing to the west of Bousely Rise, which is readily recognisable but visually not prominent in the wider Green Belt. Current planting along this boundary is very weak and dispersed, and more robust planting would be required to minimise harm to the wider green belt and increase its sense of permanence.”

2.18. In contrast with the weakly defined boundary that is formed by the footpath, Bousley Rise represents a recognisable and permanent boundary and aligns with the eastern extent of existing development on the eastern edge of Ottershaw that is formed by properties on Bousley Rise within the parcel. This is clearly illustrated by Photograph 2 included within the Part 2 Review assessment (see Appendix 3).

2.19. It is therefore reasonable to argue that this would form a more appropriate boundary to the Green Belt, in line with the requirements of the NPPF which states at paragraph 85 that new Green Belt boundaries are to be defined clearly, using physical features that are readily recognisable and likely to be permanent.

Exceptional Circumstances Addendum

2.20. The defensible nature of Bousley Rise as a new Green Belt boundary is recognised by the Council within the Exceptional Circumstances Addendum when describing the boundary of the allocation (Appendix 1) where it is stated that:

"The allocation is bounded by Bousley Rise to the east, to the north and west the allocation is bounded by residential uses, clearly defined rear gardens to properties and a primary school. To the south, the allocation is bounded by woodlands including hedgerows and a small tributary of the Bourne River. The Council is of the opinion that the site holds defensible boundaries on the site which make it justified to be removed from the Green Belt.”

2.21. This description makes it clear that, in the Council’s view, Bousley Rise to the east and properties on the Rise and their gardens to the north act as defensible new Green Belt boundaries. Tyler Grange agree with this assertion.
3.0 Green Belt Boundaries – Options for Release

3.1. Building on the Council’s studies, alternative options for new Green Belt boundaries within the site area identified on the Ottershaw East: Green Belt Boundary Plan (drawing number 11505/P07) contained at the rear of this report.

3.2. These options take into account the contribution to the function and purposes of the Green Belt and requirements of the NPPF when seeking to release land, including the need for boundaries to be recognisable, permanent and likely to endure beyond the plan period and can be summarised as follows:

Policy SL12 Green Belt Boundary: Footpath 30
- Weak boundary, requires strengthening and more clearly defining, as recognised by Green Belt Review Part 2 – Sub Area 11.
- Limits potential for development on land east of the footpath which is well contained and set within extent of development on Bousley Rise.
- Lack of flexibility may impact on permanence of the boundary beyond the plan period due to development pressure.

Green Belt Boundary - Option 1: Bousley Rise
- Bousley Rise forms a permanent, recognisable feature.
- Aligns with existing extent of development formed by properties on Bousley Rise.
- Opportunities for planting-up boundary to extend existing tree belt along the Rise.
- Retains open land to the east and separation with Ash Farm and Row Town beyond.
- Ensures Green Belt boundary in this location will endure beyond the plan period, whilst accommodating SANG and associated planting, habitats and features.

Green Belt Boundary – Option 2: Access Road and Residential Boundaries
- Boundary defined by access road, agricultural shed and yard. Existing permanent, recognisable features.
- Land to the west contained by gardens to properties on Bousley Rise and built development.
- Narrowest “gap” between existing areas of woodland and tree belts.
- Opportunities to provide new planting to tie-in with woodland to the north and south and strengthen boundaries with residential gardens.

4.0 Development Options

4.1 Richborough Estates have prepared two masterplan options for the delivery of development on the land east of Ottershaw. Option A contains development within the extent of land proposed for release form the Green Belt as defined by Public Footpath 30. Option B extends development further to the east of this within the area of land west of the agricultural building and yard and defined by the access road and rear gardens of properties on Bousley Rise.

4.2 The deliverability of the development and areas of SANG associated with the allocation are considered below in relation to the two options for alternative Green Belt boundaries described above and presented on the Ottershaw East: Green Belt Boundary Options plan at the rear of this report.

Masterplan Option A

4.3 The Option A Masterplan demonstrates how development could be delivered within the proposed draft allocation area (Policy SL12), whilst providing the area of SANG to the east.
4.4 The plan clearly shows how planting within the SANG / open space to the east of the development may form buffers / boundaries within the wider site whilst being integrated with the area of SANG. This is especially true of the boundary formed by Bousley Rise that bisects the SANG area, providing physical and visual separation between the site and land further to the east, including Ash Farm and the edge of Addlestone beyond.

4.5 The masterplan illustrates how limiting the release of Green Belt and development to the land west of the footpath restricts the use of land which is contained within the wider Green Belt and has the opportunity to be released to provide a permanent new boundary that will endure beyond the plan period.

**Masterplan Option B**

4.6 The Option B Masterplan builds on Option A to demonstrate how development could be extended beyond the footpath within a contained and enclosed area to the west of properties on Bousley Rise whilst delivering new boundaries both along Bousley Rise to the east and along the alignment of the gardens and agricultural building to the east.

4.7 Either of the two options could be delivered with a new Green Belt boundary formed by Bousley Rise, or a more limited Green Belt release along the boundary with rear gardens of properties on Bousley Rise and the existing agricultural building and associated yard and access road east of footpath 30, however, Bousley Rise offers a more robust boundary as it is both recognised and permanent, and therefore the more appropriate new green belt release, which affords greater flexibility which will endure beyond the Local Plan period.

### 5.0 Landscape Character Context

**National Landscape Character Areas**

5.1. At a national level the site lies within the ‘Thames Basin Heaths’ Character Area (National Character Area 129).

5.2. This Appraisal has demonstrated that there is the potential for the release of a greater area of Green Belt east of Ottershaw than that currently proposed by Draft Policy SL12. The reliance upon the line of a public footpath and a gappy hedgerow as a new Green Belt boundary is not justified, given the presence of an existing recognisable, permanent and robust Green Belt boundary formed by Bousley Rise further to the east.

5.3. Bousley Rise marks the eastern extent of residential development on the eastern edge of Ottershaw and, as recognised by the Council within their Exceptional Circumstances Addendum forms a robust and defensible Green Belt boundary, along with the residential properties and gardens to the west of Bousley Rise north of the allocation site.

5.4. There is the potential for Bousley Rise to be planted up with a tree belt and woodland to extend the existing planting that fronts properties to the north and forms a robust, characteristic trees edge to the settlement in this location. This would also strengthen the sense of separation between Ottershaw and Addlestone, whilst providing habitat and Green Infrastructure as part of the SANG provision. This is demonstrated by the indicative planting shown on the Masterplan Options prepared by Richborough Estates.

5.5. The release of Green Belt utilising Bousley Rise as the new boundary would allow for greater flexibility in the delivery of development whilst still delivering SANG, and would be in accordance
with the NPPF which required new Green Belt boundaries to be permanent and capable of enduring beyond the plan period (paragraph 83 and 85, fifth bullet point).

5.6. Notwithstanding the above, the proposed boundary drawn along the line of the footpath is overly restrictive and excludes an area of land between the path and gardens of properties on Bousley Rise, agricultural building, yard and access road that is contained within the site at the narrowest point between areas of woodland to the south and tree belts to the north. This is clearly illustrated on the Ottershaw East: Green Belt Boundary Options plan at the rear of this report.

5.7. There are also opportunities to define a new Green Belt boundary along the line of the rear gardens of properties on Bousley Rise and the access track and hard standing area of the yard to the agricultural building which combine to form an existing, recognisable and permanent boundary, as illustrated on the Option B Masterplan. If this line were to become a new Green Belt boundary, there would also be opportunities to plant it up to provide a characteristic edge to the settlement that ties-in with the exiting woodland and vegetation to gardens and forms part of the Green Infrastructure associated with the SANG provision to the east of the site if the option 2 green belt boundary were not preferred.

Appendices

Appendix 1 – Extract from Exceptional Circumstances Addendum, April 2018: Policy SL12: Housing Allocation at Ottershaw East

Appendix 2: Extract from Green Belt Review - Part 1, December 2014: General Area 11

Appendix 3: Extract from Green Belt Review – Part 2, March 2017: Sub-Area 11

Plan

Ottershaw East: Green Belt Boundary Plan (drawing number 11505/P07a)
Appendix 1 – Extract from Exceptional Circumstances Addendum, April 2018: Policy SL12: Housing Allocation at Ottershaw East
9) **Policy SL12: Housing Allocation at Ottershaw East**

Site area
- in hectares: 6.85ha
- as a percentage of total Green Belt in current plan: 0.1%

<table>
<thead>
<tr>
<th>Ottershaw East</th>
<th>General Area 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green Belt Review</td>
<td>Sub Area 11</td>
</tr>
<tr>
<td>Part 1 General Area</td>
<td></td>
</tr>
<tr>
<td>Number</td>
<td></td>
</tr>
<tr>
<td>Green Belt Review</td>
<td></td>
</tr>
<tr>
<td>Part 2 Sub Area Number</td>
<td></td>
</tr>
<tr>
<td>Will the removal of the</td>
<td></td>
</tr>
<tr>
<td>site have an</td>
<td></td>
</tr>
<tr>
<td>impact on the purposes</td>
<td></td>
</tr>
<tr>
<td>of the Green Belt?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Green Belt Review Part 1</td>
</tr>
<tr>
<td></td>
<td>GBR Part 1 identifies that given the location of the</td>
</tr>
<tr>
<td></td>
<td>proposed General Area 28 for release and the scale,</td>
</tr>
<tr>
<td></td>
<td>development of General Area 28 would not have an</td>
</tr>
<tr>
<td></td>
<td>adverse impact on the gaps between Ottershaw,</td>
</tr>
<tr>
<td></td>
<td>Addlestone and New Haw/Woking or cause further</td>
</tr>
<tr>
<td></td>
<td>encroachment into the countryside.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Green Belt Review Part 2</td>
</tr>
<tr>
<td></td>
<td>As highlighted in GBR Part 2, Sub Area 11 is not</td>
</tr>
<tr>
<td></td>
<td>physically or perceptually connected to a distinct</td>
</tr>
<tr>
<td></td>
<td>large built up area.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>As concluded in GBR Part 2, it is unlikely that the</td>
</tr>
<tr>
<td></td>
<td>loss of the western part of Sub Area 11 from the</td>
</tr>
<tr>
<td></td>
<td>wider green belt would harm the strategic role of the</td>
</tr>
<tr>
<td></td>
<td>green belt, however the boundary would require</td>
</tr>
<tr>
<td></td>
<td>strengthening and more clearly defining to</td>
</tr>
<tr>
<td></td>
<td>regularise development.</td>
</tr>
<tr>
<td>Boundary of the</td>
<td>The allocation is bounded by Bousley Rise to the east,</td>
</tr>
<tr>
<td></td>
<td>to the north and west</td>
</tr>
<tr>
<td><strong>allocation</strong></td>
<td>The allocation is bounded by residential uses, clearly defined rear gardens to residential properties and a primary school. To the south, the allocation is bounded by woodlands including hedgerows and a small tributary of the Bourne River. The Council is of the opinion that the site holds defensible boundaries on the site which make it justified to be removed from the Green Belt.</td>
</tr>
<tr>
<td><strong>Site Selection Methodology Assessment</strong></td>
<td>Site accessibility is generally good to a range of local facilities and generally good to service centres.</td>
</tr>
<tr>
<td><strong>Viability Assessment</strong></td>
<td>The site has been allocated to provide a minimum of 200 net additional C3 dwellings and 2 net additional serviced Gypsy and Traveller pitches. The site has also been allocated to provide 0.1ha of land and building of up to 800sqm for a new health care facility comprising a GP surgery. This amount and type of development has been confirmed viable through the whole plan viability assessment and would help to meet the Council’s identified needs for both market and affordable housing and to meet the Council’s identified needs for gypsies and travellers.</td>
</tr>
<tr>
<td><strong>Local Exceptional Circumstances</strong></td>
<td>Within the context of the heavily constrained nature of the Borough, and the inability of other local authorities to assist with meeting any unmet housing needs from Runnymede. In accordance with the Council’s adopted site selection methodology the removal of this parcel of land is considered to demonstrate Exceptional Circumstances of:</td>
</tr>
</tbody>
</table>

- The need for housing – to provide sufficient land to achieve the full Objectively Assessed Housing Need and to meet identified needs for gypsies and travellers; and
- To need to ensure that the Green Belt boundary is defensible and logical in the light of changes which have occurred since drawing the Green Belt boundary in 1986. |
Appendix 3: Extract from Green Belt Review – Part 2, March 2017: Sub-Area 11
The sub-area is located to the south of Ottershaw, and is bounded by the Bousley Rise to the east. To the north and west, the sub-area is bounded by residential uses, backs of gardens and a school. To the south, the sub-area is bounded by woodland, hedgerow and a small tributary of the Bourne River.
## Purpose 1 Assessment

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Criteria</th>
<th>Assessment</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) To check the unrestricted sprawl of large built-up areas</td>
<td>Prevents the outward, irregular spread of a large built-up area into open land, and serves as a barrier at the edge of a large built-up area in the absence of another</td>
<td>The sub-area is not physically or perceptually connected to a distinct large built-up area.</td>
<td>0</td>
</tr>
</tbody>
</table>

**Purpose 1 Total Score** 0 / 5

## Purpose 2 Assessment

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Criteria</th>
<th>Assessment</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) To prevent neighbouring towns from merging</td>
<td>Prevents development that would result in merging of or significant erosion of gap between neighbouring settlements, including ribbon development along transport corridors that link settlements</td>
<td>The sub-area forms part of the wider gap between the settlements of Ottershaw and the settlements of Addlestone and New Haw/ Woodham/ Byfleet/ Woking, maintaining the overall openness and scale of the gap. The eastern half of the sub-area plays a more significant role in maintaining the gap between settlements, as it has greater links to countryside. The remainder of the site plays a much lesser role, and would not significantly impact the gap if released. Considerations should however be made for the cumulative impact of surrounding sub-areas, as this would significantly contribute to erosion of the wider strategic gap.</td>
<td>3</td>
</tr>
</tbody>
</table>

**Purpose 2 Total Score** 3 / 5
### Purpose 3 Assessment

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Criteria</th>
<th>Assessment</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3) Assist in safeguarding the countryside from encroachment</td>
<td>Protects land which provides immediate and wider context for historic settlement, including views and vistas between the settlement and the surrounding countryside</td>
<td>Approximately 4.2% of the sub-area is covered by built form. The sub-area is predominantly formed of rural land uses including agricultural and nursery functions. The sub-area has an overall sense of tranquillity, and strong links to the wider countryside and forest. This contributes to the overall rurality of the sub-area. There are however some urbanising influences, including visual links to a peripheral line of residential dwellings. Overall, the sub-area is largely rural in character.</td>
<td>3</td>
</tr>
</tbody>
</table>

**Purpose 3 Total Score**

3 / 5

### General Area Details

<table>
<thead>
<tr>
<th>General Area Scores</th>
<th>Purpose 1 (a)</th>
<th>Purpose 1 (a)</th>
<th>Purpose 2</th>
<th>Purpose 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

**Summary of Green Belt Review Findings**

Parcel 28 scored strongly against purpose 1, preventing the outward sprawl of both Addlestone to the north and New Haw/Woodham/Byfleet/Woking to the south in the absence of durable boundaries. It also performed moderately against purpose 2, maintaining the narrow gaps between Addlestone, Ottershaw, New Haw and Woodham, and moderately against purpose 3.

**Assessment of role in the Strategic Green Belt**

The wider parcel was identified as performing strongly against Purpose 1, preventing the outward sprawl of both Addlestone and New Haw/Woodham/Byfleet/Woking, in the absence of hard, defensible boundaries. At the local level however, the sub-area is not connected to a large built-up area, and has therefore not been assessed against Purpose 1. At the strategic level, the wider parcel maintains the scale of openness between the large built-up areas of Ottershaw, Addlestone and New Haw/Woodham/Byfleet/Woking [Purpose 2]. Locally, the eastern part of the sub-area plays a more substantive role in maintaining the scale and openness of the gap, due to the greater connectivity with the wider open countryside. The western part of the sub-area is more enclosed by the built-up area of Ottershaw, and has less of an important role at the strategic level. Both the wider parcel and the sub-area perform moderately against Purpose 3, in contributing to the open character of the wider countryside.

It is unlikely that the loss of the western part of the sub-area from the wider green belt would harm the strategic role of the green belt, however the boundary would require strengthening and more clearly defining to regularise development, and strengthen the role of the surrounding green belt land.

**Commentary on existing boundary features**

In its current form, although the outer boundary of the sub-area is defensible, potential internal boundaries are relatively weakly defined. There is a clear divide between the areas east and west of the public footpath passing to the west of Bousley Rise, which is readily recognisable but visually not prominent in the wider Green Belt. Current planting along this boundary it is very weak and dispersed, and more robust planting would be required to minimise harm to the wider green belt and increase its sense of permanence.
Site Photographs

Photograph 1  Facing west in the centre of the sub-area, with residential dwellings at the edge of Ottershaw visible in the background.

Photograph 2  Facing south-west from the end of Bousley Rise across pastoral fields in the south-east of the sub-area.
Plan

Ottershaw East: Green Belt Boundary Plan (drawing number 11505/P07a)
Study Area, including Policy SL12 and SANG Allocation
Potential for enhancements of Green Belt boundary with tree belts / woodland planting
Policy SL12 Green Belt Boundary: Footpath 30
Green Belt Boundary - Option 1: Bousley Rise
Green Belt Boundary - Option 2: Access Road and Residential Boundaries

Policy SL12 Green Belt Boundary: Footpath 30
• Weak boundary, requires strengthening and more clearly defining, as recognised by Green Belt Review Part 2 – Sub Area 11.
• Limits potential for development on land east of the footpath which is well contained and set within extent of development on Bousley Rise.
• Lack of flexibility may impact on permanence of the boundary beyond the plan period due to development pressure.

Green Belt Boundary - Option 1: Bousley Rise
• Bousley Rise forms a permanent, recognisable feature.
• Aligns with existing extent of development formed by properties on Bousley Rise.
• Opportunities for planting-up boundary to extend existing tree belt along the Rise.
• Retains open land to the east and separation with Ash Farm and Row Town beyond.
• Ensures Green Belt boundary in this location will endure beyond the plan period, whilst accommodating SANG and associated planting, habitats and features.

Green Belt Boundary – Option 2: Access Road and Residential Boundaries
• Boundary defined by access road, agricultural shed and yard. Existing permanent, recognisable features.
• Land to the west contained by gardens to properties on Bousley Rise and built development.
• Narrowest “gap” between existing areas of woodland and tree belts.
• Opportunities to provide new planting to tie-in with woodland to the north and south and strengthen boundaries with residential gardens.
Appendix 3: Illustrative Layout
The contractor is responsible to ensure that no products are to be utilised that do not comply with relevant British Standards or other standards which are drawn to their attention. All products are to be approved in advance of purchase. This includes all materials, products, or work warranted in the contract. Any non-compliance or omission of work is to be notified in writing to Baily Garner LLP.

Baily Garner LLP. 55 Charlotte Street. Birmingham. B3 1PX. 0121 236 2236. birmingham@bailygarner.co.uk

Do not scale drawings. Figured dimensions to be worked to in all cases. This drawing and the copyrights and patents therein are the property of Baily Garner LLP and may not be used or reproduced without consent or attribution.