

# SOUNDNESS OF WOKING BOROUGH COUNCIL CORE STRATEGY

## Note of Discussions at an Exploratory Meeting on 15 March 2007

### 1 - Introduction

**The Inspector (RM)** welcomed all invitees and thanked them for attending this meeting to help him address many of the concerns he had in determining the soundness of the Core Strategy. He recognised the difficulties which officers were working under in producing the new LDDs, and noted that guidance on the form and content had recently been published in PPS3 and the Planning Advisory Service Core Strategy Guidance. He indicated that a number of authorities had decided to withdraw their initial documents and revisit the areas of concern. He stressed that his main concern was to ensure that at the completion of the examination process the Council would have a sound document on which to base future development.

### 2 – Content of Document

**RM** set out the range of concerns which he had identified in looking at the content of the Core Strategy. Those were:-

#### Definition of Issues

The CS deals well with the introduction and spatial portrait elements required, and it contains a District-wide vision and a set of key objectives which identify the broad thrust of the document. However, the identification of issues becomes confused with the spatial portrait, and the document does not clearly identify the main issues which it seeks to address. The POS and the PAS guidance recommend setting out the issues clearly at an early stage in the document. The CS does not follow that template.

#### Spatial Strategy

The Spatial Approach set out in Chapter 4 incorporates a specific section on Woking TC which brings together all of the elements of the strategy which relate to the Town Centre. That provides a good picture of the various factors affecting the future development of the Town Centre, and reflects the advice in the PAS guidance. However, the remainder of the chapter largely reflects the topic-based objectives identified in Chapter 3 (e.g. housing, employment, environment), rather than providing a strategy for places. Although there is a small section on the other town centres, it is brief and lacks detail. Following the template set out in the PAS guidance, the strategy might include sections such as the other town centres, the rest of the urban area, the countryside/GB and, perhaps, employment areas, bringing together the overall strategy appropriate to each of those areas.

#### Spatial Policies

The PAS guidance identifies 2 separate components of the strategy, viz. core policies for issues and core policies for places. The Woking CS does not fully reflect that advice. Whilst Chapter 6 (the generic policies) deals with issues such as design, sustainable construction, transport, and environment, on a District-wide basis, there is no similar set of place-based policies which apply policy to the specific places or sub-areas identified above. The location specific policies in Chapter 7 remain essentially topic-based, and do not provide the place-based framework suggested in the PAS guidance. That guidance indicates that there should be a range of policies for each of the different spatial areas of the District referred to above, bringing together all the different policies and programmes which impact on that area.

## Local Distinctiveness

PPS12 specifies that generic policies in an LDF should not repeat national policy, but should explain how they apply to the local area. The policies in Chapters 6 and 7 do not address that requirement. Most of the policies reflect standard development control concerns, and could equally be applied to many other districts throughout the country. Policies such as ENV1, ENV2, ENV3 and DC1 have no significant local distinctiveness.

## Policy Content

There are a number of examples where the policy content may be at odds with the advice in the guidance.

Of particular note is Policy ENV1 (Natural Environment) which essentially restates the European and British legislative provisions for internationally and nationally designated sites, without any reference to the specific issues which have been identified in relation to the Thames Basin Heaths. There is discussion of the issue set out in the reasoned justification, but there is nothing in the policy itself to reflect the very detailed work set out in the Interim Strategy agreed between the Council and Natural England.

Other policies, such as GDC6, DC1, GB1 and ENV2 do not add significantly to the national policies on which they are based.

Similarly, the EA expresses concern that Policy ENV3 does not reflect the advice on development and flood risk set down in PPS25.

Policy H2 sets out a density framework for housing development, but does not provide guidance on the quantum of development in the identified areas in the District. The reasoned justification indicates that up to 60% of all units will be provided in Woking TC and the surrounding area, but that is not reflected in the policy. Performance Indicator 2 indicates that 70% of the new dwellings will be in that area, contrary to the earlier statement.

Policy H3 does not set an overall target for affordable housing, merely a target for sites of 15 units and above, and there is no split between social housing and intermediate housing, as proposed by the SE Plan.

In response, **the Local Authority** stressed its belief that the fundamental strategy is right for Woking BC. There were no new issues to include, and present ones were framed to be clear to readers. Woking TC is the hub of the whole area and the rest of the borough is seen as the rest of the urban area. A redrafting of policies to reflect local distinctiveness is possible and some rephrasing of sections of the Core Strategy would assist. No new policies were required. Some policies restating national policy, not adding to the Core Strategy could be omitted, and would have the effect of reducing the size of the document.

Thames Basin Heaths policies are important but so are other policies. Woking BC intends to produce a Housing Implementation SPD which will include the detailed policies related to the SPA once they are finalised. To include detailed policy in the CS would risk it becoming out of date quickly. The final policy could be included in the proposed review of the CS.

Building on the requirement of PPS3, the intention is to proceed with the Core Strategy as it is and to commence with an immediate review incorporating the additional requirements identified in the guidance. Adding sections could make the Core Strategy more locally distinctive but there is no need for district policies for other parts of the borough. Finally ENV3 accords with guidance in PPS25 and with advice given by the Environment Agency (EA).

**GOSE** suggested that it would be unfair for the Inspector to be over reliant on guidance from the Planning Officers Society which had not been endorsed by ODPM. Even PAS was not totally accepted. LA's are advised to maintain progress on Core Strategies. Planning was always changing and, for example, new guidance on climate change has just emerged. Concerning policies, the element of repetition was not critical to the soundness of the Core Strategy. There is

bound to be some element of DC content (LC4 refers to PPS 17), and that is a proper approach. All Surrey LA's policies are driven by protecting the Green Belt and all rely on windfall sites coming on stream. This difficulty is experienced by all Home County authorities. More work is to be done on providing spatial detail on the subject.

**RM** responded that he remained concerned that policy framework is DC related. Advice in PPS12 is clear that the Core Strategy should not restate national policies. How to take those policies and give them a local distinctiveness is set out in guidance in PAS. On the flood risk issue, EA currently advise that the policy presently does not reflect guidance. Can it be changed within the constraints imposed by the examination process?

**EA** confirmed its concerns with ENV3. PPS25 guidance suggests ENV3 should be stronger than its present form of words.

**RM** indicated that whilst minor changes are allowed during the examination, significant changes to the submitted policies would invalidate community involvement. A change of emphasis might involve changes to the policy.

**Woking BC** suggested that there may be scope to include a greater geographical emphasis in the policy, which would make it more district-based. However, Policy ENV3 had been discussed and agreed with Environment Agency before PPS25 was published.

**RM** indicated that the policy on Nature Conservation refers to national and international legislation, not local issues.

**The Council** responded that it had been working on this for a long time. An SPD would say how policy would be applied. The assessors report was not yet available, and there are lots of concerns with SPA issues which had not been finally resolved. The whole district is covered by Thames Basin Heaths constraints and the LA would be required to judge the proposals on each site and take into account circumstance as they arose.

**The Inspector** indicated that the whole borough is affected by the 5k zone, and that Woking is one of the first LAs to get to this point. It is therefore important to get this matter right.

**The Council** indicated that the assessor at the EiP has put forward a 7k zone. It suggested that this policy could be included in the SE Plan and there would then be no need to include it in the Core Strategy.

**Natural England** indicated that it does not take a different view from that of LA and understands their position. It was not appropriate for Woking BC to go into details at this time.

**RM** accepted that it was difficult to deal with the situation in flux, but re-iterated his concern that the position reached by the Council was not adequately reflected in the policy. But it is fundamental to development potential within the District, and he considered that there should be more guidance in the CS.

**Woking BC** confirmed its view that the policy would allow development to proceed; and that there would be no embargo on development as in some authorities. Detailed policy would be in a SPD.

**SEERA** indicated that, from a regional perspective, the assessor will report back to the EIP panel. SEP policies may need to change in the light of the assessors report. It is likely to accept the recommendations, and LAs will need to produce an interim report like Woking BC has done.

**RM** accepted that the Council is on the horns of a dilemma. However, he restated his view that the policy needs to more distinct. At present, the policy simply restates the legislative framework and, in those circumstances he questioned whether there is any point to the policy being included in the light of the guidance in PPS12.

**Woking BC** expressed the view that the policy relates to the whole borough, and that its inclusion is critical - without some policy statement there can be no judgement on future proposals. It

considers the whole issue is difficult to explain without reference to national policy. The statutory consultees stated issues should be addressed. Natural England is government advisor on the subject and LA had liaised with them. They have presented no objection

**GOSE** agreed that the current policy does not add to national policy. PPS9 will be applied to areas within safeguarded areas.

**RM** appreciated that the policy applies to the whole area, and that some areas will be within the 400m zone as well as the remainder of the District, which lies within the 5k zone. He indicated that some amendment might be considered to resolve the problem.

**The Inspector** next raised concern about the affordable housing policy. There is no split between social and intermediate housing figures as required in the SEP.

**SEERA** indicated it is looking for 40% commitment from Woking on Affordable housing. Commitment is inherent in plan but not directly stated. SE Plan sets regional targets. Split need not be set out in Core Strategy, but must be in SPD.

**Woking BC** indicated that 40% will be affordable on larger sites of 15+ unit threshold. It proposed to include the overall requirement in the Core Strategy review to be undertaken. The requirement would be stated clearly in the Housing Implementation SPD.

**RM** confirmed it is helpful that SEERA state they are not looking for a split within the CS. It is in the SE Plan and would be expected to be found in the Core Strategy. Figures in SPD may suffice. He accepted that the LA intends that there should be a 40% target overall, and that should be incorporated within the policy. However, any changes to the Core Strategy as a result should be minimal if they are to be acceptable within the examination process.

**GOSE** indicated that it is for the Inspector to deliberate on this issue of the figure of 40% being in the policy or not.

**Woking BC** suggested that the LA is relying on regional policy and would not repeat that in the Core Strategy.

### **3 - Evidence Base**

**RM** outlined further concerns about the evidence base provided by the Council.

#### Housing

**RM** noted that PPS3 has introduced more detailed guidance on the evidential requirements in support of housing strategies. It particularly mentions the need for a Strategic Housing Market Assessment and a Strategic Housing Land Availability Assessment, neither of which are available at Regional level. The Council has undertaken a Housing Potential Study to identify likely development sites, most of which are in Woking TC. However, there are no data related to the scale of demand identified in the District, nor the housing mix or geographical distribution of that demand. The housing policy is therefore based essentially on the housing target identified in the SE Plan. In the absence of the housing market data, the Council has adopted the policy of providing some 70% of its new housing stock as 1 and 2 bedroom apartments.

The Council has committed itself to carrying out an immediate review of the CS to incorporate the requirements set out in PPS3 but, in the absence of any housing market information, there are reservations about the thrust of housing policy.

**Woking BC** responded that it will initiate development in Woking TC. The starting point for the strategy is to meet SE Plan targets and to develop the TC as a sub-regional hub. There is evidence of a demand for 1 and 2 bedroom dwellings. The Council recognised the need to have a Housing Market Assessment and is presently working with other LAs in sub-region on this subject.

**RM** queried where the assessment of demand for a preponderance of small dwellings come from in the absence of a housing market assessment.

**The Council** indicated that the demand is derived from local assessment, also from the Housing Needs Assessment for Affordable Housing.

**RM** noted that he has a copy of the Housing Needs Assessment Update, but does not have a copy of the original study. There is no indication in the documents provided to support the proposed concentration on small dwellings.

**The Council** indicated that the original Housing Needs assessment is not a main plank of the information base, but LA would provide a copy for the Inspector. Woking recognised the need for a Housing Market Assessment and that there is not much detail in the original document.

**GOSE** noted that the policy has targets, and it would be surprising if there was no information from Woking BC or Surrey CC to support those decisions.

#### Flood Risk

**RM** confirmed that to date there has been no SFRA produced. He understood that there are assessments in the course of production, but the guidance in PPS25 requires that such assessments be carried out 'to inform the preparation of LDDs'. EA has expressed concern that the information is not available prior to the setting of the strategy for development.

**Woking BC** confirmed that work is being undertaken with other neighbouring LAs. There have been some delays in producing documents; however the Woking part can be pulled out.

**Environment Agency** agreed that it has been working with Woking BC. However Core Strategy now leaves little room for findings to be incorporated into the policies. Fear that SFRA findings will not be used.

**The Council** responded that the Core Strategy had been prepared using the EA Flood Zone Maps as suggested in Para D4 in Annex D of PPS25. Initial drafts of the SFRA are presently with consultants and any further advice will be incorporated at a later date. It is considered the Woking TC is at low risk of flooding.

**Environment Agency** confirmed that Woking District does have some areas of high risk of flooding from water courses, and that parts of Woking TC are at risk from Basingstoke Canal. In addition, Policy ENV3 is factually incorrect and does not conform to Flood Assessment report, rendering it unsound.

In response **the Council** indicated that there is an existing evidence base, and expressed surprise at any conflict on this issue.

#### **4 - Structure of Core Strategy**

**The Inspector** indicated that the recommended length for a CS is about 30-50 pages. Whilst that is only a guideline, it does indicate that the Woking draft is over-long. There are a number of sections which could be excluded, particularly the Matrix of Policies and Chapter 8. Those sections add little to the content of the Strategy, and their deletion would reduce the document by about 40 pages. Whilst this does not run to the soundness of the document, it does add to its complexity.

**Woking BC** suggested that it may be possible to remove Ch 7 & 8 and produce their content as a separate document. There might be a need to retain some parts of Ch 8 elsewhere in the CS.

## **5 – Any Other Business**

### **Reserve Sites**

**RM** noted that guidance indicates that the CS should not identify specific sites. The identification of sites should follow in the Site Allocations DPD. The inclusion of 2 reserve sites has led to a number of objections related to alternative sites, and subsequent objections from the resulting public consultations.

**The Council** indicated that the latest guidance has suggested that it is not appropriate to include reference to sites. It acknowledged that the word 'site' is an unfortunate reference. The word 'location' could be used. It might be better to call them locations instead of sites.

**The Inspector** responded that Document as it stands clearly identifies specific sites, and it is inappropriate to consider those as part of the CS examination. It would be more appropriate for them to form part of Site Allocation DPD. How can Core Strategy now be changed?

**Woking BC** suggested that the wording in the CS could be framed in a different way.

**GOSE** accepted that the issue should have been picked up in its comments. However, the principal of having flexibility is good and meets Test ix. If the housing targets were to be increased by Sec. of State, inclusion of these sites may be of help.

### **Housing Trajectory**

**RM** raised concern that the housing trajectory included in the CS is based on an annualised rate of development over the period of the CS. It does not provide any information on the likely pace of development, or any peaks and troughs in development, and does not reflect any planned approach to delivering the housing target.

**Woking BC** replied that there are no major sites in Core Strategy. The Council cannot say when ups and downs will occur; therefore a steady rate of development completions is indicated.

**The Inspector** noted that 446 units had recently received outline consent in the TC – the trajectory should show rate of completions anticipated from that and other known schemes. He noted that some 1200 units already have planning permission and the Council should be able to forecast the rate of development on those sites.

**The Council** indicated that the figures in the Housing Trajectory are a reflection of past trends, but accepted that it could provide more information and adjust table.

**GOSE** suggested that the Annual Monitoring data and Land Availability information could be used to better inform the Core Strategy.

### **Windfalls**

**RM** noted that the housing supply figures for the 12 years of the plan period to 2018 include 368 units from small-sites windfalls, as well as 372 units from other unidentified sites. This gives a total of 640 units from those sources, or about 20% of the total housing supply. This contrasts with the advice in PPS3 which indicates that allowances for windfalls should not be included in the first 10 years supply figures.

**GOSE** commented that the LA couldn't predict content of PPS3.

**The LA** indicated that it could not second guess the PPS3 guidance on windfalls. Windfalls are meant to be few, and exceptions to rule. Need to identify some if shortfall should occur. LA had relied on windfalls in the past with high rise in Woking TC and other in urban areas. Identification seemed appropriate in the past.

## Town Centre sites

**RM** noted that there is a recognition that the delivery of the housing targets will depend substantially on the market bringing forward the identified sites in the TC, and also delivering high density development in the area surrounding the TC. The latter has not happened in the past, and the Strategy recognises that it may not occur in the future. The implementation of the Strategy is therefore subject to significant uncertainty. Although the reserve sites provide for some flexibility, there is no certainty that they would prove to be acceptable when assessed in detail. Surrey CC had indicated in their representations that the proposed sites do not meet basic accessibility standards.

**The Council** indicated that the Woking TC SPD would identify key sites which LA will market and promote.

## Other Matters

**The Council** requested some indication of when issues raised would be resolved. **RM** suggested that it would be over a timescale of one or two weeks, and he would write to the Council giving his conclusions on the discussion. In response to a question from the Inspector, **Surrey CC** indicated that it had no comment on the soundness of the CS. **EA** considered that the flood risk policies are not consistent and do not follow through to other sections. **SEERA** indicated that it is able to unconditionally withdraw its Representation 4, following the Council's commitment to the preparation of a Housing Implementation SPD.

**RM** thanked everyone for their attendance and contributions to the discussion, and promised that a note of the discussion would be circulated in due course.