

APPENDIX G

WAVERLEY BOROUGH COUNCIL
SPECIAL COMMUNITY O&S – 3 DECEMBER 2012
EXECUTIVE - 4 DECEMBER 2012
COUNCIL – 11 DECEMBER 2012

Title:

WAVERLEY CORE STRATEGY – SUBMISSION

[Portfolio Holder: Cllr Bryn Morgan]

[Wards Affected: All]

Summary and purpose:

This report provides an update on the progress with the Core Strategy and seeks approval to submit the Core Strategy for Examination.

How this report relates to the Council's Corporate Priorities:

The Core Strategy and its policies will have an important role in supporting and delivering Corporate Priorities, including protecting the environment and delivering affordable housing.

Equality and Diversity Implications:

The Core Strategy and its policies will have potential equality and diversity implications, for example, the delivery of affordable housing and other housing to meet the needs of particular groups.

Environment and Climate Change Implications:

The Core Strategy will have an important role in supporting and implementing the local level policies both in relation to mitigating the impacts of climate change and adapting to the effects of climate change. The Core Strategy also contains a number of high level policies that will support the protection of Waverley's environment.

Resource/Value for Money Implications:

The production of planning policy documents will continue to be managed within existing resources, including the occasional use of consultants to provide specialist support/evidence. There will also be costs associated with the Examination. An estimate of these costs will be included in the proposed budget allocation for 2013/14. However, the final cost will depend on the length of the Examination itself.

Legal Implications:

When examining the Core Strategy the Inspector will be assessing whether both the legal and general tests of soundness have been met.

Background

1. The Core Strategy sets out the key policies and overall strategy for managing and directing future development in Waverley over the next 15 years. It effectively forms the first part of the replacement of the existing Waverley

Borough Local Plan. Following the Core Strategy will be a second document setting out the more detailed day-to-day development management policies, as well as identifying specific site allocations for uses such as housing and employment. There is a separate Executive report setting out the likely scope of the Development Management and Site Allocations DPD.

Consultation on the Pre-submission Core Strategy

2. In July the Council agreed the Pre-submission version of the Core Strategy for publication. That triggered the formal pre-submission consultation, which focused on the 'soundness' of the Plan. This will also be the focus of the Inspector who will 'examine' the Plan once it is submitted. There are certain legal tests that have to be met, based on procedure and general compliance with regional planning policy. These include the new legal test of whether or not the Council has met the 'Duty to Co-operate'. There are additional tests of the Plan itself. The Inspector will be considering whether the Plan is:-
 - Positively Prepared
 - Effective
 - Justified
 - Consistent with national policy
3. Those responding to the pre-submission consultation were asked to link their comments to the legal and other tests of soundness. A total of **460** separate comments were received from **109** respondents.

Issues arising from the consultation on the Pre-submission Core Strategy

4. There were fewer responses to the consultation on the pre-submission Core Strategy than were received for earlier consultations. However, this is not a surprise. Whereas earlier consultations invited comments generally on what should be in the Core Strategy, this consultation was much more focussed on whether or not the Core Strategy is 'sound' (i.e. meets the tests of soundness identified above). The majority of those responding feel that the Core Strategy needs to be changed in order to meet the tests of soundness. In some cases the suggested modifications only require minor amendment/clarification. However, in other cases the respondents consider that the problems are more fundamental, and that the Core Strategy can only be made 'sound' with major revisions.
5. Attached as Annexe 1 (as a separate document for members, and available on the Waverley Borough Council website or hardcopy by request) are schedules for each chapter of the Core Strategy, which contain a summary of each comment received, the change being sought to the Plan, a suggested Council response to the comment and, where necessary, any changes that should be made to the Core Strategy in response.
6. The main issues of concern continue to be the overall number of new homes being planned for as well as the Council's approach to where these new homes should go. In relation to housing numbers, some of the main issues are:-

- The number of homes is too low, it does not meet the high level of need/demand identified in the evidence and does not, therefore, accord with the NPPF. Linked to this is the argument that the Council has given too much weight to environmental and other constraints instead of the need for new homes in Waverley.
- Although the Government intends to abolish regional plans like the South East Plan, they currently remain part of the 'development plan'. There are, therefore, specific objections challenging the justification for a housing target lower than the South East Plan. It has been argued that, as a minimum, the Council should be delivering the South East Plan allocation of 250 homes a year.
- Some respondents have argued that the Council has not properly assessed the options for delivering a higher number of new homes.
- Some argue that Waverley has not met the new 'Duty to Co-operate'. In particular, there are those who argue that the Core Strategy should not seek to rely on housing being planned outside Waverley. There is also the comment that building fewer homes in Waverley may have a knock-on impact in terms of pressure for more housing in neighbouring areas.

7. In relation to the distribution of housing, comments include:-

- The distribution, particularly to the main settlements should be informed not just by a consideration of constraints but also the level of need/demand in these areas.
- Some argue that, having regard to the level of need, consideration should be given to reviewing the Green Belt boundary and considering land that is subject to AONB/AGLV designations.
- Some challenge the justification for the current 50:50 split of greenfield releases between Farnham and Cranleigh. Some argue that the split places a disproportionate burden on Cranleigh. Others argue that too much housing is planned in Farnham, having regard to infrastructure issues, the amount of development planned in areas around Farnham and the SPA issue.
- In relation to the SPA in particular, it is argued that too much housing is planned in Farnham where the necessary SANG has not, as yet, been identified. It is also argued that to protect the SPA more development should be directed away from the area affected by the SPA.
- Some argue that more priority should be given to utilising brownfield land instead of greenfield land, including considering housing at Dunsfold Park. Some of those promoting the use of Dunsfold Park argue that through the preparation of the Core Strategy the Council has not fully considered the option of using Dunsfold Park for housing.
- Some argue that the Council should distribute more housing to the villages.
- Finally, some argue that the Core Strategy should either specifically identify the greenfield sites that are needed, or should identify more clearly the broad location of these greenfield releases.

8. There are other issues/objections raised in relation to matters other than housing numbers/location. These are identified in the Schedules for each chapter. (Annexe 1)

Officer comment

9. Most of the issues identified above have previously been considered by the Council. In particular, officers would draw attention to the annexe attached to the Executive report in July, when the Core Strategy was agreed for Publication, which summarises the key issues along with a Council response.
10. In relation to the **number of new homes**, there are likely to be two particular issues. Firstly, given that the South East Plan remains for the time being, what is the justification for the 230 figure instead of 250? The Council case rests, in part, on the considerations of the South East Plan EiP Panel, and its comments on the ability of Waverley to accommodate a higher figure than 230.
11. The second issue concerns the NPPF and the requirement to meet objectively assessed needs unless the adverse impact of doing so would “...*significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole.*” Or where specific policies in the NPPF indicate that development should be restricted. The evidence shows that 230 homes a year is below the figure that would be required to meet housing need/demand in full. The Examination Inspector will consider whether there is a sound argument for delivering a lower figure in Waverley. This is likely to be the key debate at the Examination.
12. In terms of the **location of housing**, there is clearly an overlap with the Council’s approach in terms of the number of homes (i.e. a higher target might require a different solution in terms of where the new homes go). However, based on the 230 target, the Council’s approach is to focus most development on the main settlements. This includes delivering 967 homes on greenfield sites. One of these would be the Furze Lane reserve housing site. The remainder would be on land that adjoins the main settlements and is outside the Green Belt, AONB and AGLV. Based on evidence to date, the potential sites that meet these criteria are around Farnham and Cranleigh. Specific allocation of these sites is proposed through the Development Management and Site Allocations DPD.
13. Officers consider there to be a sound justification for this approach, though a challenge will come from those who feel that Dunsfold Park should include some housing and from those who feel that by excluding land in the Green Belt, AONB and AGLV, the Council is not responding to local need for housing in places like Godalming, Haslemere and the villages.

The Examination Process

14. Although most respondents have said that they consider the Plan to be legally compliant, there are some who do not consider that the legal tests have been met. Officers believe that the core legal requirements are met, informed in part by early discussions with the Planning Inspectorate. In particular, in relation to the Duty to Co-operate, officers consider that there is sufficient evidence to show how we have sought to co-operate on cross boundary issues. In relation to the Sustainability Appraisal and the link to the

requirement for a Strategic Environmental Assessment, officers consider that the legal requirement has been met and that the SA has properly informed development of the Core Strategy.

15. Once the Inspector has considered the basic legal tests he/she will go on to assess the broader and more subjective tests of whether the Plan is positively prepared, effective, justified and consistent with National Policy.

Next Steps

16. Subject to Council approval, the intention is then to submit the Core Strategy for Examination. There are some minor changes that officers believe should be made to the Plan. These are set out in a separate schedule of proposed modifications, which is attached as Annexe 2 (also attached as a separate document for members, and available on the Waverley Borough Council website or hardcopy by request). It should be pointed out that the submission document should not be accompanied by any major changes that would alter the Core Strategy to the extent that further consultation would be needed and/or significant changes to the Sustainability Appraisal or the Habitats Regulations Assessment.

Recommendation

That the Executive recommends to the Council that the Core Strategy be submitted for Examination together with the schedule of proposed modifications.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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