

# Topic paper: Duty to Cooperate June 2017

To accompany Guildford borough Proposed Submission Local Plan: strategy and sites



## **Further information and alternative formats**

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# Topic paper: Duty to Cooperate

## 1 Purpose of this topic paper

- 1.1 This topic paper is one in a series, which sets out how we have developed the key strategy within the Guildford borough Proposed Submission Local Plan: strategy and sites document. Each topic paper will look at the relevant national and local guidance that informs the Proposed Submission Local Plan. Topic papers will explain how the strategy has developed and the information, evidence and feedback that has informed the choices made in formulating the policies.
- 1.2 The intention of the topic papers is to provide background information; they do not contain any policies, proposals or site allocations. All topic papers will be finalised to accompany the submission of the draft Local Plan to the Secretary of State for examination.
- 1.3 The main areas covered by this topic paper are:
- Strategic context
  - Scoping of issues
  - Consultation feedback Strategic cooperation
  - Specific issues

## 2 Policy Context

### National context

- 2.1 Our policies must be positively prepared, justified, effective and consistent with national policy and legislation. The [National Planning Policy Framework \(NPPF\)](#) sets out the overarching planning policy framework, supported by [Planning Practice Guidance](#).
- 2.2 The duty to cooperate was created in the [Localism Act 2011](#). It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.
- 2.3 The prescribed bodies, as set out in the accompanying [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#), are:
- the Environment Agency
  - Historic England
  - Natural England
  - the Mayor of London
  - the Civil Aviation Authority
  - the Homes and Communities Agency
  - Clinical commissioning groups
  - the National Health Service Commissioning Board
  - the Office of Rail Regulation

- Transport for London
- Each highway authority (in our case this is Highways England and Surrey County Council), and
- Marine Management Organisation (in our case not relevant)

- 2.4 The NPPG states that whilst Local Enterprise Partnerships (LEPs) and Local Nature Partnerships are not subject to the requirements of the duty, local planning authorities and the public bodies that are subject to the duty must cooperate with them and have regard to their activities, so long as those activities are relevant to local plan making.
- 2.5 The Localism Act defines a strategic matter as sustainable development or use of land that has, or would have, a significant impact on at least two planning areas, including county council matters.
- 2.6 In particular, the duty should ensure that strategic priorities are properly coordinated and reflected in local plans. The NPPF (paragraph 156) requires that we set out the strategic priorities for our area. These include strategic planning policies to deliver:
- the homes and jobs needed in the area
  - retail, leisure and other commercial development
  - infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)
  - health, security, community and cultural infrastructure and other local facilities, and
  - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 2.7 The duty to cooperate should lead to effective policies on strategic cross boundary matters. For this reason, inspectors will assess the outcomes of cooperation and not just whether we have approached others. The duty to cooperate is a legal test which is separate from but related to the Local Plan test of soundness.
- 2.8 At examination, the inspector will consider whether we have complied with the duty to cooperate. The Inspector will recommend that the Local Plan is not adopted if the duty has not been complied with and the examination will not proceed any further.
- 2.9 If the Inspector finds that the duty has been complied with, the examination will also test whether the Local Plan is sound. The test of soundness, set out in the NPPF (paragraph 182), assesses whether the Local Plan is:
- positively prepared;
  - justified;
  - effective; and
  - consistent with national policy.
- 2.10 In assessing whether the Local Plan is effective, the Inspector will assess whether it is deliverable within the timescale set by the Local Plan and if it demonstrates effective joint working to meet cross boundary strategic priorities.

## Neighbourhood Plans

- 2.11 Neighbourhood Planning enables Neighbourhood Forums and Parish Councils to develop a vision and planning policies for their designated neighbourhood area. Those 'Neighbourhood Plans' which are successfully adopted will form part of the

statutory development plan for the area that they cover. Where a Neighbourhood Plan is adopted or emerging before an up-to-date Local Plan is in place, the local planning authority should take it into account when preparing the Local Plan policies.

- 2.12 There is currently one adopted Neighbourhood Plan (Burpham) and one emerging Neighbourhood Plan (Effingham) within the borough. Seven other Parish Councils are also currently producing Neighbourhood Plans. Once formally adopted these documents form part of the development plan and can carry weight in the planning process.
- 2.13 Given neighbourhood plans should only cover non-strategic policies, we do not consider that they are likely to include any policies that would be relevant for this topic paper.
- 2.14 The weight given to an emerging plan will depend on, among other things, the extent to which there are unresolved objections to the plan (NPPF paragraph 216). Therefore, an emerging neighbourhood plan will pick up weight once evidence of consultation is published and the level of unresolved objection is known. At time of writing, the Effingham Neighbourhood Plan has been through two statutory consultations. The plan is progressing towards examination and is accorded limited weight at this stage.
- 2.15 Details are available at [www.guildford.gov.uk/neighbourhoodplanninginformation](http://www.guildford.gov.uk/neighbourhoodplanninginformation).

### 3 Evidence base

- 3.1 The NPPF requires us to develop policies based on up to date evidence. Our evidence base comprises documents that have helped inform past and current stages of our Local Plan policy development and emerging evidence that will help inform future development of policies for the Local Plan. Where appropriate, we have worked on these jointly or collaboratively with neighbouring councils or prescribed bodies.
- 3.2 Further information and copies of the evidence base documents are available on the Councils website at: [www.guildford.gov.uk/newlocalplan/evidencebase](http://www.guildford.gov.uk/newlocalplan/evidencebase).

### 4 Appraisal

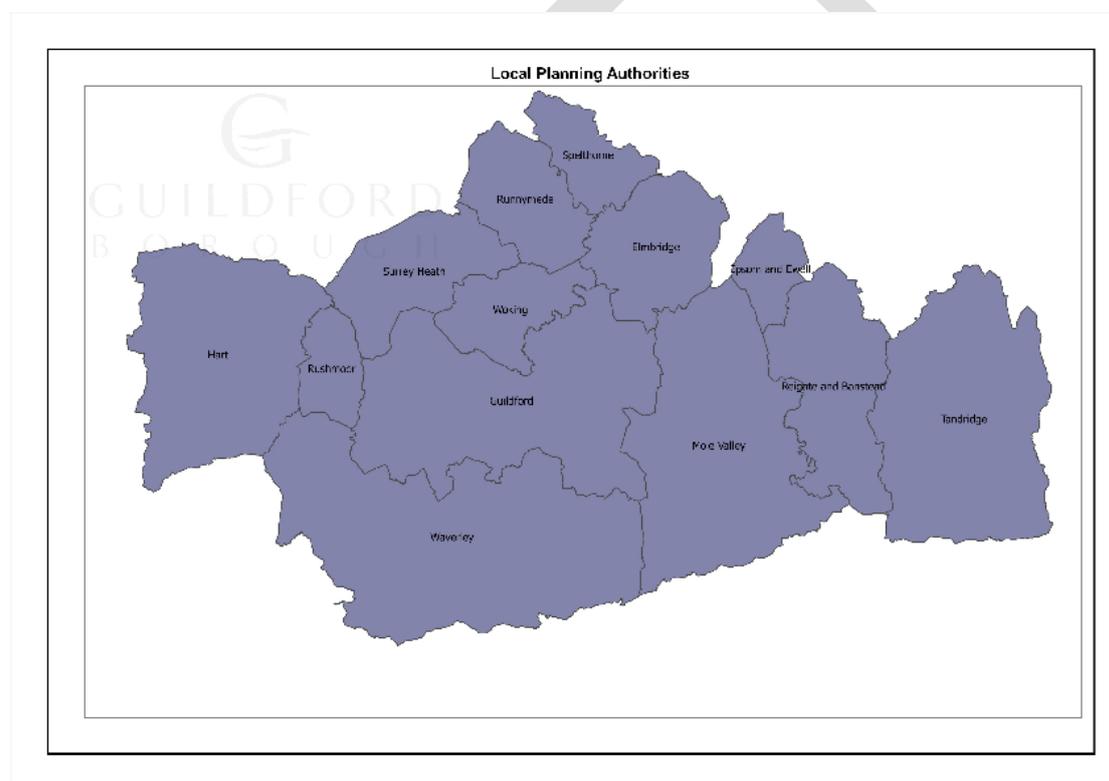
- 4.1 The following section brings together relevant legislation and key evidence base findings where appropriate. It highlights the main areas relevant to our approach to fulfilling our duty to cooperate.

#### **Strategic context**

- 4.2 Guildford is the county town of Surrey, known for its historical buildings, landscapes, cultural associations and the picturesque town centre. Situated in the south west of the county, on the border with Hampshire, the borough is surrounded principally by Green Belt, with countryside to the west. The urban areas of Guildford, Ash and Tongham are home to many of the borough's residents, with further communities in village settlements. In total, we have approximately 145,500 residents. We are

within commuting distance from London and about 70 kilometres from the south coast. We also have an important sub-regional role as a regional administrative and commercial centre and Guildford town is Surrey County's premier town centre destination.

- 4.3 We have a number of environmental constraints across the borough, including the Thames Basin Heaths Special Protection Area (SPA) to the north and the Surrey Hills Area of Outstanding Natural Beauty (AONB) to the south.
- 4.4 Guildford is a busy town with a wide influence on its surrounding area. The M25, A3, A31 and A331 are the principal routes that connect Guildford to the rest of the Strategic Road Network. The A3 trunk road cuts through the borough and provides a direct link to London and the south coast.
- 4.5 The borough benefits from twelve rail stations, including Guildford railway station, the busiest in the county, which provides access to, and interchange between, four lines. These rail lines fan out to serve our other stations and destinations beyond including London Waterloo, Woking, Reading, Redhill and Gatwick Airport.



## Scoping of issues

- 4.6 Formal work on the duty to cooperate began in early 2013 which was at the beginning of our plan preparation. A scoping exercise and a Duty to Cooperate workshop was carried out in order to understand the strategic issues, with whom we shared them and whether there were any existing mechanisms already in place that would enable us to fulfil our legal duty. A targeted consultation exercise was carried out with our neighbouring authorities and the relevant prescribed bodies to ensure that we adequately captured all the issues correctly. This ensured that we could cooperate on them from an early stage.

4.7 Through the scoping exercise we were able to identify and agree the following strategic cross boundary issues.

- Housing
- Traveller accommodation
- Employment
- Retail
- Transport
- Green Belt
- Surrey Hills Area of Outstanding Natural Beauty (AONB)
- Green Infrastructure
- Thames Basin Heaths Special Protection Area (SPA) / Suitable Alternative Natural Greenspace (SANG)
- Flood risk / waterways
- Education
- Health
- Services and utilities (including minerals and waste)

4.8 Included in Appendix 1 is a matrix indicating the organisations with whom we have common issues. This has formed the basis for both formal consultations particularly when agreeing Duty to Cooperate Scoping Statements and when responding to other plans. It has also formed the framework for understanding who we need to work with in order to secure effective outcomes. Depending on the issue, some cooperation has taken place as part of formal and regular working groups whilst the majority have required a more targeted and issue-specific approach.

## **Consultation feedback**

4.9 We have carried out formal consultation with all the neighbouring authorities and prescribed bodies as part of our statutory consultation processes as we have developed our Proposed Submission Local Plan. This consultation was carried out in accordance with our Community Involvement in Planning<sup>1</sup> document.

4.10 As part of developing the Local Plan we have already consulted at the following main stages:

- Issues and options (October 2013) – which identified a range of issues and potential options for how we should plan for Guildford borough
- Draft Local Plan (July 2014) – which outlined our preferred approach for planning for Guildford borough
- Proposed Submission Local Plan (June 2016) – which included the policies and sites that we had intended to submit for examination

4.11 Following the Regulation 19 consultation in 2016, it has since become apparent that changes, some of which were more than minor, would be necessary. These changes require additional consultation in the form of a targeted Regulation 19 consultation in June/July 2017. Taken together, the two Regulation 19 consultations will constitute our consultation on the Proposed Submission Local Plan which we are intending to submit in December 2017.

4.12 Responses to these previous consultation stages have been taken into account in the preparation of the Local Plan. We have responded to the comments received to the draft Local Plan 2014 consultation in the Consultation Statement that was

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<sup>1</sup> Available online at: [www.guildford.gov.uk/ces](http://www.guildford.gov.uk/ces)

published alongside the Regulation 19 Local Plan (2016). This also details where we have made changes to the plan in response to comments received. Our responses to comments received to both iterations of the Regulation 19 Local Plans will be published alongside our Submission version of the Local Plan.

## **Strategic cooperation**

### Surrey Strategic Planning and Infrastructure Partnership

- 4.13 Whilst the councils that we need to cooperate with will differ according to the strategic issue, and may in some instances extend beyond the county boundary, cooperation between Surrey County Council and Surrey districts is important for dealing with infrastructure issues such as transport and education. For this reason, a framework has been put in place for the county area of Surrey although acknowledging that this in itself cannot satisfy the requirements of the duty. The Surrey Strategic Planning and Infrastructure Partnership will however make a significant contribution to helping discharge the duty by developing a Local Strategic Statement (LSS) which will set out our objectives on strategic matters. It will help to align strategic spatial, infrastructure and economic priorities which can then be reflected in the Local Plans of individual planning authorities. It would also facilitate a co-ordinated approach to engaging with London and its growth impacts on Surrey, and help strengthen the case for further investment in Surrey.
- 4.14 In July 2014 the Surrey Leaders considered a Memorandum of Understanding (Appendix 2) and Terms of Reference (Appendix 3) prepared by the Heads of Planning (Surrey Planning Officers Association - SPOA) and Chief Executives across Surrey. It was agreed in principle for Surrey County Council and each borough/district to adopt. Our Executive approved signing up to the Memorandum of Understanding for the Surrey Strategic Planning and Infrastructure Partnership to work towards the production of a Local Strategic Statement (LSS) for Surrey in November 2014.
- 4.15 We are continuing to cooperate in the preparation of the LSS, having recently become part of the steering group that leads on the drafting and coordinating of the LSS. The LSS is proposed to be prepared in two stages. The first stage has resulted in the preparation of a draft interim LSS 2016 - 2031. The draft interim LSS has been prepared through a bottom up approach drawing together what is in existing and emerging Local Plans to give an overview of shared challenges, strategic objectives and the spatial priorities/key locations for growth. It enables Surrey authorities collectively to articulate their growth ambitions and spatial priorities for the short to medium term and to engage on strategic issues as they progress Local Plans and as part of sub-regional and regional discussions.
- 4.16 The following strategic objectives were identified and are intended to guide Local Plans in delivering the overall vision for the county.
- Objective 1: Supporting Economic Prosperity - Local authorities will work with partner organisations including the LEPs, business support organisations, the business community and education and training providers to help support a strong, competitive economy.
  - Objective 2: Meeting Housing Needs - Local planning authorities will work together and with infrastructure providers to deliver planned growth and seek to meet as far as possible objectively assessed needs and specific housing needs.

- Objective 3: Delivering Infrastructure - Local authorities will work together with public and private sector partners to ensure sufficient capacity is available or can be delivered to support growth and meet the needs of new development.
- Objective 4: Supporting environmental sustainability, natural resource management and conserving and enhancing the character and quality of the countryside and Green Belt - Local planning authorities will work together and with partners to invest in natural capital, avoid adverse effects on the environment and improve resilience to climate change to support economic prosperity and the wellbeing of residents.

- 4.17 The draft interim LSS considers four sub-areas to allow an additional level of detail to be provided on how the LSS challenges present themselves in different parts of the county. The majority of our borough falls within the A3 corridor sub-area, along with parts of Waverley and Woking. The western edge forms part of the Blackwater Valley sub-area along with parts of Waverley and Surrey Heath.
- 4.18 The draft interim LSS was presented to Surrey Leaders in April 2017 and approved for targeted consultation with neighbouring authorities and other stakeholders. Once the final LAA is approved by the Partnership, consideration will be given as to whether to progress the second stage. This was originally envisaged as an additional piece of work to assess potential housing provision across Surrey, based on land supply evidence from existing Local Plan work and consider to what extent any housing shortfall might be addressed taking into account wider land use demands, particularly employment land and the 'balance' of housing and employment provision and environmental constraints. Bringing together all the evidence would then provide the basis for facilitated discussions with Leaders to enable them collectively to drive the development of a shared and evidenced position on the broad priorities for development in Surrey.
- 4.19 The Partnership also proposes to prepare an Investment Framework to support the delivery of the strategic priorities in the LSS including a co-ordinated approach to infrastructure funding and delivery that builds on the Surrey Infrastructure Study. The Surrey Infrastructure Study was published in 2016 and is currently being updated to include information consistent with the proposals in the Regulation 19 Local Plan (2017).

Strategic Spatial Planning Liaison Group (SSPOLG)

- 4.20 The Mayor of London is one of the prescribed bodies. We have cooperated with the Mayor through the Greater London Authority (GLA). In October 2012, the Mayor of London explored options for future cross-boundary work on strategic planning for London and the Wider South East. During 2013, he also held two well-attended officer workshops with representatives from planning authorities across the Wider South East to discuss relevant strategic planning issues. Subsequently, a working group of officers was established to explore strategic planning issues and examine the mechanisms for ongoing coordination and cooperation. The Strategic Spatial Planning Officer Liaison Group (SSPOLG) was formed and has focused mainly on housing, infrastructure and demography. Surrey, and Guildford borough, has been represented on this group by the Head of Planning Policy from Mole Valley (on behalf of SPOA) and the Spatial Planning and Policy Manager from Surrey County Council.
- 4.21 SSPOLG has also been supporting the member level round table discussions and Summits that have taken place since early 2015. As part of this cooperation, the Leaders of local authorities within the wider South East and the LEPs discussed the best way forward and shaped the priority areas of work. There has also been

discussion on the preferred political arrangements for issues to be raised and addressed.

- 4.22 As a result of these discussions, a formal Political Steering Group has been set up to initiate, steer and agree strategic collaboration activities across the wider South East. The Group meets 2 - 3 times per year and includes five political representatives from the East of England, South East and London. The Surrey County Council Deputy Leader is a member of this group and is therefore representing Surrey, and Guildford borough, interests. In addition to this, there is an Officer Working Group, that is the successor to SSPOLG, and will support the Political Steering Group. There are two Surrey representatives and we will continue to input into this process through them.
- 4.23 A Wider South East Summit was held on 9 December 2016 to which both Surrey County Council Deputy Leader and officer representative attended. This was the first opportunity to feed into and influence the GLA before work begins on preparing the draft consultation for the New London Plan. Formal consultation on the new London Plan is due to take place in autumn 2017.

#### Enterprise M3 LEP

- 4.24 We sit within the Enterprise M3 LEP which runs across parts of both Hampshire and Surrey. It published its Strategic Economic Plan (SEP) in March 2014 setting out growth locations, transport investment, and bringing forward delivery of housing and infrastructure. The LSS would further build on the SEP by putting it into a spatial planning context. The SEP identifies Guildford as one of four growth towns which are key to driving economic growth across the Enterprise M3 area. It also seeks to support the Enterprise M3 economy, namely the 'Sci:Tech Corridor'.
- 4.25 As part of preparing the new Local Plan, we have had regard to the SEP and are seeking to meet both our identified housing and employment needs. In particular, we are also seeking to build on our existing strengths with a focus on research, development and design activities and the provision of valuable knowledge-based employment. This is demonstrated through the allocation at Blackwell Farm for an extension to the Surrey Research Park and Policy E4 which specifies the type of knowledge-based, high-value businesses we wish to see develop here. This will help to build upon the investment already secured by the University of Surrey who, working in partnership with the LEP, have secured £60m of funding for the 5G Innovation Centre.
- 4.26 Work is currently underway to build upon and update the current SEP to reflect the changing economic and policy environment and to guide future strategic priorities for investment in the area. The first phase of work includes a review of recent documents, programmes and national policy to produce an evidence base. This will inform their understanding of the nature of the EM3 economy, and the priorities for a revised SEP. There has also been some stakeholder consultation.
- 4.27 To further support and help build on LEP identified opportunities, the Regulation 19 Local Plan (2017) now insets Send Business Centre/Tannery Studios, Send from the Green Belt in order to be able to designate it as a Strategic Employment Site. This gives it additional protection and places it higher up the hierarchy in terms of sequentially preferable locations for the location of new employment floorspace. This site has also received significant LEP funding to secure necessary digital infrastructure to support additional jobs (discussed further in the Employment topic paper). The proposals in the plan will enable further expansion opportunities on the site to build upon the investment already put in place.

- 4.28 We are also members of various groups such as Surrey Future and Surrey Leaders. All twelve Surrey local authorities, the two LEPs, the University of Surrey and representatives of the business community have collectively agreed that the five top transport infrastructure priorities for the county of Surrey are the improvement of the A3 trunk road, a county-wide major schemes programme, improvements to the North Downs Line, the realisation of the regional option for the Crossrail 2 scheme, and the improvement of surface access journeys to Heathrow and Gatwick airports. These county-level priorities are aimed at supporting economic growth in Surrey, the south east and beyond.
- 4.29 In January 2017, the Department for Communities and Local Government confirmed the award of £71.1m to EM3 LEP as the third allocation of Growth Deal funding which now totals £219.1m. This allocation has the potential to create and safeguard more than 15,000 jobs and deliver over 6,000 additional homes. Planned investment in transport will ease congestion, with specific regard to Guildford borough, while businesses in some of the LEP area will benefit from investments in digital connectivity. The latest Growth Deal allocation will also fund investments in Further Education colleges to help the local workforce develop the skills they need to succeed in today's economy. We will continue to ensure that we engage proactively with the LEP to help facilitate the achievement of common strategic objectives.

### **Specific issues**

- 4.30 We have undertaken considerable joint working with our partners and below we discuss each strategic issue in turn in order to demonstrate how the Proposed Submission Local Plan has been informed through cooperation that has been constructive, active and undertaken on an ongoing basis.

### **Housing**

- 4.31 The provision of sufficient housing is of particular importance as part of complying with the duty to cooperate both in terms of both the legal and soundness test. The NPPG is clear that the assessment of need is the first stage in developing one's spatial strategy. It states (Reference ID: 3-045-20141006) that:

*'Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs. However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need.'*

#### *Assessing needs*

- 4.32 In relation to the NPPF requirement that we have a clear understanding of housing needs in our area, it states (in paragraph 159) that councils should *'prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries.'*

- 4.33 Early in our plan preparation process (mid-2013) we undertook a scoping exercise to understand whether any of our neighbours would wish to be involved in the preparation of a joint SHMA. We contacted the authorities within our existing housing market area (HMA) from the West Surrey SHMA (2009) and all neighbouring authorities to this. All contacted had either already commissioned the preparation of a new SHMA or were not currently in a position to update their SHMA, however all wished to be kept up to date and involved in agreeing the methodology. Within our HMA, Waverley had already commissioned a new SHMA following the preliminary views of their inspector at their Core Strategy examination in 2013 and Woking had recently adopted their Core Strategy in 2012 and were therefore not planning to update their SHMA.
- 4.34 Waverley had already commissioned consultants GL Hearn to prepare their Waverley SHMA. Whilst we were not in a position to be able to commission this jointly, we were actively involved in the stakeholder sessions undertaken by Waverley as part of this process to agree the methodology and HMA. We submitted a joint response with Woking agreeing to the identification that collectively we form an HMA and reaffirmed our commitment to future joint working on this matter.
- 4.35 As a result of the feedback we received to the scoping exercise, we prepared a Guildford Strategic Housing Market Assessment (SHMA), published in draft form in January 2014. It was also prepared by GL Hearn which helped to ensure the methodology was consistent with that of Waverley's. We undertook a four-week engagement exercise on this draft. This included a series of stakeholder workshops, including with neighbouring councils and the Enterprise M3 LEP. This process informed the final draft Guildford SHMA published in May 2014. This identified our housing market area and the Guildford objectively assessed housing need (OAN). Whilst not fully consistent with the NPPF in relation to covering the entire housing market area (HMA), it nevertheless reassessed the HMA from a Guildford position and provided us with our OAN in order to begin to inform the assessment of potential spatial strategies and site options.
- 4.36 Given the NPPF requirement for SHMAs to cover the whole HMA, we together with Waverley and Woking borough councils signed a Memorandum of Understanding (MoU) (Appendix 4). This includes an agreement to prepare an up-to-date joint SHMA together with a commitment to review whether this needed updating every three years. This would ensure that regardless of what stage any authority is at in their plan-making process, an up-to-date SHMA would readily be available.
- 4.37 The MoU also included a commitment to regular meetings, including where appropriate, at councillor level. Whilst primarily concerned with the SHMA, it did also include the commitment to continuing to work jointly on other relevant cross boundary matters.
- 4.38 A joint West Surrey SHMA was published in December 2014 in draft, with the final West Surrey SHMA published in October 2015. We have used our SHMA as the basis for responses to neighbouring authorities on housing need related consultations. This includes where we share relatively strong linkages outside our core HMA. We have also sought to ensure that the methodology used in surrounding SHMAs is consistent with our own. In particular, we have provided comments to the Kingston and NE Surrey SHMA, the Spelthorne and Runnymede SHMA and attended a workshop on the Surrey Heath, Rushmoor and Hart SHMA.

4.39 The final joint West Surrey SHMA (October 2015) identified the full OAN (2013 – 2033) to be:

- Guildford: 693 homes per annum
- Waverley: 519 homes per annum
- Woking: 517 homes per annum
- **Total for the HMA: 1,729 homes per annum**

4.40 Subsequent to the publication of the West Surrey SHMA, we prepared a Guildford Addendum. This Addendum Report (2017) provides a factual update to the West Surrey SHMA (2015). The Addendum sits alongside and supplements the West Surrey SHMA. It takes account of the latest population and household projections, the latest post-Brexit economic projections and the latest 2015 mid-year population estimate. This ensures that the updated Regulation 19 Local Plan (2017), which is not expected to be examined by an Inspector until 2018, is based on the most up-to-date evidence. This factual update has resulted in a reduced Objectively Assessed Need (OAN) for Guildford from 693 homes per year (2013 – 2033) to 654 homes per year (2015 – 2034). Over the plan period, this has resulted in a reduction of approximately 1,400 homes.

*Meeting needs*

4.41 The NPPF requires that we prepare local plans that seek to meet objectively assessed needs, including unmet needs from neighbouring authorities, where it is reasonable to do so and consistent with achieving sustainable development (paragraph 182). Waverley has submitted its Local Plan for examination, which aims to meet its OAN. There is currently unmet need arising within our HMA from Woking Borough Council. It has an adopted housing requirement of 292 dwellings (2010 – 2027) against an OAN of 517. There is therefore a shortfall of 225 homes per year between 2013 and 2027, a total of 3,150 homes.

4.42 We have sought to assess whether we are able to sustainably accommodate the OAN for Guildford borough together with any unmet needs from the HMA. The Housing Delivery topic paper discusses our approach to meeting needs. This demonstrates that whilst there are significant constraints within our borough, which in accordance with the NPPF can be applied where appropriate to justify not meeting needs, we have sought to maximise sustainable opportunities to meet needs.

4.43 As set out in the Housing Delivery topic paper, we have applied our spatial hierarchy to direct growth to the most sustainable locations. It is important to note that whilst we will seek to maximise development opportunities higher up the hierarchy, there will be a point within each option when the harm associated with providing additional development would significantly and demonstrably outweigh the benefits of providing more homes within this type of location. This can be due to the impact that it might have on character or the ability of the supporting infrastructure to cope with additional growth. At this point, it is considered to be more sustainable to move to the next spatial option down the hierarchy and once again assess the contribution that it could make to meeting our development needs before the harm once again outweighs the benefits.

4.44 The OAN for Guildford over the plan period is  $654 \times 19 \text{ years} = 12,426$  homes (2015-2034). The total potential provision of new homes across the plan period (including completions since 2015 and outstanding capacity) within the Regulation 19 Local Plan (2017) is 13,581. This provides 1,155 homes as a buffer (just under 10%).

- 4.45 Whilst our spatial strategy does potentially deliver an overprovision in supply compared to our OAN, this is required in order to ensure early provision, flexibility and deliverability of our housing target. Whilst every effort has been made to maximise sustainable sites that are able to deliver in the first five years, there remains a significant shortfall when taking account of the deficit accrued since 2015 and the 20% buffer brought forward from later in the plan period. The Regulation 19 Local Plan (2017) therefore continues to propose a phased target which is low in the early years and increases thereafter in line with the expected delivery of infrastructure and strategic sites. The buffer therefore cannot be considered to be contributing towards meeting unmet needs within the housing market area. Instead, it is necessary to achieve delivery of the OAN for Guildford borough. We consider that without it there is a real risk that our plan would be found unsound, particularly in relation to whether it has been positively prepared and is effective.
- 4.46 As set out in the Housing Delivery topic paper, we have however assessed whether any of the sites that have been lost from the Regulation 19 Local Plan (2016) as a result of a lower OAN could be used to contribute towards unmet needs. These sites have all however been lost for good planning reasons or a change in circumstances or evidence. Furthermore, we have also assessed whether any other sites identified in our Green Belt and Countryside Study (GBCS) could be brought forward to contribute towards either our own early delivery or unmet needs within the HMA. For the reasons set out in the Housing Delivery topic paper, we consider that there are constraints, and that the harm associated with bringing them forward would significantly and demonstrably outweigh the benefits.
- 4.47 Our proposed spatial strategy has been informed by the Sustainability Appraisal (SA), in which we are required to assess all reasonable alternative spatial strategy options. The SA includes eight spatial strategy options ranging from growth options that seek to meet OAN with an approximate 10% buffer, our preferred option that is presented in the Proposed Submission Local Plan, up to options that attempt to meet approximately half of Woking's unmet need. This is consistent with the SA testing undertaken for Waverley's emerging plan and recognises that whilst we are in the same HMA, there is not necessarily a presumption that the full need should or indeed could be met solely within Guildford borough.
- 4.48 The SA concludes that there is no clear best performing or most sustainable option. Instead, there are trade-offs between competing objectives which need to be considered as part of the local plan process when determining our preferred spatial strategy.
- 4.49 Pursuant to the MoU, the three authorities have also agreed a Statement of Common Ground on housing delivery (Appendix 5). This recognises that there is unmet need within the HMA and commits the three authorities to continued future joint working to ensure that as far as possible, and subject to the policies in the NPPF, housing needs across the HMA are met in full.
- 4.50 As set out previously, we do not consider that we can sustainably accommodate any unmet need arising from Woking, nor have we been formally asked to do so. Instead we recognise that this will require ongoing cooperation. However in the meantime we consider it essential that we get a new Local Plan in place in a timely manner that can deliver the sustainable development that Guildford borough needs. The level of growth identified within the Proposed Submission Local Plan represents a considerable step change in delivery compared to previous rates and will ensure that, in accordance with the NPPF, we are seeking to 'boost significantly the supply of housing'. It will also introduce some certainty and enable the delivery of sustainable

development that is accompanied by supporting infrastructure through the implementation of the Community Infrastructure Levy. We are however committed to continuing to explore with Waverley and Woking those areas which are most likely to lead to positive outcomes.

#### *Land Availability Assessment*

- 4.51 The NPPG states that the Land Availability Assessment (LAA), which identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period, should cover the housing market area. Given the amount of sites being considered and the fact that respective plans can only allocate sites within that borough, we do not consider it practical to prepare a joint LAA. The LAA informed the Regulation 19 Local Plan (2016) and therefore needed to be published alongside it. At that time Waverley expected to publish their Proposed Submission Strategic Policies and Sites later that summer and Woking expected to publish their Proposed Submission Site Allocations plan in September 2016. It was therefore neither prudent nor practical to delay publication in order to align the LAA process. The LAA will however be updated on a regular basis and for that reason we consider it reasonable that, once there is greater certainty in relation to proposed sites across the whole HMA, that we publish a summary table in respective LAAs. The LAA (2016) has not been updated to support the Regulation 19 Local Plan (2017) although an Addendum has been prepared which provides a factual update and reflects changes in site allocations.
- 4.52 The other key element that we wish to jointly consider is expected delivery across the HMA. In Guildford, the delivery of former Wisley airfield, Gosden Hill and Blackwell Farm is dependent upon the delivery and timing of key infrastructure requirements. This is reflected in the expected phasing of the sites, with a higher annual housing target anticipated post 2026/27 when we expect that the transformation of the A3 Guildford trunk road, as mandated in the Road Investment Strategy, will be complete. This has resulted in a managed trajectory, as discussed above, which begins lower and increases in line with the planned improvements and the lead in time that large sites will naturally have. In order to understand the impact that this will have on the rate of supply across the HMA, we remain committed to the preparation of a joint trajectory. We will prepare this as part of an LAA update once there is greater certainty from the other authorities in relation to expected supply. This will enable us to understand whether, across the HMA as a whole, the supply of homes is being delivered at a more consistent level. This will give a truer reflection of the extent to which the planned delivery of homes is matching the needs identified across the HMA.
- 4.53 In the meantime, we are also continuing to cooperate to ensure that whilst development opportunities across the HMA are maximised, that these are sustainable and any cross boundary impacts are appropriately mitigated. In particular, this relates to the impact that sites in one borough may have on infrastructure in another borough. Further evidence of cooperation on this matter is discussed below, particularly in relation to transport and education.
- 4.54 In addition to general market housing, the NPPF requires that we should plan for the needs of different groups in the community, including the elderly. The SHMA identifies a need for specialist homes that are capable of being adapted to suit needs as well as C2 residential care or nursing home bedspaces. The findings were sent for comment to contacts at Surrey County Council (SCC) for Extra Care, Dementia, Residential and Nursing care. We have also worked with Surrey County Council officers to understand the types of later life accommodation needed as well as the

tenure and broad locations of the projected need. Informal comments on the proposed site allocations have been sought prior to publication of the Proposed Submission Local Plan. The SHMA addendum 2017 has updated the figures and it projects the need for 433 bedspaces in care or nursing homes over the plan period. The increase in bedspaces required reflects the expected growth in population over 75 year olds

## **Travellers**

### *Assessing needs*

- 4.55 In 2012, the Surrey boroughs and districts agreed a joint methodology for undertaking Traveller Accommodation Assessments (TAA). Following this, we jointly commissioned traveller accommodation survey work with Woking Borough Council, however the results of this were interpreted and presented separately within the Guildford TAA<sup>2</sup> (2012).
- 4.56 We recently completed a new [TAA \(June 2017\)](#). Before starting this work we met with officers from Waverley and Woking to see if there was any interest in jointly undertaking TAA work, but neither authority was in a position to progress at that stage. Council officers were also involved in a Surrey officer's working group in 2015 to discuss the issue of a new methodology but decided not to undertake further work at that stage in the absence of anticipated Government guidance on traveller accommodation needs assessments.
- 4.57 As part of Guildford's TAA process we consulted with neighbouring authorities (Elmbridge, Epsom and Ewell, Mole Valley, Reigate and Banstead, Runnymede, Rushmoor, Spelthorne, Surrey Heath, Tandridge, Waverley and Woking). We invited comments on the draft questionnaire and the draft TAA. We also asked specific questions to understand the extent of cross boundary issues and timescales for assessing both needs and identifying supply, and the TAA 2017 includes a summary of responses. Feedback received was incorporated into the final questionnaire used for interviews with travellers and the final TAA. Full details are available in the [TAA Consultation Statement 2017](#).
- 4.58 The responses highlighted that the main cross-boundary issues are considered to be transit sites to meet the needs of the wider area, consistency when assessing Travellers accommodation needs and to share any information which could impact on another assessment.
- 4.59 Whilst traveller accommodation is a cross boundary issue, we consider this relates more so in relation to ensuring there is consistency in how travellers' needs are assessed and any potential impact arising from sites located close to borough boundaries. To date, there has been a consistency in approach to assessing travellers accommodation needs and we have shared information with neighbouring authorities. Our TAA did not identify any clear evidence for the need for transit sites but we will keep this under review.
- 4.60 We will continue to work closely with adjacent councils in relation to any cross boundary sites. An example of where effective co-working has already taken place is at Ash Bridge Caravan Site where an extension of five pitches was built. Alongside

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<sup>2</sup> Available online at: [www.guildford.gov.uk/media/15383/Guildford-Borough-Traveller-Accommodation-Assessment-2012/pdf/Traveller\\_Accommodation\\_Assessment\\_for\\_Guildford\\_Borough\\_2012.pdf](http://www.guildford.gov.uk/media/15383/Guildford-Borough-Traveller-Accommodation-Assessment-2012/pdf/Traveller_Accommodation_Assessment_for_Guildford_Borough_2012.pdf)

officers from Rushmoor Council, we visited the site together to undertake interviews with residents.

- 4.61 In terms of providing sites, we consider that every attempt should be made by each respective council to meet the identified local need. Whilst we fully appreciate the difficulty in identifying suitable and deliverable traveller sites, we have not relied solely on the call for sites process to identify possible options for meeting our own need. Instead, we have corporately proactively explored all opportunities for meeting the need identified in our TAA. This includes making permanent some of our temporary permissions (including inseting from the Green Belt where appropriate), extending existing public sites, requiring our larger site allocations to bring forward an element of traveller provision, and considering the use of our own land to provide sites. Development has recently begun on 6 rural exception pitches at Home Farm, Effingham on Council owned land.
- 4.62 Given the high need that exists within the wider area, we would expect that all councils seek to maximise opportunities to meet their own need, and be able to robustly justify any shortfall in provision. This has been our position during any duty to cooperate discussions with neighbouring authorities.
- 4.63 We continue to work closely with adjacent councils and respond to requests for information from neighbouring authorities as they undertake their TAA's.

#### *Meeting needs*

- 4.64 In terms of any potential unmet need arising within our HMA, there is an agreement that each authority will meet the Gypsy, Traveller and Travelling Showpeople needs within their own administrative area. This is set out in the Appendix 6: Areas of Common Ground, which has been agreed with Waverley and Woking borough councils.

### **Employment**

#### *Assessing needs*

- 4.65 The NPPG requires that we work with the other local authorities in the relevant Functional Economic Market Area (FEMA) to assess development needs. Consistent with our HMA, we are part of the West Surrey FEMA along with Woking and Waverley boroughs. During February and March 2016, we consulted all local authorities which border the three boroughs, plus the County Council, and Enterprise M3 LEP on the definition and methodology of the West Surrey FEMA.
- 4.66 The comments received have informed the final document. The most significant responses related to the emerging 2016 update of the Enterprise M3 Commercial Property Market Study by Regeneris suggesting that Guildford/Waverley and Woking now operate as separate commercial property market areas. In the 2013 report, they were in the same market area.
- 4.67 However the final draft makes clear that whilst commercial property market areas are one factor to consider when defining a FEMA, there are others notably HMAs. We consider that it is still appropriate to define the West Surrey FEMA.
- 4.68 Whilst we have agreed the extent of the FEMA with our neighbours, we have continued to assess needs separately through the preparation of our Employment Land Needs Assessment (ELNA). The ELNA (2016) was prepared by consultants

AECOM who prepared a new ELNA (2017) to support the Regulation 19 Local Plan (2017). In addition to assessing the level of employment land we need to provide, it also assesses three sources of data for the likely increase in jobs forecast to occur over the plan period (2015 - 2034). In accordance with the NPPG, we need to align our housing and economic strategies to ensure we plan for sustainable patterns of development. For this reason, the West Surrey SHMA: Guildford Addendum considers whether economic growth could result in a need for additional housing.

#### *Meeting needs*

- 4.69 In terms of any potential unmet need arising within our FEMA, there is an agreement that each authority will meet the employment needs within their own administrative area. This is set out in the Appendix 6: Areas of Common Ground, which has been agreed with Waverley and Woking borough councils.

#### **Retail**

- 4.70 The Retail and Leisure Needs Study Update 2014 assesses retail and leisure spending patterns over Guildford borough's catchment area. This catchment consists of eight zones, which span part or all of the following neighbouring councils: Chichester, East Hampshire, Elmbridge, Hart, Horsham, Mole Valley, Runnymede, Rushmoor, Surrey Heath, Waverley and Woking.
- 4.71 The catchment area forms the basis for the updated household telephone interview survey regarding retail and leisure spending habits and provides an overview of the study area's customer profile characteristics. This identifies that within the catchment area there is some expenditure leakage to centres outside of the borough. The main competing centres outside the borough consist of Woking, Godalming, Horsham, Kingston-upon-Thames and Aldershot.
- 4.72 As we are planning only to meet our objectively assessed retail needs assuming a constant market share (i.e. not attempting to draw proportionally more trade from other centres), there ought to be no significant harmful impact on competing centres. A small amount of convenience need has been identified, and almost all of the comparison need is planned to be located on one town centre brownfield site, North Street, which would be subject to an impact assessment, A retail impact assessment would be needed as part of any planning application, once more certainty of the details of a proposed development scheme for the site are available

#### **Transport**

- 4.73 As the local planning authority, we are required by the NPPF to work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development (paragraph 31). We are also required to set out strategic policies to deliver transport infrastructure in our new Local Plan (paragraph 156). Within our Planning Policy team, we have a Principal Transport Planner who is responsible for coordinating with the relevant authorities and transport providers.
- 4.74 We have regularly met with Surrey County Council, Highways England (formerly the Highways Agency) and Network Rail to discuss these matters with respect to the local plan making. Various meetings have also involved Waverley Borough Council. We have also separately met with Rushmoor Borough Council, Woking Borough Council and Mole Valley District Council to discuss transport matters.

- 4.75 We convened a regular Transport for Guildford Partnership meeting for several years until May 2013, which included representatives of both Surrey County Council and Highways England.
- 4.76 Representatives of both Surrey County Council and the Highways Agency sat on the Steering Group for the Council's Guildford Town and Approaches Movement Study (GTAMS) in 2013/14.
- 4.77 Regular meetings of the Guildford Joint Infrastructure Group were established in November 2014, involving representatives of the Council, Surrey County Council and Highways Agency/Highways England, and have continued to the present.
- 4.78 We were represented on a stakeholder group for Surrey County Council's Surrey Rail Strategy. We have also attended stakeholder events convened by Highways England, Network Rail, South West Trains and Great Western Railway.
- 4.79 Since 2012, we have also represented the seven borough and district councils in the west of Surrey which fall within the Enterprise M3 LEP area on the LEP's Transport Action Group. Surrey County Council, Highways England, Network Rail, South West Trains and Stagecoach are represented on this group.
- 4.80 We have worked with the principal bus operators in Guildford borough – Arriva Southern Counties, Stagecoach South and Safeguard Coaches – on studies regarding Guildford bus station replacement and the preparation of the GTAMS study.
- 4.81 We have met with Network Rail regarding the Wessex Route Study and to discuss plans regarding Guildford (main) railway station which includes their Guildford platform capacity scheme. We have also met with Network Rail to obtain support in principle for the two new railway stations proposed in the Proposed Submission Local Plan known as Guildford East (Merrow) on the Guildford New Line and Guildford West (Park Barn) on the North Downs Line. In agreement with Network Rail, we have made a site allocation policy A8 Land west of Guildford railway station, Guildford Park Road, Guildford, in the Proposed Submission Local Plan, as follows:
- ‘This site is allocated for a ‘Guildford platform capacity’ scheme involving additional platforms and layout changes at Guildford railway station as proposed in the Wessex Route Study.’
- 4.82 We have also met with Network Rail, Surrey County Council and the promoter of the Gosden Hill Farm allocation to discuss the feasibility and timescales for the construction of the Guildford East (Merrow) railway station.
- 4.83 For the Regulation 19 Local Plan (2017), we have proposed the addition of a site allocation for the new rail station at Guildford West (Park Barn). This is Policy A59 ‘New rail station at Guildford West (Park Barn)’, and is located adjacent to the Royal Surrey County Hospital. We have discussed this with Network Rail and the Royal Surrey County Hospital.
- 4.84 We attended Network Rail's inaugural Wessex Stakeholder Conference in March 2017. We discussed proposed schemes including for a new rail station at Guildford West (Park Barn) and for a road bridge and footbridge to enable the closure of the level crossing on the A323 Guildford Road adjacent to Ash railway station.

- 4.85 In its representation of 18 July 2016 on the Regulation 19 Local Plan (2016), Highways England raised concerns, including the Council's advancement of a spatial strategy which is reliant on the delivery of the Department for Transport's three Road Investment Strategy schemes, that the 2016 strategic highways assessment was deficient, and that changes of wording should be made to various strategic and site policies.
- 4.86 Following a meeting in September 2016 to discuss these concerns, including exploring the approach that had been taken in the Regulation 19 Local Plan (2016) and its evidence base, Highways England withdrew its representations and supplanted these with new advice and commentary (see Highways England letter dated 5 October 2016).
- 4.87 We have addressed, or are in the process of addressing, the points in Highways England's 5 October 2016 letter, and have met with Highways England on various occasions during the past year. In the Regulation 19 Local Plan (2017) we have proposed the deletion of two of Highways England's targeted improvement schemes from the Infrastructure Schedule, as these do not benefit from a commitment to funding at this time. Further technical work has been undertaken and is ongoing with respect to the proposed new north-facing junctions to the A3 at the A247 Burnt Common interchange (which we are promoting as schemes SRN9 and SRN10). In this regard, we are encouraged that Highways England's new 'M25 to Solent Route Strategy' (March 2017) recognises these schemes. In terms of the strategic highway assessment, we have prepared an addendum to the 2016 study to support the Regulation 19 Local Plan (2017) consultation. Working with Surrey County Council, we will be undertaking new supplementary technical work prior to the submission of the plan to the Secretary of State. This will respond to the remaining issues raised by Highways England on the strategic highway assessment.
- 4.88 We have attended and made representations with respect to various informal and formal consultations undertaken by Surrey County Council, Highways England and Network Rail. For instance to the Surrey Congestion Programme consultation, the Wessex Route Study consultation and Highways England's consultation on its early proposals for the M25 Junction 10/A3 Wisley interchange scheme.
- 4.89 We have also taken account of the forward plans of these organisations, including the following published reports:
- Surrey Transport Plan strategies and other components (Surrey County Council, various dates from 2011 onwards) including Surrey Rail Strategy (Arup, September 2013)
  - Guildford Borough Draft Local Transport Strategy & Forward Programme – Part A (Surrey County Council, November 2014)
  - Surrey Infrastructure Study (Aecom, January 2016)
  - Road Investment Strategy: for the 2015/16-2019/20 Road Period (Department for Transport, March 2015)
  - Wessex Route Study (Network Rail, August 2015)
  - The Enterprise M3 Strategic Economic Plan – 2014-2020 (Enterprise M3 Local Enterprise Partnership, March 2014)
- 4.90 We have prepared and published a Guildford Borough Transport Strategy 2017 (Guildford Borough Council, June 2017) that sets out a programme of schemes covering all modes of surface transport in the borough and beyond. For the preparation of the first issue of the strategy, a draft was sent to adjoining local authorities, Surrey County Council, Highways England, Network Rail, South West

Trains and Great Western Railways for review and comment. This process of informal consultation with partners has been repeated in the preparation of the June 2017 version of the strategy.

- 4.91 Our meetings, communications, involvement in studies and other cooperation has informed the preparation of the Proposed Submission Local Plan, including:
- Policy ID1: Infrastructure and delivery
  - Policy ID2: Supporting the Department for Transport’s “Road Investment Strategy”
  - Policy ID3: Sustainable transport for new developments
  - Numerous site policies
  - Appendix C: Infrastructure Schedule. The Appendix C Infrastructure Schedule sets out the key infrastructure requirements on which the delivery of the plan depends.

### **Green Belt**

- 4.92 The Green Belt is a strategic issue which we share with all of Surrey. As each local authority considers whether there are exceptional circumstances to justify amending Green Belt boundaries, it is important that there is consistency in approach. The majority of our Green Belt and Countryside Study (GBCS) was undertaken before 2012, when we were still working under regional planning with the South East Plan and before the duty to cooperate was introduced. It was commissioned in response to the selective review of the Green Belt for 2,000 homes identified in the final version of the South East Plan. This was subject to a successful legal challenge on the basis of a lack of assessment of reasonable alternative options. As a result, the housing target for Guildford was struck out of the plan. The GBCS sought to assess potential sites that could be removed from the Green Belt should there be insufficient land within the urban areas to meet identified needs.
- 4.93 As the broad methodology that underpins the study was developed prior to the NPPF and Localism Act, we did not engage with neighbouring authorities at that time. However, we did undertake a review of the evidence base by the Joint scrutiny Committee, which included the GBCS, in early 2014. As part of this process we undertook a forum during which concerns could be raised in relation to methodology or accuracy of data. As part of exploring some of the concerns related with how certain Green Belt purposes were assessed, the consultants considered a number of alternative Green Belt studies that have been undertaken more recently. This process led to two purposes being reinterpreted, in particular the way in which safeguarding the countryside from encroachment is assessed.
- 4.94 This has ensured that our broad methodology is consistent with that used by other local authorities in Surrey in studies that have since been undertaken. We have also provided comments or taken part in all workshops to which we have been invited to do so. We consider our comments have been constructive with particular focus on the extent to which they are consistent with both the approach and findings of our study. We have also advocated an approach that is not overly restrictive in order to identify a range of potential development areas which can be considered alongside other sustainability considerations to maximise opportunities for meeting needs.

### **Surrey Hills Area of Outstanding Natural Beauty**

- 4.95 The Surrey Hills Area of Outstanding Natural Beauty (AONB) extends across Guildford, Mole Valley, Reigate and Banstead, Tandridge and Waverley. The Countryside and Rights of Way Act (2000) places a statutory duty on AONB local

authorities to produce and review Management Plans that will formulate their policy for the management of the area. This Management Plan has been prepared by the Surrey Hills AONB Board and is adopted by all five councils and Surrey County Council. It was adopted by Guildford on 28 October 2014. The AONB Board, which includes a councillor from each local authority and a representative from Natural England, is supported by an officer working group in preparing the current Surrey Hills Management Plan (2014 – 2019). Policy P1 of the Proposed Submission Local Plan requires that development proposals are assessed against the provisions of this plan.

- 4.96 In January 2013, the AONB Partnership commissioned landscape consultants Hankinson Duckett Associates (HDA), through Surrey County Council. They were required to conduct a search for areas that might be considered for re-designation as AONB. This was a two part study<sup>3</sup>. The first stage was to review the Surrey Landscape Character Assessment (LCA). This study was prepared to be compatible with, and incorporated, the Guildford LCA<sup>4</sup>. The second stage was to look for candidate areas that meet the criteria which contribute to natural beauty as set out in the current Natural England Guidance published in March 2011.
- 4.97 In November 2013, the Surrey Hills AONB Board formally submitted a request that Natural England consider a modification to the AONB boundary based on the 38 candidate areas identified by HDA. In February 2014, the Natural England Board agreed to consider the evidence submitted on the candidate areas within their current corporate plan period which extends up to 2019. We expect that Natural England will be able to consider the evidence presented by Surrey Hills AONB at the earliest in 2018. Policy P1 of the Proposed Submission Local Plan retains the Area of Great Landscape Value designation until such time as this boundary review is complete.

### **Green Infrastructure**

- 4.98 As set out above, whilst not subject to the duty, we are required to have regard to the activities of Local Nature Partnerships. For us this constitutes the Surrey Nature Partnership (SyNP), the designated Local Nature Partnership for Surrey. Since the draft Local Plan (2014), SyNP has developed a strategic approach to biodiversity based around Biodiversity Opportunity Areas (BOAs) across Surrey. We agree that their approach is robust and meets the requirements of the NPPF and the Natural Environment and Rural Communities Act (NERC) 2006 so we adopted this approach in the Proposed Submission Local Plan rather than developing an alternative one. Meetings were held with SyNP during policy development, and feedback received from SyNP during the regulation 18 and 19 consultations have helped develop the policy, with the result that the approach to biodiversity within the borough is coordinated with the strategic approach for Surrey. The way in which we will implement this approach is discussed in greater detail in the Green and Blue Infrastructure topic paper.
- 4.99 A number of prescribed bodies were contacted as part of the preparation of the Open Space study in order to understand cross boundary issues. The feedback was incorporated into the final study and included contact with the Guildford Borough Council Public Health Coordinator who coordinates the Guildford Health and Well-being Board (discussed further below under Health). This recognises the important role that access to well managed open spaces provides in relation to reaching health and wellbeing targets for the borough. We also sought views from the Surrey County Council Countryside and Rights of Way Service who referred to the Rights of Way

<sup>3</sup> Available online at: [www.guildford.gov.uk/newlocalplan/protectinganddesign](http://www.guildford.gov.uk/newlocalplan/protectinganddesign) (2013)

<sup>4</sup> Available online at: [www.guildford.gov.uk/landscapecharacterassessment](http://www.guildford.gov.uk/landscapecharacterassessment) (2007)

Improvement Plan for Surrey (Revised 2014) which is the overall policy and strategy guiding the rights of way service with an emphasis on multi-user routes and green transport.

- 4.100 In addition to these, we also contacted our neighbouring authorities to understand the evidence base that has already been prepared in relation to green infrastructure and to identify any cross boundary issues. The information and findings from all stakeholders were taken forward in the main Open Space Study report.
- 4.101 Rushmoor also identified that the delivery of the Blackwater Valley Countryside Strategy required actions from both councils. The Blackwater Valley, which straddles the borough boundary, is identified as a BOA. As a result, our policy will seek measures that lead to improved habitat management and efforts to restore and re-create priority habitats. A number of councils raised the issue of SPA/SANG which is discussed separately below.
- 4.102 We have also responded positively to a number of comments made by the Environment Agency to the draft Local Plan (2014). The Policies Map now includes Special Areas of Conservation (SAC) and they are listed alongside the SPA in terms of status and protection they have in Policy I4. The policy has also been strengthened to include support for the implementation of the Water Framework Directive and the use of guidance from the Environment Agency and Natural England on implementation of the Wey Catchment Plan and flood risk management.

**Thames Basin Heaths Special Protection Area (SPA) / Suitable Alternative Natural Greenspace (SANG)**

- 4.103 The Thames Basin Heaths, which covers parts of Surrey, Hampshire and Berkshire, is a rare example of lowland heathland. It is home to three important bird species, and protected by international law as a 'Special Protection Area' (SPA).
- 4.104 The relevant councils and other partners have established the Thames Basin Heaths Joint Strategic Partnership (JSP) to plan for the long-term protection of the SPA in a consistent and coordinated way. The Board is advised by a number of bodies including Natural England.
- 4.105 The Thames Basin Heaths JSP Board comprises:
- Bracknell Forest Borough Council
  - Elmbridge Borough Council
  - Guildford Borough Council
  - Hart District Council
  - Royal Borough of Windsor and Maidenhead
  - Runnymede Borough Council
  - Rushmoor Borough Council
  - Surrey Heath Borough Council
  - Waverley Borough Council
  - Woking Borough Council
  - Wokingham Borough Council
  - Hampshire County Council
- 4.106 Natural England has agreed a three pronged approach to overcome the adverse effects on the SPA which arise mainly from the recreational use of the SPA by local people and the effects of urbanisation. This approach is set out in Guildford

borough's Thames Basin Heaths SPA Avoidance Strategy 2009-2016<sup>5</sup>, and the draft Thames Basin Heaths SPA Avoidance Strategy SPD 2016 which follows the recommendations in the Thames Basin Heaths Special Protection Area Delivery Framework 2009.

- 4.107 The three prongs are:
- The provision of SANG to attract people away from the SPA
  - Monitoring of the SPA and access management measures to reduce the impact of people who visit the SPA
  - Habitat management of the SPA to improve the habitat for the ground nesting birds.
- 4.108 The third prong is delivered by Natural England. The second prong is delivered by the JSP Board and Natural England, although we collect funding to enable the work. We have responsibility for ensuring that SANG avoidance is provided when new residential developments that would have an impact on the SPA are delivered.
- 4.109 We have worked closely with Natural England to ensure the quantum and distribution of growth identified in the Proposed Submission Local Plan is deliverable by demonstrating there is sufficient SANG available across the borough, as set out in the Infrastructure Delivery Plan. Alongside this work, we have produced a draft Thames Basin Heaths SPA Avoidance Strategy SPD 2016, which provides guidance for existing policy NRM6 of the South East Plan and emerging Local Plan policy P5. This draft strategy has been produced with significant feedback and cooperation with Natural England, and has incorporated feedback from other JSP board members, with the result that the draft strategy was amended to improve the coordination of the approach with other boroughs and districts in the SPA affected area.
- 4.110 Given the catchment areas that surround SANGs, we have cooperated with some of our neighbouring boroughs to explore opportunities for cross boundary SANGs. We have considered proposals for two cross boundary SANGs, one with Waverley Borough Council and one with Rushmoor Borough Council, and have discussed the possibility of sharing SANG capacity with Woking Borough Council. We will continue cooperating on this matter as appropriate.

### **Flooding / Waterways**

- 4.111 The Environment Agency (EA) had raised concerns during the Local Plan (2014) consultation regarding the lack of an up-to-date SFRA. We have worked closely with the EA in preparing the flood risk evidence base that underpins the Proposed Submission Local Plan. The EA attended the inception meeting with consultants, Capita, who were procured to update our Strategic Flood Risk Assessment (SFRA), last prepared in 2009. This enabled us to understand the scope and requirements of the study and agree the key stakeholders who would need to be involved as part of the work. This included officers at Surrey County Council as the Lead Local Flood Authority.
- 4.112 As part of identifying the scope, a study area catchment boundary was agreed that stretched beyond administrative boundaries. This reflects the difference between hydrological catchment boundaries and administrative boundaries and acknowledges that development outside Guildford borough can have an impact on local catchments. The Level 1 SFRA (volume 1, 2, and 3) has now been signed off by the EA.

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<sup>5</sup> Available online at: [www.guildford.gov.uk/tbhspa](http://www.guildford.gov.uk/tbhspa)

- 4.113 Whilst the Level 1 SFRA has been used to guide development towards areas at the lowest risk of flooding and identify areas unsuitable for development, it concludes that there is insufficient land outside of the area of flood risk to meet identified development needs. We have now also prepared a flood risk sequential test and Level 2 SFRA to help us apply the sequential and, where necessary, the exceptions test. Whilst the EA gave us informal assistance throughout this process, we formally consulted with them as part of the Regulation 19 Local Plan (2016) consultation.
- 4.114 Following this consultation, we met with the EA to talk in more detail through their comments. We prepared and agreed a set of actions to address their objections. A number of comments were made in relation to the flood risk sequential and exceptions tests. These have been noted and will be addressed when these documents are updated prior to submission of the plan. The EA also commented that further evidence is required in relation to safe access and egress for three site allocations. This will be done as part of an update to the Level 2 SFRA which will be undertaken prior to submission of the plan.
- 4.115 We have also been working with the EA in relation to site allocation policy A2: Guildford Cinema, Bedford Road, Guildford. This site is within a high flood risk area however we are working with them to explore how the site could be delivered for the leisure uses it is proposed to be allocated for whilst achieving flood risk betterment on site and not increasing flood risk elsewhere.
- 4.116 As part of the 2014 consultation, the EA recommended that the plan include a strategic flood risk and water quality policy. The Regulation 19 Local Plan (2016) responded to this concern with the introduction of Policy P4: Flood risk and water source protection zones. This has been amended in the Regulation 19 Local Plan (2017) to take account of further comments by the EA. This policy is discussed in greater detail in the Flood Risk topic paper.
- 4.117 Guildford Borough Council has worked with its partners, Surrey County Council, the Environment Agency, Thames Water and Network Rail to produce a Surface Water Management Plan for the borough. The Surface Water Management Plan consists of two documents: the 'Guildford Surface Water Management Plan' and 'Ash Surface Water Study'. The documents identify measures that all partners can take to reduce the risk of surface water flooding. These range from better-targeted maintenance to proposals for capital projects for flood protection schemes. The Action Plans also identify costs and responsibilities for each project.
- 4.118 Developers of the strategic sites identified within the Proposed Submission Local Plan and other sites in the borough (as considered necessary) will be required to fund suitable measures to minimise surface water run-off produced from their development proposals.
- 4.119 Projects identified in this study are progressed through the Guildford Flood Risk Management Group which brings together relevant partners. This group sits under the Surrey Flood Risk Partnership Board and is intended to focus on issues specific to Guildford borough. This group consists of both officers and councillors, and there is a draft Memorandum of Understanding being prepared to clarify accountability, structure and the role of the Business Plan.
- 4.120 Whilst not yet at a stage that can inform the Proposed Submission Local Plan, there is also ongoing joint work being undertaken with the EA and our Major Projects team

in relation to the River Wey flood alleviation scheme<sup>6</sup>. This project is being led by the EA and is looking at various options for flood alleviation schemes along the Wey. The first stage will focus on the stretch through Waverley and Guildford. We will continue to cooperate on this matter with the aim of reducing flooding to as many properties as possible. Depending on the outcomes, this project may inform our decision on whether it is appropriate to prepare a Town Centre Area Action Plan in the future.

## Education

- 4.121 As part of preparing our Local Plan, we have worked closely with Surrey County Council to understand the education needs for the borough. We published the Guildford Local Plan Education Review<sup>7</sup> prepared by Surrey County Council which sets out the impact that both demographic changes and planned housing identified in the Regulation 19 Local Plan (2016) will have on the level of education need, the geographic impact of this need and the likely timescales.
- 4.122 This note lists the temporary and permanent expansions in the primary sector which have occurred within the last few years. This bulge in pupil yield is expected to affect the secondary sector from 2017 onwards. There are plans to expand two secondary schools to help cope with expected demand from demographic growth. In addition to the existing population need, there will also be need arising through planned growth in our Proposed Submission Local Plan. Surrey County Council identified a need for up to eight forms of entry in both the east and the west to meet natural population growth and needs arising from the planned new housing.
- 4.123 We considered 20 potential secondary schools sites, which are listed in an Appendix to the Land Availability Assessment (2016). Through discussions with Surrey County Council's school commissioning and strategic planning teams, we are proposing to allocate land for four new primary schools (Blackwell Farm, Gosden Hill, Slyfield, and former Wisley airfield). We have had further discussions with Surrey County Council in relation to secondary school provision. The changes in housing numbers and site allocations in the Regulation 19 Local Plan (2017) have been reflected in changes to the proposed secondary school allocations. We are continuing to allocate two schools to meet needs arising in the east with a minimum of a four form of entry school at Gosden Hill and a four form entry at the former Wisley airfield. Secondary school provision in the west has however changed – it is now principally being met through a six form entry secondary school on Blackwell Farm with a further one form entry expansion at Ash Manor to meet the needs arising around Ash and Tongham. Surrey County Council always preferred a potential new school on Blackwell Farm over the previously identified school site at Normandy and Flexford however this site was not available for this use at the time we were preparing the Regulation 19 Local Plan (2016).
- 4.124 As part of our cooperation with Surrey County Council on education matters, we have involved neighbouring boroughs, where there are cross boundary catchment areas in order to understand the cumulative impact of development. This includes cooperation with Hampshire County Council, given the number of secondary age Hampshire children that currently attend secondary school in Ash and Tongham, and are likely to continue to do so. Surrey County Council and Hampshire County Council will continue to monitor this in light of growth that is already occurring in Ash and Tongham, the current development progressing at Aldershot Urban Extension and the army re-basing programme.

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<sup>6</sup> Available online at: [www.gov.uk/government/publications/river-wey-flood-risk-management-strategy/river-wey-flood-risk-management-strategy](http://www.gov.uk/government/publications/river-wey-flood-risk-management-strategy/river-wey-flood-risk-management-strategy)

<sup>7</sup> Available online at: [www.guildford.gov.uk/infrastructureevidence](http://www.guildford.gov.uk/infrastructureevidence) (May 2016)

## Health

- 4.125 Clinical Commissioning Groups (CCGs) replaced Primary Care Trusts in April 2013. There are three CCGs covering the borough:
- Guildford and Waverley CCG
  - North West Surrey CCG
  - Surrey Heath CCG
- 4.126 The vast majority of the borough falls within Guildford and Waverley CCG, with the far west of the borough being within Surrey Heath CCG, and the Pirbright area (which will not see much development due to proximity to the SPA) being within the North West Surrey CCG. For this reason most of our work has therefore been with Guildford and Waverley CCG.
- 4.127 We have met with representatives of the CCGs operating in Guildford borough, and with NHS England numerous times since their inception to be able to understand the likely estate-related health needs arising from the planned growth. We have included an allocation for health facilities on the following strategic sites: Blackwell Farm, Gosden Hill and former Wisley airfield. Furthermore we have now identified within Appendix C: infrastructure schedule of the Regulation 19 Local Plan (2017) further GP provision to meet the needs arising within the Ash and Tongham area.
- 4.128 We have also provided input into the Guildford Health and Wellbeing Board. This partnership includes Guildford and Waverley councils, and Surrey Health Clinical Commissioning Groups and Surrey County Council. As part of this partnership, we have finalised and published the Guildford Health and Wellbeing Strategy 2015 – 2017. This strategy sets local priorities and identifies how partners will work together to co-ordinate to deliver a work plan for 2015-2017 through joint action plans.
- 4.129 We are working with Surrey County Council, Guildford and Waverley CCG, the local GPs Practice, NHS England and the local community. The aim is to establish a new community hub building, providing primary health care facilities, youth facilities and community meeting rooms. This vacant former special school is proposed for allocation in the Proposed Submission Local Plan for a medical, and youth and community centre, with approximately 10 homes (which are needed to help fund the facility). The will help to improve the health and social inclusion outcomes within the area.

## Services and utilities (including minerals and waste)

- 4.130 Many of our services and utilities are provided by private companies and organisations that are not listed as prescribed bodies however with whom we must cooperate to ensure that the necessary infrastructure is in place to support planned growth. Our Infrastructure Delivery Plan (IDP) details the relevant lead agencies, the existing provision and the planned provision required to support the growth identified in the Proposed Submission Local Plan. Alongside other boroughs and districts, we have also worked with Surrey County Council, whose consultant AECOM, produced the Surrey Infrastructure Study<sup>8</sup>. Surrey County and AECOM engaged a wide range of stakeholders to inform the study including county and district council service providers, transport operators, utility companies, higher education providers, Clinical Commissioning Groups, the Environment Agency, Surrey Nature Partnership and the

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<sup>8</sup> Available online at: [www.surreycc.gov.uk/environment-housing-and-planning/development-in-surrey/surrey-future/surrey-infrastructure-study](http://www.surreycc.gov.uk/environment-housing-and-planning/development-in-surrey/surrey-future/surrey-infrastructure-study) (January 2016)

Coast to Capital and Enterprise M3 Local Economic Partnerships. This study is currently being updated and will include the information underpinning the Regulation 19 Local Plan (2017).

- 4.131 As part of progressing site allocation policy A24 (Slyfield Area Regeneration Project), we are working closely with Surrey County Council and Thames Water, our partners in this project. This proposed allocation contains provision for a new (replacement) waste management facility on site. The development will involve the replacement of the existing Community Recycling Centre (CRC) with a larger, more modern facility incorporating additional recycling tanks and parking. The relocation of the CRC will also free up space on the current site to enable improvements to be made to the Guildford Waste Transfer Site; a move which will allow more materials to be collected from the kerbside.
- 4.132 In relation to the site at the former Wisley airfield, this site includes land which is allocated in the Surrey Waste Plan 2008 for waste development and safeguarded in the Aggregates Recycling Joint Development Plan Document 2013 as having potential for production of recycled and secondary aggregates, and for an aggregate recycling depot. Surrey County Council submitted comments to the recent planning application for this site (Ref: 15/P/00012) that the proposal would have an unacceptable impact on the provision of such facilities and is therefore contrary to these development plans. We have discussed this with Surrey County Council's Waste Planning Team, and the current landowner, who has advised that they will not make the land available for a waste use. Although Surrey County considers the site to still be important to delivery of its waste strategy, the Council has confirmed that it would not compulsorily acquire the site for this purpose.
- 4.133 Surrey County Council is currently undertaking a Waste Plan review. They have been advised that this site is no longer available either for waste uses or for an aggregate recycling facility.
- 4.134 The promoter of Wisley former airfield has indicated that they intend to reuse the aggregates that exist on part of site in the form of the former runway as part of their development. This will help minimise the level of construction related vehicle movements that are required to and from the site. We continue to work with Surrey County Council in relation to its Minerals and Waste planning function.

## 5 Local Plan Policy Approach

- 5.1 As a result of the constructive, active and ongoing cooperation as demonstrated above, we consider that the Local Plan approach is effective in the context of strategic cross boundary matters.

## 6 Next steps

- 6.1 The Proposed Submission Local Plan: strategy and sites (June 2017) – referred to as the Regulation 19 Local Plan (2017) for shorthand in this topic paper – will be subject to public consultation for 6 weeks from 9 June to 24 July 2017. This public consultation will be focused solely on the proposed changes made to the Draft Local

Plan 2016; these changes are identified as such in the Draft Local Plan 2017. This is described as a targeted consultation.

- 6.2 Following this, all comments and representations relating to changes made to the 2016 Draft Local Plan during the consultation period will be considered. Consideration will then be given to any amendments deemed to be necessary to the plan and a decision taken on whether to consult further or to formally submit the plan to the Secretary of State.
- 6.3 For more information please visit: [www.guildford.gov.uk/newlocalplan](http://www.guildford.gov.uk/newlocalplan).

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## Appendix 1: Matrix of prescribed bodies and strategic issues

	Housing	Gypsies and Travellers	Employment and retail	Transport	SPA / SANG	Green Belt	AONB	Infrastructure (including health and schools)	Flooding and waterways	Waste	Natural environment and open space
Surrey County Council	/	/	/	/	/	/	/	/	/	/	/
Elmbridge Borough Council	/	/		/	/	/		/	/		/
Epsom and Ewell Borough Council		/									
Mole Valley District Council		/				/	/	/	/		/
Reigate and Banstead Borough Council		/					/				
Runnymede Borough Council	/	/			/						
Spelthorne Borough Council		/									
Surrey Heath Borough Council		/			/	/		/			/
Tandridge District Council		/					/				
Waverley Borough Council	/	/	/		/	/	/	/	/		/
Woking Borough Council	/	/	/		/	/		/	/		/
Hampshire County Council				/	/			/	/	/	
Hart District Council					/						
Rushmoor Borough Council	/	/	/	/	/			/	/		/
Prescribed Bodies											
Civil Aviation Authority				/							
Clinical Commissioning Groups (CCG) <ul style="list-style-type: none"> <li>Guildford and Waverley CCG</li> <li>North West Surrey CCG</li> <li>Surrey Health CCG</li> </ul>								/			
Environment Agency									/	/	/
Enterprise M3 LEP	/		/	/				/			
Highways England				/							
Historic England	/		/								
Homes and Communities Agency (HCA)	/	/									
Mayor of London	/	/	/			/					
National Health Service Commissioning Board								/			
Natural England					/		/				/
Office of Rail and Road				/							
Surrey Nature Partnership											/
Transport for London				/							

# **Appendix 2: Surrey Strategic Planning and Infrastructure Partnership – Memorandum of Understanding**

## **Memorandum of Understanding ('the Memorandum')**

### **1. Introduction**

Surrey Leaders have agreed to meet for the purposes set out in the Terms of Reference for the Surrey Strategic Planning and Infrastructure Partnership dated [ ].

This Memorandum sets out the basis on which Surrey Leaders have agreed to work together for those purposes, and in particular to help meet the requirements of the Duty to Cooperate through a programme of work undertaken irrespective of plan making timetables at individual authorities.

Under section 33A of the Act (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage, and is an additional requirement to the test of soundness.. The Duty to Cooperate applies to strategic planning issues of cross boundary significance. The Districts and Boroughs within Surrey are currently all at various stages of Local Plan preparation. However, they all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG) '*local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.*' The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

### **2. Working in partnership**

The Memorandum sets out a framework for joint working between the local authorities which are represented by the Leaders of each authority who have each signed it ('the Signatories'). It sets out where cooperation will take place and identifies key outcomes. The Memorandum will be reviewed regularly to ensure it is compliant with the statutory duty and the NPPF, and is otherwise fit for purpose and up to date

It is essential that in producing evidence and seeking to deliver outcomes Districts and Boroughs work together in an effective way. It is particularly essential that when evidence on a cross boundary basis is required by an individual District/Borough (or grouping) other Districts and Boroughs will respond positively and in a timely manner. Periodically the Signatories may agree to action to be taken to a common timeframe.

The Signatories will cooperate on the basis that amended evidence bases do not invalidate existing tested plans (see NPPG paragraph 30 ref ID 3-030-20140306). Whilst this applies to housing need assessments and 5-year housing supplies it is considered that this is the main area where there is a real potential for shifts in the evidence base.

### **3. Evidence Base**

The local authorities in Surrey have identified key strategic areas of evidence gathering and technical work that require joint working and could be subject to separate arrangements for combined working/commission. This evidence base will be set on an agreed common methodology. This includes:

- Identification of all housing need<sup>9</sup>, including agreement on Housing Market Areas and agreement to prepare an up to date Strategic Housing Market Assessment.
- Economy and employment needs and opportunities
- Strategic infrastructure with strong links to work with Enterprise M3 LEP and Coast to Capital LEP on their strategic economic plans and funding bids/programmes
- Development of strategic growth options across the County (principally housing integrated with jobs and required infrastructure/services)
- Constraints such as, AONB, Special Protection Areas and Special Areas of Conservation and flooding.
- Green Belt designation

As a matter of principle before undertaking any technical studies the Districts and Boroughs will explore with other authorities where there is scope for joint studies using a common methodology.

### **4. Housing Market Areas**

Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. Consequently, it is critical at Local Plan Examinations to ensure that local authorities are exploring all possible means to meet the objectively assessed housing need in their housing market area. Paragraph 47 of NPPF is very clear that 'local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this framework...'. District and Boroughs are already co-operating on work in this regard and will continue to make that commitment.

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<sup>9</sup> Housing need includes Gypsy, Traveller and Travelling Showpeople accommodation

There are already several Strategic Housing Market area Assessments (SHMAs) underway or completed. These would form a good basis to understand the degree of consensus from a technical point of view of Housing Market Areas (HMAs) in the County and adjoining authorities. This exercise should be completed in late 2014 once all districts and boroughs have an up to date SHMA.

## **5. Infrastructure**

It is considered that this should be split between strategic infrastructure identified at a LEP level and local infrastructure that each authority will continue to pursue working in partnership as appropriate. The sound work done to date by Surrey Future is key and it is valuable that work has been done to map infrastructure in Surrey and collaborate with the LEPs on bidding for funding. For credibility and collaboration this will need to connect closely with existing local plans and infrastructure delivery plans. The local authorities will continue to co-operate and work in partnership on infrastructure primarily through Surrey Future.

## **6. Other strategic issues**

The local authorities and other partners have acknowledged that there are other strategic matters that they could work in partnership to address. Paragraph 178 of the NPPF stresses that public bodies have a duty to cooperate on planning issues that cross administrative boundaries such as

- provision of retail, leisure and other commercial uses;
- the provision of health, security, community, water supply, waste management and cultural infrastructure;
- the provision of minerals and energy
- climate change mitigation and adaptation; and
- green infrastructure

Where relevant, the local authorities will work together to address these matters if it is considered beneficial to do so.

## **7. Working arrangements**

The work set out in this Memorandum will be led on a day to day basis by the lead planning officer for each of the local authorities in Surrey through the Surrey Planning Officers Association (SPOA). SPOA will meet monthly and will liaise with the Surrey economic development officers and Planning Working Group as necessary. Work will be commissioned, where appropriate, singly, jointly or severally by the local authorities which are represented by the signatories to this Memorandum though the appropriate procurement processes of the lead authority and arrangements to finance any work commissioned will be made through a separate agreement.

SPOA will report, through the Chair, to the Surrey Chief Executives and thereafter to the Joint Leaders Board. This governance structure will be formalised and protocols put in place for reporting and for administration.

## **8. Limitations**

The purpose of the Memorandum is to facilitate joint working of the local authorities which are represented by the Signatories as set out in the Terms of Reference.. The Memorandum does not seek to restrict or fetter the discretion of any of the authorities in the exercise of its statutory functions and powers, or in its response to consultation or determining planning applications.

### **Signatories**

Leaders  
Elmbridge  
Epsom and Ewell  
Guildford  
Mole Valley  
Reigate and Banstead  
Runnymede  
Spelthorne  
Surrey County Council  
Surrey Heath  
Tandridge  
Waverley  
Woking

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## Appendix 3: Surrey Strategic Planning and Infrastructure Partnership – Terms of Reference

### SURREY STRATEGIC PLANNING AND INFRASTRUCTURE PARTNERSHIP

#### Terms of Reference

##### 1. Objectives

- 1.1 The Signatories to a Memorandum of Understanding dated [ ] have agreed to meet for the purposes set out in these terms of reference to provide a vehicle for cooperation and joint working between local authorities within Surrey.
- 1.2 The Signatories will address matters relating to: (i) the Duty to Cooperate to comply with section 33A of the Planning and Compulsory Purchase Act 2004; (ii) infrastructure investment and funding streams; (iii) strategic planning interaction with Greater London and other adjoining and relevant authorities and (iv) associated planning issues that are of joint interest to the member organisations. In summary:
  - To identify and co-operate on spatial planning issues that impact on more than one local planning area across Surrey; and
  - To support better integration and alignment of strategic spatial, infrastructure and investment priorities across Surrey.
- 1.3 The Signatories are acting together in accordance with their powers under sections 13, 14 and 33A of the Planning and Compulsory Purchase Act and section 1 of the Localism Act 2011 for the purposes set out above by:
  - Providing a framework to evidence that the Local Authorities are working ‘constructively, actively and on an ongoing basis’ on strategic planning matters to support delivery of Local Plans which will be able to be assessed as ‘sound’.
  - Being ‘spatially specific’ where there is a strategic focus on particular areas within Surrey or overlaps with adjoining areas.
  - Providing a basis for working collaboratively with the GLA/Mayor and other authorities on the long term growth of London, particularly in relation to the next full review of the London Plan and the Mayor’s Long Term Infrastructure Plan.
  - Integrating strategic spatial, economic and infrastructure priorities for Surrey with a clear set of (agreed) objectives for delivering ‘sustainable’ prosperity in Surrey. This should build on the priorities in

Surrey Future, the Strategic Economic Plans and local plans and collaboration with the LEPs and Surrey Local Nature Partnership.

- Providing a positive voice for Surrey, setting out its case for investment and why it is important to the national economy.
  - Helping to align business/investment priorities of other key bodies, e.g. Environment Agency, transport operators and utility companies.
- 1.4 The Signatories will act to deliver cooperation across the Surrey area to maximise the effectiveness of plan making, infrastructure delivery, growth and a single strategic voice in respect of Greater London planning issues.
- 1.5 The Signatories will put in place a single agreed framework, in the form of a Memorandum of Understanding, within which the Duty to Cooperate can be undertaken on an ongoing and rolling programme irrespective of individual plan making timetables of individual authorities.
- 1.6 For the avoidance of doubt, the Signatories cannot exercise any of the functions of a planning authority or competent authorities, including setting formal planning policy or exerting control over planning decisions, nor can they fetter any decisions made by other bodies such as the LEPs.

## 2. Functions

### 2.1 The Signatories will :

- agree frameworks for working effectively at a strategic planning and infrastructure level to ensure the best and most appropriate outcomes for Surrey through the Duty to Cooperate
- act together as a vehicle for joint working, liaison and exchange of information related to the Duty to Cooperate
- agree a spatially specific strategic vision for Plan and infrastructure delivery
- retain an overview of, and monitor, the implementation of projects and plan making across Surrey and the wider area of influence.
- identify the sustainable development issues that impact on more than one local planning area and agreeing how these should be prioritised and managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring)
- support better integration and alignment of strategic spatial and investment priorities in the Surrey area, ensuring that there is a clear and defined route through the statutory local planning process, where necessary

- 2.2 In carrying out these functions, the Signatories may, subject to the necessary procurement arrangements and authorities being put in place by the local authorities represented by them:

- act on behalf of member organisations to commission studies, surveys and reports
  - provide advice to member and stakeholder organisations, including making non-binding recommendations for a course of action
- 2.3 Surrey Leaders may review these terms of reference at any point.
3. Meetings of the Signatories
- 3.1 The Signatories may invite key stakeholders to attend their meetings as may be agreed. Minutes of the outcomes of meetings will be made available to the local authorities represented by the Signatories.
- 3.2 Other communication regarding their activities will be agreed by the Signatories.
4. Statutory/Non-statutory Duty to Cooperate Bodies
- 4.1 There are a number of public bodies that are subject to the Duty to Cooperate. These are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. These bodies are currently:
- the Environment Agency
  - the Historic Buildings and Monuments Commission for England (known as English Heritage)
  - Natural England
  - the Mayor of London
  - the Civil Aviation Authority
  - the Homes and Communities Agency
  - each clinical commissioning group established under section 14D of the National Health Service Act 2006
  - the National Health Service Commissioning Board
  - the Office of Rail Regulation
  - Transport for London
  - each Integrated Transport Authority
  - each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
  - the Marine Management Organisation.
- 4.2 The National Planning Practice Guidance suggests that these bodies play a key role in ensuring Local Plans are as effective as possible on strategic cross boundary matters. The Signatories will ensure, through provisions to invite stakeholders when required or through the work undertaken by the Surrey Chief Executives and SPOA, that preparation of a Local Strategic Statement has involved these statutory

bodies as far as is proportionate given the policy context under consideration.

- 4.3 Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty. But local planning authorities and the public bodies that are subject to the duty must cooperate with Local Enterprise Partnerships and Local Nature Partnerships and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making. Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs) are prescribed for this purpose in Town and Country Planning (Local Planning (England) Regulations as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 to include Local Nature Partnerships.
- 4.4 There is existing effective working between Councils, LEPs and LNPs. In this context, the Signatories will ensure that they are aware of Strategic Economic Plans and the delivery of a strategic approach to encouraging biodiversity. The Signatories will ensure, through provisions to invite stakeholders when required or through the work undertaken by the Surrey Chief Executives and SPOA, that preparation of a Local Strategic Statement has involved these bodies as far as is proportionate given the policy context under consideration.
- 4.5 The Signatories will be advised by SPOA via the Surrey Chief Executives.

## **Appendix 4: West Surrey Memorandum of Understanding**

### **Introduction and basis for the Memorandum of Understanding**

The Localism Act 2011 and the National Planning Policy Framework (NPPF) make it a requirement under the Duty to Cooperate for local authorities to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at an Examination to get a sound development plan document. The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Woking Borough Council, Waverley Borough Council and Guildford Borough Council are all at various stages of preparing their Local Development Documents. However, they all have common strategic housing issues that they should work together to address.

The Government places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. Consequently, the Planning Inspectorate is critical at Local Plan Examinations to ensure that local authorities are exploring all possible means to meet the objectively assessed housing need in their housing market area. Paragraph 47 of NPPF is very clear to emphasise that 'local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...'.

Where strategic planning matters are concerned, the requirements of the Duty to Cooperate are not a choice but a legal obligation.

### **Memorandum of Understanding**

The memorandum of understanding sets out a framework for partnership working between Woking Borough Council, Waverley Borough Council and Guildford Borough Council to carry out a Strategic Housing Market Assessment for the West Surrey Housing Market Area. The three authorities have agreed that their combined geographical area should form the West Surrey Housing Market Area for the purposes of identifying and meeting objectively assessed housing need for the area in accordance with the requirements of the National Planning Policy Framework.

The three authorities will jointly work together to commission consultants to carry out the Strategic Housing Market Assessment (SHMA) to determine the objectively assessed housing need for the West Surrey Housing Market Area. The cost for carrying out the SHMA will be shared equally between the three authorities. It is expected that this particular study will be carried out by June 2014 to provide the baseline data for quantifying housing need in the Housing Market Area. The three authorities have agreed to subsequently review the SHMA every three years to bring it up to date. The cost of reviewing the SHMA will also be shared equally between the three authorities. All relevant information pertinent to the successful completion and subsequent reviews of the study will be shared amongst the three authorities.

A brief setting out the requirements, terms and conditions of the study will be agreed by the three authorities before the study is commissioned. The three authorities will work jointly and mutually to monitor and manage the preparation of the study to its completion and sign off. The three authorities will continue to work together to seek to rationalise the timing for the review of their local plans. When this is achieved, the timing for the review of the SHMA will be re-aligned with the review of the local plans.

### **Other strategic planning issues**

The three authorities have acknowledged that there are other strategic planning matters that they could work in partnership to address. Paragraph 178 of the NPPF stresses that public bodies have a duty to cooperate on planning issues that cross administrative boundaries such as

- jobs;
- provision of retail, leisure and other commercial uses;
- provision of infrastructure for transport, telecommunication, waste management;
- water supply, flood risk and green infrastructure etc;
- employment;
- the provision of health, security, community and cultural infrastructure; and
- climate change mitigation and adaptation.

Where relevant and on a case by case basis, the three authorities will work together to address these matters if it is considered beneficial to do so.

### **Working arrangements**

For the duration of the preparation of the SHMA, the three authorities will endeavour to meet once a month to review progress of the study and the use of its recommendations. Thereafter, they will meet quarterly to review progress on the preparation of their local development documents and identify any strategic matters that they can jointly work to address.

### **Limitations**

The three local authorities are fully aware that the Duty to Cooperate does not always result in agreement. In this regard, the Memorandum of Understanding will not restrict the discretion of any of the authorities in the exercise of its statutory functions and powers, or in its response to consultation or determining planning applications. In this regard, it is not intended that this document is legally binding.

## **Signatories**

Head of Planning Services (Jeni Jackson) – Woking Borough Council - Date

Head of Planning Services (Carol Humphrey) – Guildford Borough Council – Date

Head of Planning Services (Matthew Evans) – Waverley Borough Council - Date

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# Appendix 5: West Surrey Statement of Common Ground

## STATEMENT OF COMMON GROUND HOUSING DELIVERY WITHIN THE WEST SURREY HOUSING MARKET AREA

### Purpose

To demonstrate the commitment by Guildford, Waverley and Woking Borough Councils to work together on an ongoing basis to identify and address strategic cross boundary issues with implications for plan making. In particular, to strive to meet the objectively assessed housing need within the West Surrey Housing Market Area (HMA).

### Context

The Localism Act 2011 and the National Planning Policy Framework (NPPF) make it a requirement under the Duty to Cooperate for local authorities to engage constructively, actively and on an ongoing basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at an Examination in order to achieve a sound development plan document. The Duty to Cooperate applies to strategic planning issues of cross boundary significance.

The National Planning Policy Framework (NPPF) requires that local planning authorities use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with policies in the NPPF.

Woking, Waverley and Guildford Borough Councils have signed a Memorandum of Understanding (MoU) to work together to address strategic planning issues in the West Surrey area. The West Surrey Housing Market Area (HMA) comprises the districts of Guildford, Waverley and Woking. In the context of the above MoU, the local authorities jointly commissioned GL Hearn to prepare a Strategic Housing Market Assessment (SHMA) for the HMA. The latest and final version of the West Surrey SHMA was published in September 2015. This identifies the full objectively assessed need for the period 2013 to 2033 as follows:

- Guildford: 693 homes per annum
- Waverley: 519 homes per annum
- Woking: 517 homes per annum
- **Total for the HMA: 1,729 homes per annum**

### Statement of Common Ground

Guildford, Waverley and Woking Borough Councils acknowledge the shared responsibility to meet the full objectively assessed need for housing within the West Surrey HMA, as far as is consistent with the NPPF.

Of the three authorities, Woking Borough Council is the only one with an adopted Core Strategy that post dates the publication of the NPPF. It has an adopted housing requirement of an annual average of 292 dwellings against its objectively assessed housing need of 517. The Core Strategy was adopted on October 2012 and has a plan period up to 2027.

Currently local plan preparation within the three districts is at different stages, as set out below:

	Guildford BC*	Waverley BC
Local Plan time period	2013 to 2033	2013 to 2032
Publication date (Regulation 19)	LP Strategy and Sites: June/July 2016 LP Development Management Policies: Jan/Feb 2019	LP Part 1: Strategic policies and Sites: July/Aug 2016 LP Part 2: Non-strategic Policies and Sites: April 2018
Submission for Examination	LP Strategy and Sites: December 2016 LP Development Management Policies: April 2019	LP Part 1: Strategic policies and Sites: Nov/Dec 2016 LP Part 2: Non-strategic Policies and Sites: July 2018
Adoption	LP Strategy and Sites: December 2017 LP Development Management Policies: December 2019	LP Part 1: Strategic policies and Sites: Sept 2017 LP Part 2: Non-strategic Policies and Sites: March 2019

\*This timetable is as currently set out in the adopted Local Development Scheme (LDS) however it is no longer considered achievable. A new LDS is expected to be adopted in early 2017. This is likely to include a further targeted Regulation 19 consultation on the Local Plan Strategy and Sites document.

Woking Borough Council is presently also preparing two separate Development Plan Documents to enable the delivery of its adopted Core Strategy.

- The Development Management Policies DPD comprises detailed policies to help determine day to day planning applications. The DPD was adopted on 20 October 2016, and it is not expected that it will have any cross boundary implications;
- The Site Allocations DPD allocates specific sites to enable the delivery of the development requirements of the Core Strategy, including sites for housing. It is intended to publish it for Regulation 19 consultation in late 2017.

The emerging Local Plans for Guildford and Waverley Borough Councils are both expecting to identify sufficient deliverable sites to meet the respective objectively assessed needs of 693 and 519 homes pa over the respective plan periods.

Each authority has undertaken a Green Belt review to assess whether the potential release of Green Belt land would be appropriate to meet OAN. All three authorities are seeking to amend Green Belt boundaries through their respective local plans. The current evidence base that supports each council's emerging plan demonstrates that neither Guildford nor Waverley Borough Councils will be in a position to accommodate the unmet need arising from Woking.

All three local planning authorities acknowledge the need to work together to ensure that as far as possible, and subject to policies in the NPPF, housing needs across the HMA as a whole are met. To this end, each authority is committed to working together in future, to address unmet housing needs arising within the HMA. However, in the interim it is considered imperative that both Guildford and Waverley are able to put in place up to date local plans that each seeks to meet their respective housing

needs. Within each authority this is a level of growth which is considerably higher than has historically been planned for and the delivery of these homes in the short term would go some way in helping to alleviate the pressures currently being felt due to a lack of supply. This will introduce some certainty and enable the delivery of sustainable development that is accompanied by supporting infrastructure through the implementation of the Community Infrastructure Levy.

Subject to the housing requirements for Guildford and Waverley being supported by the Secretary of State at Examination and adopted, the three authorities will monitor closely the delivery of housing against the requirements and focus future ongoing discussion on:

- How to align respective evidence base studies with common methodologies and assumptions to ensure consistency;
- When it would be appropriate to review relevant development plans, either in part or in full, in order to address issues of unmet need;
- What measures might be necessary to facilitate the delivery of housing;
- Exploring the merits of and putting in place a mechanism to align the plan periods of the three authorities to facilitate effective cross boundary cooperation and outcomes.

### **Conclusion**

Significant cooperation has already taken place in order to identify and address many common strategic issues in the HMA. This includes the agreement that we collectively form a Functional Economic Market Area. The Duty to Cooperate is an ongoing process that will need to continue after the emerging Development Plans have been adopted. More importantly, there is a strong commitment to continue to explore how unmet needs within the HMA may be accommodated, once the housing requirements for Guildford and Waverley have been confirmed.

## Appendix 6: West Surrey areas of common ground

### Duty to Co-operate - Areas of Common Ground

This statement sets out areas of agreement on cross boundary issues identified between Waverley, Guildford and Woking councils.

#### Defining the cross boundary issues

##### Housing (Waverley, Guildford and Woking councils)

Level of housing need  
Approach to meeting unmet housing needs  
Strategic sites close to administrative boundaries and impacts on infrastructure

##### SANGs (Waverley and Guildford councils)

Shared SANG sites

##### Gypsy, travellers and travelling showpeople (Waverley, Guildford and Woking councils)

Methodology to assess needs

##### Employment (Waverley, Guildford and Woking borough councils)

Defining a functional employment market area

##### Transport (Waverley and Guildford councils)

Implications of development strategies on the strategic road network (A3, A281, A31)

##### Green Belt (Guildford and Waverley councils)

Adjustment to Green Belt boundaries close to administrative boundaries

##### Infrastructure

Implications of development strategies on infrastructure capacity and provision

#### On-going informal discussion and liaison

Informal discussion between authorities on the cross boundary issues should take the form of:

- Officer level meeting between the three authorities on a 6 weekly basis

- Members should be kept informed of outcomes of discussions
- Informal discussion on Local Plans before they reach Publication

#### Agreed actions

- Prepare a trajectory across the whole housing market area
- Agree a statement of common ground on unmet housing need
- To publish, consult and agree a functional employment market area (FEMA)
- Each local authority to meet the employment need arising in their administrative area
- Each local authority to meet gypsy, traveller and travelling showpeople needs arising in their administrative area

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