

TLAG – response to MIQs (6 September 2019)

Matter 2 – The provision of housing

MIQ number	Question	Cross reference to TLAG representations	TLAG response
Q2.11	<i>Does the housing trajectory set out in the Housing Topic Paper (HNS2) provide a sound basis for meeting the identified housing need?</i>	Paras 4.7 – 4.36	<p>The Housing Topic Paper (HNS2) indicates that the Garden Community will deliver 200 dwellings per annum from 2026/2027 to the end of the plan period (providing a total of 1,400 dwellings).</p> <p>After taking into account completions and existing permissions this represents almost 40% of the remaining proposed housing supply over the plan period - which is more than the combined total yielded by the proposed site allocations in the most sustainable locations in the district (i.e. the Tier 1 and 2 settlements). Indeed sites in the Tier 1 and Tier 2 settlements would contribute only 282 dwellings in the period from 2026/2027 to the end of the plan period – placing significant reliance on a Garden Community¹ which would, in TLAG’s view, not be deliverable (which we address further in response to Question 2.12).</p> <p>Our regulation 19 representations (at paragraphs 4.7-4.36) set out TLAG’s grave concerns with the spatial strategy for meeting housing needs – and that the strategy should be focused on the most sustainable locations in and around the Tier 1 and Tier 2 settlements. We consider this further in response to the questions relating to Matter 3 (Spatial Strategy).</p> <p>In specific response to Question 2.11, the inclusion of the dwellings at South Godstone in the trajectory is simply a consequence of the spatial strategy. Therefore if the matters in relation to the spatial strategy are resolved (to remove the proposed garden community at South Godstone) the trajectory would have to be amended accordingly. As such, the housing trajectory set out in HNS2 is considered to be currently fundamentally unsound.</p>
Q2.12	<i>Is the housing trajectory realistic and deliverable in terms of its components and are there any threats to delivery?</i>	Paras	<p>The same point applies here, that if the spatial strategy is amended, then modifications to the trajectory will automatically follow.</p>

¹ Appendix 4 of the Housing Topic Paper (HNS2) provides an alternative trajectory which places an even greater emphasis on the delivery of a Garden Community.

		<p>It is, however, appropriate to address the proposed timing of the delivery of housing at South Godstone as set out in the trajectory, and why this is flawed, having specific regard to the reasons that the proposed garden community is not deliverable.</p> <p>TLAG's regulation 19 representations explain, at paragraphs 4.75 – 4.90, why a spatial strategy which relies on a Garden Community at South Godstone is neither realistic nor deliverable, having regard to: the proposed mix of uses; the reliance on Godstone Station to make it a supposedly 'sustainable location'; the necessary infrastructure; and issues around land assembly.</p> <p>We do not intend to repeat the matters set out previously on these issues, but we will add to our representations below in response to this question and, in particular, threats to delivery,, where matters have progressed since September 2018.</p> <p><i>Sustainable mix of uses (Employment land)</i></p> <p>One of the objectives for the South Godstone Community, as set out in the Local Plan (SGC Objective 2) is to provide and facilitate local employment opportunities. Draft Policy SGC01 states that the Garden Community will be planned to make the settlement 'more self-sufficient' and would provide a mix of employment space "<i>including offices, start up space and 'hot-desking' facilities will be provided to ensure that local employment opportunities are woven across the community</i>". The evidence presented in our regulation 19 representations (see paragraph 4.76) clearly demonstrates that it is simply not credible that any developer would build offices speculatively in this location</p> <p>The Tandridge Strategic Economic Assessment (TSEA) (Nov 2018) provides further analysis to "<i>identify the quantum of employment land which may be reasonably planned for at the new Garden Community...</i>". This analysis serves to corroborate our case that the Garden Community would simply act as a commuter settlement (and for the reasons covered below would perpetuate the use of the private car).</p> <p>The TSEA finds that the number of full time jobs worked by residents at the Garden Community would be up to 1,340 assuming the delivery of 1,400 units by the end of the plan period (and up to 3,840 based on the future assumption that the community would increase to 4,000 homes). The analysis concludes that based on the existing sectoral profile within Tandridge the greatest proportion of jobs worked by residents in the community would be in professional services (followed by construction). The analysis then concludes (para 4.31) that certain sectors, specifically professional services, have a greater propensity to commute longer distances (over 10km) to work (with managerial and professional occupants likely to commute further) and that commuting patterns suggest that many in these professions commute to London. It then</p>
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		<p>acknowledges that <i>“there will be limited opportunity to provide equivalent job opportunities at the Garden Community. Therefore, continued commuting outflows for these types of jobs is expected”</i>.</p> <p>With regard to office demand, the analysis acknowledges that demand in more rural areas is mainly for smaller office units of less than 185sqm with very little demand for anything over 500sqm. It also, however, highlights a relatively high percentage of vacant office stock in Tandridge (para 4.38) and that the office market activity is focussed in the main settlements of Oxted, Caterham and Whyteleafe (para 4.44). And even in these more core locations, the viability of developing new offices is marginal at best due to the low rents that prevail in the district.</p> <p>With regard to industrial land, the analysis notes that there is small scale activity in Tandridge (compared to higher levels of activity in Crawley, Croydon, Reigate and Redhill) mainly focused along the A22 corridor, Caterham and the south west of district near Gatwick Airport. This is consistent with the conclusion of the SA which (in relation to the comparative merits of location for a Garden Community) considered Redhill Aerodrome to be the best commercial opportunity (see the table at para 4.112 of our regulation 19 representations). Paragraph 4.40 of the TSEA therefore concludes that the industrial market in Tandridge is limited compared to neighbouring areas.</p> <p>The TSEA continues, to state that in order that the employment needs of the residents can be met close to where they live, around 3.5ha of employment land would be needed at the Garden Community over the plan period and around 10ha in the longer term for the future total of 4,000 dwellings. Paragraph 4.65 finds that <i>“this level of employment land provision would ensure alignment between the number of workers and jobs and would give the opportunity to support employment uses such that a significant number of residents could both live and work at the Garden Community”</i>. It is then concluded at 4.66 however that <i>“in reality only a small proportion of residents will both live and work in a settlement of this size”</i>.</p> <p>At paragraph 4.72 the TSEA wraps this point up, stating that <i>“a considerable quantum of residents at the Garden Community will work in office premises, albeit it is realistic to expect high levels of commuting for these types of jobs to elsewhere in the District and beyond”</i> and recommends that it would be ‘sensible’ to plan for only 1.6 – 1.9ha of employment land (i.e. about half that would be required to meet the employment needs of residents) and to not be prescriptive about the split between office and industrial.</p> <p>Even assuming that all this employment land is delivered (which is unlikely given both the office and industrial market evidence) and that the number of jobs in service sectors (retail, leisure, health etc) are delivered at the Garden Community, it would still only retain fewer than 50% of the total jobs of residents at the Garden Community. Even as a gross overestimate (given the likelihood of the take up of</p>
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			In summary, in response to Q2.12, the housing trajectory is neither realistic nor deliverable – having regard to the many threats and uncertainties over the delivery of housing at South Godstone and the infrastructure required to support this.
Q2.13	<i>Is the contribution towards housing supply from windfall, town centre initiatives and the predicted supply of 20 vacant dwellings per annum being brought back into use realistic and justified?</i>	Para 4.22	<p>In relation to the number of homes allowed for as part of the windfall, we refer back to their representations from the Reg. 19 consultation, to paragraph 4.22 in particular.</p> <p>There is no justification for the adoption of a windfall allowance that is lower than past trends of completion rates.</p> <p>Adopting a more robust windfall allowance based on full past annual delivery rates, would deliver a supply of over 300 more homes over the plan period.</p> <p>TLAG question the rationale for adopting a radical spatial strategy which would require vast swathes of Green Belt release in an unsustainable location, rather than maximising delivery in more appropriate locations – including through windfall developments.</p> <p>Until all other avenues of supply have been realistically assessed, it is not sound for TDC to claim that the delivery of a garden community is the most appropriate and justified approach.</p>
Q2.15	<i>In broad terms, is the housing development proposed in the Plan and set out in the trajectory based on a sound understanding and robust evidence of viability?</i>	Paras 4.80 – 4.88	<p>We consider viability in relation to the infrastructure requirements for the Garden Community further in our response to Q6.7. However, in response to Q2.15, as to whether the housing development proposed is based on “a sound understanding and robust evidence of viability”, we refer to our regulation 19 representations which highlight the significant inconsistencies between TDC’s viability evidence in the BNP Viability Appraisal and the IDP in terms of infrastructure costs (and subsequent work by Avison Young). This serves as an example to demonstrate that the proposed development in the Local Plan is not founded on any sound understanding or robust viability evidence.</p> <p>It is acknowledged that the Garden Community has been identified as one of nineteen to receive support and financial backing from the government. This was announced by James Brokenshire, the then Communities Secretary, in June 2019. However, this amounts to just £150,000 and we do not believe that the Communities Secretary was made aware of the huge local opposition to this proposal, which totally lacks local support. Also, this money is intended to be used towards progressing planning applications and</p>

			specialist reports. It does not override the normal planning process and the examination of the issues at the Local Plan inquiry so it is not a relevant consideration.
Q2.16	<i>Given that the proposed South Godstone Garden Community is intended to deliver around 1,400 new homes in the Plan period and the details of the development would be considered by an Area Action Plan (AAP), would it be effective to include within the Plan a Policy which commits the Council to a review of the Plan if the AAP is not adopted by a specified date in order to sustain the supply of housing?</i>	Para 4.42-4.44	<p>Q2.16 considers whether it would be effective to include a time constrained policy within the plan, committing to a review in the event that an AAP for the Garden Community is not adopted by a specified date.</p> <p>TLAG agree that this may be an appropriate suggestion in circumstances where the rationale for an AAP is well founded. The deferral of matters that are fundamental to the deliverability of a key component of TDC's spatial strategy, as proposed by TDC, is however an entirely inappropriate use of an AAP.</p> <p>The test of effectiveness in the NPPF (para 35 of the old NPPF) is whether plans are deliverable over the plan period. It also specifically makes reference (albeit in the context of cross boundary working) to dealing with strategic matters rather than deferring them.</p> <p>It is impossible to make a full assessment of the deliverability of the South Godstone garden community (notwithstanding all of the other reasons which clearly demonstrate that it is not in any event) in the absence of the detailed consideration of whether 'exceptional circumstances' exist to fully justify Green Belt release, any specific assessment of infrastructure delivery (noting the intention to produce a location specific update to the IDP) or the level of employment that the site will provide to support the new community. These are all matters which TDC proposes to defer to the future AAP.</p> <p>The scope of the AAP should be limited to matters of detail, including design and layout, and not matters that go to the heart of the principle of whether the garden community is appropriate in planning terms – and must be done at the point of strategic plan making through the Local Plan.</p> <p>These principles were clearly established through the recent North Essex Authorities Strategic Plan Examination in relation to new garden communities. The Inspector concluded in his report² that <i>"Follow-on plans are intended to set out the principles of design, development and phasing for each GC, but it is this examination which must determine whether or not the GC proposals are properly justified and realistically developable"</i>. This is crucial and highlights the importance of including within the Local Plan sufficient evidence to demonstrate that proposals are justified and developable, leaving only more detailed matters</p>

² [http://www.braintree.gov.uk/downloads/file/7906/ied011 - inspectors section 1 post-hearing letter to neas - 8 june 2018](http://www.braintree.gov.uk/downloads/file/7906/ied011_-_inspectors_section_1_post-hearing_letter_to_neas_-_8_june_2018)

			<p>such as design and phasing to the follow up plan. The “follow up plan” (in this case the proposed AAP) approach is therefore not appropriate based on the proposed scope set out at 3.20 of the Local Plan.</p> <p>These are not matters that can be easily resolved by TDC simply retrospectively preparing additional evidence. These are matters that go to the heart of the entire decision making process in considering alternative options for the spatial strategy or (if it one is needed at all) alternative locations for a garden community.</p> <p>TLAG therefore consider that the Inspector has no option but to conclude that the deferral of these strategic matters to a future AAP automatically means that the test of effectiveness has been failed.</p>
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