

Guildford Greenbelt Guardians

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Dear Councillor

Formation of Guildford Greenbelt Guardians Concern re the parameters of the Strategic Housing Market Assessment

You will be aware that the Council's proposals in relation to large-scale housing development on Guildford's Green Belt and green fields, and the suggestion of removing Green Belt status from many of our villages, has concerned residents and action groups across the borough.

As a result, concerned residents have united to form an organisation to express their views on this matter. Members of this organisation include parish councils, residents' associations and campaigning groups.

This letter has been written with two particular purposes:

1. To announce the formation of a group, called provisionally the Guildford Greenbelt Guardians (although this name is subject to change)
2. To note as a formality that we consider that the remit of the SHMA needs to be reconsidered.

Guildford Greenbelt Guardians

This letter is being sent to Guildford Borough Council's elected representatives to announce the formation of a borough-wide Green Belt protection lobby - to be provisionally known as ***Guildford Greenbelt Guardians***. We feel that the borough's decision-makers do not recognise the strength of local feeling and the extent to which residents object to their plans. The signatories listed below represent, inter alia, our members; a number of other organisations have informed us that they wish to participate, but need to get through time consuming processes and will be joining in due course. We represent a significant, and growing, segment of the Guildford electorate.

Our position includes the belief that the farmland referred to by GBC as the "former Wisley Airfield" should not be included as brownfield or previously developed land; this is legally Green Belt meadows and fields, and cannot be developed without a change to agreed Green Belt boundaries. Furthermore we are concerned that the statement in the Issues and Options consultation document listing "Villages we think should not remain in the Green Belt" - with 16 out of 24 villages in the borough listed - appears to represent GBC's proposed position, even before the commencement of the consultation process; we think none of these villages should lose their Green Belt status.

Strategic Housing Market Assessment (SHMA)

We are aware that it is a requirement of the NPPF that there is a current and updated SHMA (Strategic Housing Market Assessment). We are aware that some councillors have stated that Guildford's housing needs mean that we must build on the Green Belt (without having previously agreed what those needs might be). The SHMA is the mechanism whereby

housing needs are determined, and therefore is a document of vital importance to the people of Guildford as a whole.

Obligation for public consultation – not met in remit

We are concerned that the requirements for public consultation are not fully met by the parameters set for the quotation for the SHMA. We understand that councillors have not approved the remit of the SHMA in committee and therefore that they themselves may well not be aware of some of these matters. We hope that they will welcome us drawing these matters to their attention. In particular, we consider that both the NPPF and the previous guidance in relation to the preparation of a SHMA require local authorities to **consult with people and communities** in order to consider the actual parameters of housing need. The foundation for this analysis is discussed in some detail in Appendix 1.

We believe that public consultation at an early stage of the process (ie prior to document preparation) is incumbent on the local authority under both the NPPF and the previous guidance. We are not aware that this public consultation has taken place in relation to the planning of the SHMA. This leads to two principal concerns:

- the SHMA will fail to meet the criteria set out in guidance which may lead to a conclusion that the evidence base and plan based upon this are unsound. If so, then this could result in revision of the local plan, with very high consequent costs to the electorate of Guildford.
- local people will have been denied their right to comment on the terms of reference of the SHMA as envisaged

Because we believe this is a requirement, we would ask that the remit of the SHMA is amended to reflect this as a matter of urgency.

Geographical constraints are legally admissible by inspectors

The number generated by the SHMA (combined with assessment of density and reassessment of brownfield land eg car parks) will obviously be a key determinant of where any new houses can be built; if it is too high, it may create pressure on green fields.

In this regard, we would note that the Hastings and Mevagissey precedents indicate that boroughs can recognise physical and geographical constraints in terms of land designation which will have an impact on their ability to meet prospective housing needs. Both these precedents note that where land is of particular value, housing needs may be subject to absolute constraint. We would argue that this is even more true in our area than in either of these other examples, because in this borough not only do we have a significant amount of land of very high landscape value, but we are subject to the enormous pressures of the outward sprawl from London. Here again cross-boundary issues are of significance (Appendix 2).

Because recent precedents have demonstrated that a SHMA must have an appropriate remit or can fail and not be fit for purpose as part of a planning regime, we would argue that in this borough, the geographical constraints must be taken into account.

Need for SHMA to meet inspector's standards (esp. cross boundary)

Furthermore we understand that it is a requirement, as has recently been demonstrated by a planning inspector's decision, that you liaise on this matter with neighbouring councils. If it cannot be demonstrated that there has been dynamic consultation with other local authorities

to meet housing needs objectively in a sustainable way, (see the recent cases) then, as you may be aware, the SHMA could fail an evidence test. We would note that high housing numbers are not in themselves a sufficient criterion to meet this requirement.

Appendix 2 discusses in some detail some of the issues that we believe that you should be taking into account in relation to those cross boundary issues.

We are asking you, as our representatives, to reconsider and revise the remit of the SHMA in order to ensure that it provides an estimate of the numbers that are needed. Please put forward a motion amending the remit of the SHMA to ensure that it

- meets the requirements of planning inspection,
- consults with local people, and
- arrives at a reasonable number which confirms actual local need while recognising geographical constraint.

Yours sincerely

Guildford Greenbelt Guardians

including inter alia (in alphabetical order):

Ash Green Residents' Association
Beechcroft Drive Residents' Association
Bookham and Effingham Together - Hands off the Green Belt
Burrows Cross Area Residents' Association
Keep the Horsleys in the Green Belt (KTHITGB)
Normandy Action Group
Jacobswell Residents' Association
Ockham and Hatchford Residents' Association
Ockham Parish Council
Poyle Road Campaign Group (Tongham)
Ripley Parish Council
Save Hog's Back
Save Shere, Gomshall and Abinger
Shalford Conservation Society
Residents of Wood Street Village
The Ripley Society
Westborough, Broadacres & District Residents Association
Wisley Airfield Action Group

Appendix 1

Problems with the remit of the SHMA – consultation process

There are some anomalies in the preparation of the SHMA that we would wish to draw to your attention.

1. The invitation to quote for the proposed SHMA as prepared by the Guildford Borough Council Planning department (attached as an icon accompanying this email) requires the consultants to “involve all key stakeholders, including **house builders**, registered social and local councils to ensure an appropriate level of buy-in and consistency in approach” (emphasis ours; *source*: extract from the guidelines for quotation issued by Guildford Borough Council Planning department). We queried this specification with the Planning department as surprising, and noted that local residents and taxpayers might themselves consider that they represented stakeholders, and that it is not at all clear to us why house builders are stakeholders. We recognise that consultation with house builders (inter alia) might be appropriate in certain circumstances (eg to ascertain the probable cost of building in order to calculate affordability). But GBC should not, in the opinion of our members, be using the potential demands by or the land requirements of house builders as the primary basis for any decision making.

2. We were informed by the Planning department that the reason for this is https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11812/Strategic_Housing_Market_Assessments-Practice_Guidance.pdf see table on page 10. For the information of councillors, we are including an extract of that guidance below.

1	Approach to identifying market area(s) is consistent with other approaches to identifying housing market areas within the region
2	Housing market conditions are assessed within the context of the housing market area
3	Involves key stakeholders, including housebuilders
4	Contains a full technical explanation of the methods employed, with any limitations noted
5	Assumptions, judgements and findings are fully justified and presented in an open and transparent manner
6	Uses and reports upon effective quality control mechanisms
7	Explains how the reports findings have been monitored and updated (where appropriate) since it was originally undertaken

As we have noted to the Planning Department, it may be that this guidance (which was published in 2007) has been superseded by the NPPF, which creates a requirement to consult with "people and communities" (ministerial foreword). NPPF 1 notes that the NPPF is *a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities*. Furthermore, NPPF155 notes in relation to plan making that *Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so*

that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area.

In this context we would submit that early and meaningful engagement would represent the involvement of local representatives prior to the finalising of the SHMA, which is a core document in the evidence base for the formation of any local plan.

As noted, it is not entirely clear whether the SHMA guidance has been superseded or not. Even if this document referred to remains as valid guidance, it notes, just under the table quoted, *One of the key aims of the new planning system is to involve local communities and stakeholders from the earliest stage of the plan preparation which includes evidence base [sic] work like strategic housing market assessments. This will help to minimise any potential objections to policies proposed, as stakeholders will have had an opportunity to express their concerns during the preparation of the strategic housing market assessment.*

This would seem to suggest that there would be an expectation that the process of preparation of the strategic housing market assessment should have included an element where concerns could in fact be expressed by stakeholders, and this might be deemed to include, from the first sentence, that this would include local communities.

This key passage then continues: *Any concerns or technical matters that stakeholders or others may have regarding the approach or findings should be raised with housing market partnerships during the assessment process, preferably at an early stage.*

Since the quotation document was not in the public domain but was only supplied in relation to a specific request, it is hard to know how members of the public might be able to raise such concerns in relation to the approach, and this would seem to be fundamental problem with the process.

We would suggest that whether GBC is following the previous SHMA guidance or the NPPF, it appears to us that it may be required to consult with people and communities, and we would urge them to consider doing so.

3. We are concerned that the remit for this quotation was not approved by Guildford Borough Council through the committee process. We have an email from the planning department on 2 December 2013 explaining to us that the commissioning of an evidence base document does not need to go through the committee process. We feel that councillors should be aware of these issues, since they are of concern to residents and may well be of significant concern to many councillors too.

Although these matters have been drawn briefly to the attention of Stephen Mansbridge, and of Monika Juneja, we felt that other councillors may wish to be made fully aware of this matter so that they can query the planning department on this matter on our behalf.

Appendix 2

Problems with Cross Boundary issues

As noted in the letter, the SHMA and the consequent Local Plan may fail if an inspector determines that cross boundary consultation has been inadequate. It may be that the remit of the SHMA as it stands is inadequate.

In terms of comparability, we would note that following the recent Inspector's report, Waverley has agreed a target of 8500 homes over 18 years, representing 472 homes per year; we understand that Woking has agreed a target of 292 homes per year.

We feel that there is a requirement to assess cross boundary issues even more widely under the consultation and cooperation obligations imposed by the planning process.

We consider that such cooperation might include consideration of the impact of other areas, which we believe should include, for example, assessment of developable land which is newly available at Bordon Whitehill, potential sites which may be available at Deepcut, or the significant impact of the very substantial levels of housing available at Rushmoor.

Appendix 3

Factors that we believe should be taken into account in preparing the SHMA

We would note, following a recommendation that has already been made to the planning department, that for any Draft Local Plan (and associated evidence base documents) to command general public assent, it would have to pass four basic tests:

(i) It must distinguish clearly between private-interest demand for development and public-interest need. As Sir Malcolm Grant wrote in 'Urban Planning Law (1982), the two are antithetical: *"The planning system is created as an instrument of government, as a means of restricting private land use rights in the interests of the community as a whole"* - not, as Guildford's planning department seems to believe, to facilitate private development. The 2009 West Surrey Strategic Housing Market Assessment (SHMA) made it clear that *"the main driver of the Housing Market Area is simply London ... The nature of the HMA means that demand is always likely to be higher than can be reasonably be met within the existing constraints of preserving rural and urban character"*. This is an excellent reason not to try to meet demand. (In regard to assessing actual need, we note that Guildford has 9 registered homeless people, and 19 families in temporary accommodation. (Source: Guardian interactive database <http://www.theguardian.com/news/datablog/2012/mar/08/homelessness-statistics-data>) In addition, a recent freedom of information request to GBC confirmed that GBC's own empty homes statistic is 996 homes, of which 449 are long term empty properties).

(ii) The SHMA must give proper consideration to alternatives to new housebuilding in the overall development mix. Better telecommunications, roads and sustainable public transport could be cheaper and developmentally more effective options, and would reduce local housing needs. Guildford is not an island, and no-one minds a half-hour commute from outside the borough. Half the working population travels in and out every day as it is, but no analysis has yet looked at the sub-regional housing market as a whole. Unlike the arbitrary three-borough sub-district of Guildford, Woking and Waverley, this stretches deep into Hampshire.

(iii) It must prioritise better use of existing housing stock over newbuild, which is inherently costly and disruptive. The 2009 West Surrey SHMA shows that Guildford's private rental sector, at 10% of total housing, is below the average for England, let alone Europe. Overcrowding was estimated in 2008 as affecting less than 2% of all Guildford households (lower than found regionally or nationally), while 43% under-occupy their dwelling. Small tweaks to rental incentives (e.g. Council Tax breaks for resident landlords) or support for accommodating (Council Tax-exempt) students on campus could make thousands of housing units available to (Council Taxpaying) families far faster and more cheaply than building new homes.

(iv) It must expressly prioritise brownfield sites within settlement areas over green field and Green Belt ones. Under the guise of keeping all options open, the current proposals signally fail to do this, invoking the NPPF as an excuse for ignoring established protections designed to benefit town dwellers, as much as country dwellers, in perpetuity. To date, key parts of the evidence base (particularly, the Settlement Hierarchy and Strategic Housing Land Availability Assessment) have been distorted against Green Belt villages by using demonstrably flawed and haphazardly applied methodologies. Simply by revisiting the question of housing densities, for instance, very different conclusions can be drawn about the

capacity of brownfield sites to meet all new housing needs. Reasserting protection of the Green Belt and agricultural land would in itself give developers an incentive to build on unused brownfield sites which they already own. We would submit that there is sufficient brownfield land to build housing to meet actual need in any event, and consider that the SHLAA (itself not comprehensive) demonstrates that there is a substantial supply of brownfield (previously developed) land.

The terms of reference for the forthcoming SHMA update require its authors to "*develop a robust, transparent and credible methodology*" and "*justify all assumptions, judgements and findings in an open and transparent manner*". In practice, however, unless it passes all four tests above, it will not command public credibility.