

Councillor M Juneja  
Guildford Borough Council  
Millmead  
Guildford

**GGG**  
**Guildford**  
**Greenbelt**  
**Group**

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Dear Cllr Juneja

Thank you very much for your lengthy and considered response, which is appreciated.

Since our original letter was an open letter to councillors, and you have copied your reply to all councillors and MPs, this reply is also an open letter.

GGG has a few remarks:

### **Housing need**

GGG notes your comment below "*We are therefore bound, by the NPPF, to meet in full our objectively assessed housing needs.*" You may wish to reconsider this statement - we believe that it is misleading.

Paragraph 14 of the NPPF

( [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf) ) states of course that:

*"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development..."*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area*
- *local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted."*

As clarified by Nick Boles in both his recent letters to Planning Inspectors (both the first included by us and the reply to inspectors included in your email below), misinterpretation of Government policy in the context of the NPPF is to be avoided. As set out in the NPPF, there is no requirement to meet objectively assessed housing needs **in full**. And, as Nick Boles made clear in his original

letter to the PINS, and did not retract,

*"The special role of Green Belt is also recognised in the framing of the presumption in favour of sustainable development, which sets out that authorities should meet objectively assessed needs unless specific policies in the Framework indicate development should be restricted. Crucially, Green Belt is identified as one such policy".*

In other words, **there is no requirement to meet objectively assessed housing needs in full.**

**Green Belt is a constraint on sustainable development under the NPPF.**

This has been supported by recent Planning Enquiries, Secretary of State's decisions, and recent case law.

**SHLAA (Strategic Housing Land Availability Assessment) - brownfield study still required**

GGG notes that the SHLAA does not consider primarily brownfield sites but considers all developable land in the borough, including greenfield sites. It was not a brownfield site review; this has not been done.

The SHLAA was accompanied by the GreenBelt and Countryside Study that looked at the potential for utilising greenbelt and countryside land for development.

GGG appreciates that this was a historic planning requirement but the resulting study is flawed, and has been heavily criticised by councillors, who voted for a reappraisal of the evidence base. The requirement for a GBCS is no longer in place per guidance to PINs (although this is a recent development). The resulting report does seem to have been welcomed with disproportionate enthusiasm, and its flaws and errors are still not being corrected. It was clear from the Forum that Pegasus have not been asked to review or revise their work, and the supposed public involvement in the reappraisal of the evidence base, particularly the Green Belt and Countryside Study, has not taken place.

This is ironic, especially given that the last election was won on the basis of strong protection for the Green Belt (see the Conservative manifesto which gave the key pledge of "*Continue to protect the Green Belt*" and which stated "*Following the successful defeat of the South East Plan by Guildford Borough Council and Guildford residents, we will continue to fight to preserve the character of our town and villages. To preserve gardens and the Green Belt we will continue to work on finding brownfield sites that can support housing instead. Our main site is around Slyfield*").

GGG has proposed an equivalent investigative study of brownfield land, in order to identify prospective plots. Indeed, this would seem to have been an implied

manifesto commitment. Given that the GBCS involved consultants over several years in order to identify possible greenfield plots, this does not seem unreasonable.

Even without such a study, GGG considers that revision of the SHLAA is required. Brownfield sites can be utilised at varying densities, and planning controls can be used to ensure that densities are set to utilise brownfield sites efficiently. This has not yet been done in Guildford, and there have been a number of planning consents (eg the Aldi site in Burpham) where there was considerable opportunity to use those brownfield sites for high quality, reasonably high density housing in keeping with the locality, which have been used for other purposes. Planning controls could have required underground car parking and flats above the car park, for example, or use of the site exclusively for housing.

It is notable within the SHLAA that the proposed densities vary very widely. Some (extremely small) sites are at high densities of the kind that is typical in urban areas. (As has been noted, Notting Hill with its Georgian squares is at 200 dph). There are one or two high density urban sites in the proposals, but these are all small. Conversely, the largest brownfield sites most suitable for urban development are often at very low densities indeed (Slyfield (25dph), Walnut Tree Close, and Merrow Depot - both 11 dph). This distorts the overall perception of required land.

GGG would agree that it is always appropriate to consider the location when considering the density. Urban densities are typically higher; and GGG would support generally lower density in a rural context. However, it does not seem appropriate to reduce densities on very large sites and this has the impact of increasing apparent need for greenfield land. Underuse of key brownfield sites has a major impact on the requirement for greenfield sites, and this is critical in the planning decision process. It is not acceptable to force development on to greenfield sites because the brownfield sites have not been utilised intelligently.

The extraction of data from the SHLAA to inform the Issues and Options consultation chose to exclude a considerable number of brownfield sites that had been identified in the SHLAA, on the basis that these were "reserved" for commercial development. This is both contrary to the policies of NPPF and more specifically the M3 LEP, and is not advantageous to the borough as a whole. Arguably it will also imperil the Council's planned investment strategy which we understand involves substantial investment in commercial property; an "overhang" in this area will reduce the value of the Council's investments.

The SHLAA also identifies a very considerable number of small housing sites which were not included in the Issues and Options consultation at all. While each site may be small, in aggregate these sites represent a significant area of brownfield land not included in the Issues and Options consultation. GGG considers that they should therefore be taken into account in the proposals (the SHLAA identifies small urban or settlement sites which may give rise to housing

in excess of 450 dwellings at the proposed densities not including any garden development). These have been excluded from the Issues and Options consultation and this should be corrected. The fact that such sites will not trigger a new homes bonus because the sites are small does not mean that they do not exist; and they should count towards the available land totals.

As previously noted, there is also a requirement to include existing planning permissions as an offset against the actual net housing requirement, and this will have an impact on the requirement for land.

The Issues and Options sites should be utilised at reasonable brownfield densities, and the omitted brownfield sites should also be taken into account. On this basis, even with the highly inflated and (as previously noted) inaccurate SHMA (Strategic Housing Market Assessment) numbers, there is almost no justification for use of green field sites, and as noted by Nick Boles, Green Belt does represent a real planning constraint in terms of restricting development.

### **Brownfield sites and CILs**

Thank you for the clarification in relation to brownfield sites. We don't think that GGG was suggesting that these charges were nil. It is clear from the revised guidance that it is possible to vary these charges as an incentive for brownfield site development. While we would agree that it is indeed within the discretion of local councils to set the infrastructure levy, it is not acceptable to set this at a level that will discourage brownfield development, but there is an onus on local government to set the level to optimise and maximise brownfield development, as you helpfully note below: "*Particular consideration should also be given to Local Plan policies on planning obligations, design, density and infrastructure investment, as well as in setting the Community Infrastructure Levy, to promote the viability of brownfield sites across the local area.*"

GGG concludes that while you can set this levy at your discretion, you are required to do so to promote brownfield development, not restrict it, and there is a obligation to utilise such brownfield land first.

### **Localism**

While recognising that Localism is difficult to implement in practice, GGG notes that the Parliamentary statement by Nick Boles, covering the new NPPG (National Planning Policy Guidance), stated: *We are also committed to ensuring that countryside and environmental protections continue to be safeguarded, and devolving power down not just to local councils, but also down to neighbourhoods and local residents.*

As a result we would hope that councillors would all recognise their obligation to consult, formally or informally, with groups which represent parishes, neighbourhoods and community associations, such as GGG.

## **Budget initiative**

The 2014 Budget Red Book includes various measures to support use of brownfield land. Clause 1.75 states

*"The government's.. Land and Property review has..identified scope to generate £5 billion of receipts from land and property. A significant amount of this will be brownfield land"*

There are incentives and reduced planning constraints for conversion of existing commercial units to residential use but not the converse (Clause 1.147 Red Book). It should also be noted that areas where infrastructure is to be provided for growth (and the areas where growth has been considered desirable in the national interest) are the HS2 corridor, Greater Cambridge and Wales. Government policy does not seem to consider excessive further growth in the overheated South East to be a desirable planning focus.

## **Discussion**

We would welcome the opportunity to discuss this further with you or with any other councillors that wish to discuss anything with GGG.

- Representatives of GGG would be happy to meet you, and as previously indicated would be willing to do so at a time that you propose; please let us know when you suggest
- GGG believe that it may be appropriate to have a formal meeting discussing the limitations of the SHMA, and as previously noted would welcome a detailed working meeting on this topic with GL Hearn and other representative groups. GRA have also indicated that they would be willing to participate in such a workshop.
- As noted formally, GGG considers that the Forum to review the evidence base conducted by the council was of little use, and suggest public representation in the Scrutiny Committees as was approved by the full Council voting for the amendment in the recent petition debate (for full public involvement in the Scrutiny Committees in the reappraisal of the evidence base).
- GGG would welcome the opportunity to meet with Allies and Morrison as part of the proposed public discussion of the requirements for their review. Clearly the review of the town and town centre are fundamental to the Local plan, and it is hard to see how it is possible to prepare a revised draft of the local plan until the town centre review has been completed; and, as for the SHMA, it seems appropriate (arguably a requirement) to consult with local representative groups as part of the setting of the parameters for such analysis
- GGG would welcome a detailed public consultation on the pro-growth agenda that seems to be underlying much of the Local Plan philosophy.

With best regards

Guildford Greenbelt Group

