

## From Cllr Monika Juneja to Guildford Greenbelt Group

24th March 2014

**From:** Monika Juneja <[Monika.Juneja@guildford.gov.uk](mailto:Monika.Juneja@guildford.gov.uk)>  
**To:** Susan Parker <[susan\\_parker@btinternet.com](mailto:susan_parker@btinternet.com)>; Councillors <[Councillors@guildford.gov.uk](mailto:Councillors@guildford.gov.uk)>  
**Cc:** MaureenDUKE <[dukem@parliament.uk](mailto:dukem@parliament.uk)>; "[anne.milton.mp@parliament.uk](mailto:anne.milton.mp@parliament.uk)" <[anne.milton.mp@parliament.uk](mailto:anne.milton.mp@parliament.uk)>; "[jonathan.lord.mp@parliament.uk](mailto:jonathan.lord.mp@parliament.uk)" <[jonathan.lord.mp@parliament.uk](mailto:jonathan.lord.mp@parliament.uk)>; "[michael.gove.mp@parliament.uk](mailto:michael.gove.mp@parliament.uk)" <[michael.gove.mp@parliament.uk](mailto:michael.gove.mp@parliament.uk)>  
**Sent:** Monday, 24 March 2014, 14:35  
**Subject:** RE: Open letter to councillors

Dear Guildford Greenbelt Group,

Thank you for your detailed letter dated 12 March. I appreciate the opportunity to respond to the main points that you make.

As with any new piece of guidance there has been significant press interest in the Planning Policy Guidance document dated 6 March. Unfortunately there has been some factually incorrect information published in the media regarding the new Guidance. The Telegraph published an article on 6 March 2014 which incorrectly stated:

*“Developers of brownfield sites will no longer have to pay tens of thousands of pounds of fees under the Community Infrastructure Levy, under changes to the National Planning Policy Framework”.*

The National Planning Policy Framework was published on 27 March 2012 and since then no changes have been made to it. The Planning Practice Guidance recently issued does refer to viability on brownfield sites. It states:

***“How should viability be considered for brownfield sites in plan-making?”***

*The National Planning Policy Framework sets out a core planning principle that planning policies should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.*

*Local Plan policies should reflect the desirability of re-using brownfield land, and the fact that brownfield land is often more expensive to develop. Where the cost of land is a major barrier, landowners should be engaged in considering options to secure the successful development of sites. 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. Provided sites are likely to deliver a competitive return*

*for willing landowners and willing developers authorities should seek to select sites that meet the range of their policy objectives, having regard to any risks to the delivery of their plan. Authorities do not have to allocate only those sites that provide the maximum return for landowners and developers.*

*Local planning authorities should seek to work with interested parties to promote the redevelopment of brownfield sites, for example Local Enterprise Partnerships.*

*To incentivise the bringing back into use of brownfield sites, local planning authorities should also look at the different funding mechanisms available to them to cover potential costs of bringing such sites back into use, when considering which sites to allocate. For brownfield sites, assumptions about land values should clearly reflect the levels of mitigation and investment required to bring sites back into use. The impact of land remediation relief could also be considered when looking at the viability of brownfield sites”.*

It seems to me that it will be up to individual councils to decide on the level of contributions that will need to secure appropriate development. We will consider this and in light of the recent amendments to the Community Infrastructure Levy (CIL) regulations that came into force on the 24 February 2014.

<http://www.legislation.gov.uk/ukdsi/2014/9780111108543/contents>

These regulations introduced some changes including:

- limitation on pooling of section 106 obligations delayed until April 2015
- new mandatory exemptions for self-build housing, and for residential annexes and extensions
- a change to allow charging authorities to set differential rates by the size of development (i.e. floorspace, units)
- the option for charging authorities to accept payments in kind through the provision of infrastructure either on-site or off-site for the whole or part of the levy payable on a development
- a new 'vacancy test' - buildings must have been in use for six continuous months out of the last three years for the levy to apply only to the net addition of floorspace (previously a building to be in continuous lawful use for at least six of the previous 12 months)
- a requirement on the charging authority to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects of the levy on the economic viability of development across the area. Previously the authority only had to 'aim to strike the appropriate balance'
- provisions for phasing of levy payments to all types of planning

permission to deal fairly with more complex developments.

However the changes to the CIL regulations did not make any changes to how councils should charge CIL on brownfield sites.

With regard to your request for the Council to consider formalising a brownfield site review I can advise you that this has already been produced. The document is called Strategic Housing Land Availability Assessment (SHLAA) and was published in August 2013, prior to the Issues and Options Strategy and Sites consultation. The SHLAA is available on our website:

<http://www.guildford.gov.uk/shlaa>

The SHLAA includes both land in the urban areas and villages, and land in the countryside. It looked at Guildford town centre, Guildford urban area, land within the Ash and Tongham, urban area, identified village settlements, rural exception sites, previously developed land in the Green Belt, Countryside beyond the Green Belt, land currently in the Green Belt.

The SHLAA is a technical study. It helps to inform future planning policy by assessing land for its housing potential. The (SHLAA) is a requirement of national planning policy (the National Planning Policy Framework). The primary role of a SHLAA is to:

- identify land with potential for housing development
- assess the land's housing potential
- assess when it is likely to be developed.

Our SHLAA sets out all the land in Guildford borough that we believe is suitable, available and viable for housing development over the next 15 years. It highlighted a limited supply of housing land within the built up area of our towns and villages. We are currently updating the SHLAA and will continue to explore all options for the redevelopment of previously developed sites in urban areas.

I note that you included Nick Boles's letter to Sir Michael Pitt dated 3 March. I have attached two further letters as part of this exchange. It is important to note that Nick Boles concludes that his letter dated 3 March did not signal a change in policy. We are therefore bound, by the NPPF, to meet in full our objectively assessed housing needs. In coming to an informed decision on this through the local plan we may need to look to develop land beyond the built up areas in order to meet the needs of our communities and provide

choice for future generations. However we will make our decisions on this taking into account all material planning considerations including any environmental constraints.

Thankyou again for your email- I hope you can see from my response that this is not an easy journey and with ministerial statements coming out with very little clarity we need to be careful that we do not misconstrue this from policy itself.

As always I am happy to discuss further

Regards

Cllr Monika Juneja  
Lead Member for Planning & Governance