

POLICY PANEL (ENVIRONMENT AND TRANSPORT)**28 OCTOBER 2002****LOCAL PLAN ADOPTION****SUMMARY**

This report updates the present position on the Local Plan, summarises the Government Office for the South East's objection to Policy H10 and recommends changes to address these concerns.

1. INTRODUCTION

- 1.1 As Members will be aware, work has been progressing for some time on the review of the Guildford Borough Local Plan. The Public Local Inquiry was held between May and October 2000 and the Inspector's report was published on 13 September 2001. The Council issued its 28 day intention to adopt the Local Plan on 6 August 2002 following approval of the modifications to the Plan. Within this period, the Government Office for the South East (GOSE) raised concerns over the wording of Policy H10 resulting in a formal letter being received on 9 September 2002.
- 1.2 Policy H10 covers the issue of the density of residential development and the mix of dwelling sizes. It aims to make the best use of previously developed urban sites and to provide dwellings that match the needs of those seeking homes. It reflects advice in Planning Policy Guidance Note 3: Housing (PPG3).
- 1.3 This report explains the nature of GOSE's objection on Policy H10, suggests re-wording of the supporting text to address these concerns and the subsequent procedure to be followed to adopt the Local Plan.

2. GOSE OBJECTION TO POLICY H10

- 2.1 GOSE has the power to direct a change to the Local Plan and has stated that it is considering seriously the need to issue a direction to require Guildford Borough Council to modify Policy H10 under Section 43 of the Town and Country Planning Act 1990 (as amended). However, such action can be avoided if a satisfactory agreement is reached on the best way forward.
- 2.2 GOSE has sent a letter outlining their concerns to Policy H10 and this is attached as Annex I to this report. The main objections raised by GOSE are as follows:-
- The supporting text is unclear as to what, if any, link may now exist between small sites of less than 0.4 hectares in area and the Supplementary Planning Guidance (SPG) on 'Large Houses in Large Gardens' and 'Residential Areas of Special Character'.
 - Local plans should explain how national and regional policy will be implemented at the local level.
 - The proposed threshold of 0.4 hectares is too large and should be reduced. At densities of between 30 and 50 dwellings per hectare, it could apply to schemes

of 12 to 20 dwellings. The policy needs to be clear that on sites of such a size a low-density approach would not automatically be sought.

- The link between Policy H10 and Policy H4 (Housing in Urban Areas) could be more explicit. The supporting text should make clear that the Council would expect high quality, imaginative design solutions to overcome many such difficulties.

3. RECOMMENDED CHANGES TO POLICY H10

- 3.1 In response to GOSE's comments, a number of changes to Policy H10 are set out below. Whilst the wording of Policy H10 remains the same, the structure has been altered so that the policy is clearer. The main alterations are to the supporting text to clarify when there may be exceptions to the density criteria and to update the position with regards to the relevant Supplementary Planning Guidance. In particular, the threshold below which lower density developments will be allowed has been lowered to 0.2 hectares.
- 3.2 Policy H10, with the tracked changes, is shown below. The underlined wording shows the new text.

POLICY H10 NEW RESIDENTIAL DEVELOPMENT

RESIDENTIAL DEVELOPMENT SHOULD PROVIDE BE AT A DENSITY OF BETWEEN 30 AND 50 DWELLINGS PER HECTARE NET. DENSITIES ABOVE THIS RANGE WILL BE PERMITTED IN LOCATIONS WITH GOOD PUBLIC TRANSPORT ACCESSIBILITY.

~~THE COUNCIL WILL NOT PERMIT DEVELOPMENTS THAT ARE WITH A DENSITY BELOW 30 DWELLINGS PER HECTARE NET WILL NOT BE PERMITTED EXCEPT WHERE HIGHER DENSITY PROPOSALS WOULD HAVE AN UNACCEPTABLY HARMFUL DETRIMENTAL IMPACT ON THE EXISTING CHARACTER OF THE AREA. DENSITIES BEYOND THIS RANGE WILL BE ENCOURAGED AT LOCATIONS WITH GOOD PUBLIC TRANSPORT ACCESSIBILITY.~~

PROPOSALS FOR RESIDENTIAL DEVELOPMENT SHOULD PROVIDE A MIX OF DWELLING SIZES AND TYPES TO REFLECT THE NEEDS OF THOSE SEEKING HOUSING IN THE BOROUGH.

IN ALL CASES, THE PROPOSED DEVELOPMENT MUST ACCORD WITH THE CRITERIA CONTAINED IN POLICY H4 AND OTHER RELEVANT PLAN POLICIES.

5.43 The Council's strategy for providing additional dwellings seeks to accommodate new residential development primarily within the existing urban areas and in the village settlements. The principal objective of this strategy is to minimise the development of "greenfield" sites and other open land. For this strategy to be achieved, it is essential that efficient use be made of the limited supply of previously developed urban sites. Policy H10 seeks to ensure that residential development makes efficient use of land and that the dwellings provided match the needs of those seeking homes, as assessed by the Council.

5.44 The emphasis of Policy H10 is to ensure the most efficient use of land but this will not be at the expense of the quality of the existing environment. ~~Although the Council will not permit developments at less than 30 dwellings per hectare,~~

Exceptionally, lower developments having a densities of less than 30 dwellings per hectare may be permitted on small sites (less than 0.4 0.2 Ha) where the development would otherwise conflict with the criteria of Policy H4 due to the unacceptable impact on amenity or cause unacceptable harm to the existing context or character of the an area. The Council will need to be satisfied that alternative, higher density options have been thoroughly explored and that other planning considerations clearly outweigh the benefits of higher density development.

5.45 The Council is intending to prepare Borough wide design guidance. This guidance will encourage good housing design and more efficient use of land whilst ensuring that local character is respected and enhanced. It will incorporate existing SPG's such as has adopted Supplementary Planning Guidance "Large Houses in Large Gardens" and is preparing an additional SPG in respect the draft of "Residential Areas of Special Character". Such This new guidance will be a material consideration in assessing proposals for new residential development and will assist in identifying areas where lower density development may, as an exception, be appropriate.

5.46 The number of one and two person households has been increasing and this trend is expected to continue. Whilst it is acknowledged that some households choose to occupy large properties, many do not wish to do so, or cannot afford to do so, and require properties more suited to the household size.

5.47 At the time of the 1991 Census of Population, there was a significant "mismatch" between the size of dwellings and the size of households. 61% of the Borough's households consisted of 1 or 2 people. 64% of 1 person households occupied 4 or more habitable rooms; 67% of 3 person households occupied 5 or more habitable rooms. The Borough Council's Borough-wide Housing Needs Survey in 1999 demonstrated that 81% of households requiring housing wanted 1,2 or 3 bedroom dwellings. Developers will also be encouraged to consider making provision to meet demand from younger single people for shared accommodation.

5.48 Although this mismatch cannot be changed very much by new building, the Borough Council wishes to ensure that new development does not make things even worse by building a higher proportion of larger houses than are really necessary. In considering proposals for new residential development the Council will seek to ensure that the size and type of dwellings provided reflects the identified needs of those seeking housing. In calculating "net" density, the Council will use the definition contained in Annex C of PPG3.

4. IMPLICATIONS

- 4.1 As with the previous version of this Policy, all residential proposals will, in the first instance, be expected to be in excess of 30 dwellings per hectare. Exceptionally, on smaller sites, of less than 0.2 Ha, lower density development may be accepted if other alternatives would have a significantly detrimental impact on the local character of an area or damage amenity. As stated in the supporting text to Policy H10, the Council will need to be satisfied that alternative, higher density options have been thoroughly explored and that other planning considerations clearly outweigh the benefits of higher density development.
- 4.2 The main implication of having a smaller exception site criterion (of 0.2 Ha) is that the density of development will need to be considered even on relatively small sites. This will require more imaginative design solutions in low density areas, which can meet

the density criteria whilst minimising the impact on the spacious character of an area. The proposed SPG on Borough wide design guidance will expand upon this issue.

- 4.3 On larger sites, the density criteria will be expected to be met. Whilst it is appreciated that each site has a unique set of constraints and each application is treated on its merits, it will be for the developer to make the best use of the site through innovative and good design. An example of this may be the provision of flats within a building that appears as a large house in an area characterised by low density development. The provision of fewer larger dwellings within a plot will be discouraged; this is an inefficient use of land that does not meet an identified housing need. The implications of this are that in practice Development Control Officers will have to negotiate higher densities in applications where less than 30 dwellings per hectare are proposed. Planning applications that do not meet the density criteria will be recommended for refusal.
- 4.4 The main advantages of this revised policy approach meet with the general principles outlined in PPG3 Housing and are as follows:-
- Making the best use of urban land which in turn leads to minimising the pressure for greenfield development.
 - Contributing to housing provision in the Borough.
 - Encouraging smaller dwellings which meet identified housing needs.
 - Maximising opportunities for affordable housing (by increasing densities the threshold criterion for requiring the provision of affordable housing is more likely to be met).
 - Requiring innovative design.
 - Promoting more resource efficient and sustainable forms of development.
- 4.5 PPG3 states that local planning authorities should examine critically the standards they apply to new development, particularly with regard to roads, layouts and car parking, to avoid the profligate use of land. Developments making inefficient use of land (less than 30 dwellings per hectare net) should be avoided, the efficient use of land should be encouraged (30 to 50 dwellings per hectare net) and a greater intensity of development should be sought at places with good public transport accessibility such as city, town, district and local centres.
- 4.6 Encouraging higher density development should not impact on high quality design expectations. PPG3 states that good and imaginative designs and layouts can make efficient use of land without compromising the quality of the environment. The design and layout of development will need to be informed by the wider context taking into account the local pattern of streets and spaces, building traditions, materials and ecology. Policy G2 within the Guildford Borough Local Plan deals specifically with design issues.
- 4.7 The recommended changes to Policy H10 are considered to clarify the policy and supporting text. Officers have held further meetings with GOSE and their strong advice is that the threshold should be lowered further to below 0.2 hectares and that the Policy still does not adequately define those areas where a lower density would be appropriate. The Officers' view is that the changes do now provide a reasonable balance between the need to protect local character and amenity whilst meeting the

aspirations of PPG3. However, it is acknowledged that the policy represents an interim position with its detailed implementation being clarified in the forthcoming Supplementary Planning Guidance. In addition, the Local Development Framework, which will replace this Plan after 2006, will be required to provide more detailed guidance on density with more specific guidance on what densities are appropriate in different locations across the Borough.

5. NEXT STEPS

5.1 If the proposed changes to Policy H10 and its supporting text are accepted by GOSE and Members, the following timetable is anticipated:-

- Consideration of suggested changes:-

Planning Committee	5 November 2002
Executive	7 November 2002
Full Council	20 November 2002

- Plan Adopted 20 November 2002

- 6 week period for High Court Challenge

5.2 The proposed changes do not alter the principal objective of Policy H10; it is the order of the wording and some terminology that has been adjusted. The main revisions are to the supporting text, in particular the definition of small exception sites. These modifications are considered to clarify and update the supporting text. As such, the changes improve Policy H10 but do not, in the Officers' opinion, make a material alteration to the Local Plan.

5.3 GOSE has indicated that, from a technical viewpoint, it is of the opinion that the Local Plan may be adopted without the need to publish another notice of intention to adopt or go through a re-consultation period. However, without the policy and textual changes set out above in Section 3, it will seriously consider the need to issue a direction to require the Council to modify Policy H10. If a direction is issued, the Local Plan cannot be adopted until modifications are made to conform with the direction or the direction is withdrawn. If the Council declines to comply with the direction, the Secretary of State may call-in the Local Plan.

6. CONCLUSION

6.1 The Local Plan has been agreed by Members and is ready for adoption. The only issue holding up the adoption of the Local Plan is GOSE's concern over Policy H10 and, in particular, the threshold used for identifying small exception sites. If the smaller site size threshold and revised wording can be agreed by Members, then GOSE has indicated that it is unlikely to be minded to direct a change, subject to a clear commitment to clarify the policy further in both Supplementary Planning Guidance and the forthcoming Local Development Framework.

7. RECOMMENDATION

7.1 That the Executive be requested to recommend to the Council that the proposed alterations to Policy H10 and the supporting text be approved and that the Local Plan be adopted on the basis set out in this report.

Background Papers:

Guildford Borough Local Plan 1999 - Deposit Draft and Proposed Modifications agreed by the Council on 24 June 2002

Town and Country Planning (Development Plan) Regulations 1999

Town and Country Planning Act 1990 (as amended)

Planning Policy Guidance Note 3: Housing March 2000.

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