



LOVELACE NEIGHBOURHOOD PLAN 2019-2034

SUBMISSION VERSION AUGUST 2019

A Report to Guildford Borough Council of the Examination into the Lovlace Neighbourhood Plan

by Independent Examiner, Peter Biggers BSc Hons MRTPI

April 2020

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Summary and Overall Recommendation

0.1 Following my examination of the Lovelace Neighbourhood Plan (LNP), including a site visit to the Neighbourhood Area on 18 February 2020 it is my view that, subject to modifications, the LNP reflects the views of the community and sets out a clear vision and suite of policies and proposals for the Neighbourhood Area.

0.2 My report highlights a number of areas where I consider the wording of the plan as submitted is not in accordance with one or more of the Basic Conditions.

0.3 Although there are a lot of modifications, for the most part, these are to update the plan following the adoption of the Guildford Borough Local Plan Strategy and Sites and the subsequent High Court decision dismissing the challenges to the adoption. As the local plan's adoption has now been confirmed the development sites that are allocated in the plan have now also been confirmed and the negative referencing to these that was in the submission version of the LNP must be removed in order that the LNP does not undermine the strategic policies. Failure to do so would immediately put the plan in conflict with the Basic Conditions to have regard to national policy and to be in general conformity with the development plan.

0.4 Other modifications more often arise from circumstances where the policy does not comply with the National Planning Practice Guidance that:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence”. (Paragraph: 041 Reference ID: 41-041-20140306)

0.5 I have therefore recommended a number of modifications to the Plan which should be made before the plan can proceed to Referendum. These are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

0.6 In proposing the modifications I have tried to ensure that the integrity and value of the LNP and its vision is retained and that the intention of neighbourhood planning, where the community's wishes should be central to the plan, is honoured. I acknowledge that there are strong feelings regarding the scale of the planned housing developments within Lovelace and that the area is facing significant change but the focus of the LNP now needs to be on helping and supporting the GBLPSS to manage that change.

0.7 By its nature the examination has to be rigorous. Any criticism of the plan is not at all to undermine the significant community effort that has gone into the plan. Rather the purpose of the examination is to ensure that the Neighbourhood Plan meets the Basic Conditions and is as robust as possible and that it can play its part in planning decisions and managing the change in Ripley, Ockham and Wisley Parishes in the future in an effective way.

0.8 In addition to the recommended modifications it should also be noted that there may be a number of consequential changes for example to referencing and numbering that will be needed as a result of making the modifications. It will also be necessary to ensure all references to the plan making procedure are up to date. I have not necessarily highlighted all such minor consequential changes.

0.9 Subject to the recommended modifications in the report being completed I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

0.10 The LNP also complies with the legal requirements set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

0.11 With the modifications in place the Lovelace Neighbourhood Plan will meet the Basic Conditions and can proceed to a Referendum.

0.12 When that referendum takes place I also recommend that the Lovelace Neighbourhood Area, which is synonymous with the administrative boundaries of the Parishes of Ripley, Ockham and Wisley, is taken as the area for the Referendum.

Peter Biggers BSc MRTPI
30 April 2020
Independent Examiner

1. Introduction

1.1 Background Context

1.1.1 This Report provides the findings of the examination into the Lovelace Neighbourhood Plan (referred to as the LNP throughout this report).

1.1.2 The LNP was produced by Ripley Parish Council (RPC) as the lead parish and Qualifying Body in consultation with Ockham Parish Council and the residents of Wisley Parish and in consultation with the Local Planning Authority – Guildford Borough Council (GBC), and interested parties and local stakeholders.

1.1.3 The Lovelace Neighbourhood Area equates to the administrative areas of Ripley, Ockham and Wisley Parishes.

1.1.4 The three parishes making up the Lovelace Ward lie in the north east of Guildford Borough and Ripley, the largest village, is approximately 7 miles from Guildford and 4.5 miles from Woking. Ripley parish has a population of c 2000 and 910 households mainly based in Ripley village. Ockham Parish has a population of 450 and 187 households spread across a number of hamlets. Wisley Parish has a population of 168 and 111 households centred in and around RHS Wisley. 90 of the properties in the village are in the ownership of the RHS. The area outside of the villages is rural and generally undulating countryside with woods, shelter belts and scattered housing. With the exception of Ripley village and the former Wisley Airfield and Garlick's Arch area, which are housing allocations in the GBLPSS 2019, the neighbourhood area is part of the Metropolitan Greenbelt. The area is dissected by the A3 Trunk Road which connects with the M25 at Junction 10, also within the neighbourhood area. The area is therefore well connected in transport terms.

1.1.5 This Examiner's Report provides a recommendation as to whether or not the LNP should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes cast in favour of it, then the LNP would be '**made**' by Guildford Borough Council. In the event of a successful referendum result the LNP would immediately carry full weight in the determination of planning applications in the Neighbourhood Area.

1.2 Appointment of the Independent Examiner

1.2.1 I was appointed (as a retained independent examiner with Trevor Roberts Associates) by GBC, with the consent of RPC, following a competitive procurement process, to conduct the examination and provide this report. I am independent of the qualifying body and the Local Planning Authority. I do not have any interest in any land that may be affected by the LNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I have planning and development experience, gained over 38 years across the public and private planning sectors and am a Member of the Royal Town Planning Institute. I have been an independent examiner for 6 years.

1.3 Role of the Independent Examiner

1.3.1 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “Basic Conditions.” The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that *:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- g) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

1.3.2 Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the *Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* effective from 28 December 2018) prescribes the following basic condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”.

Regulation 106 (1) of Chapter 8 states that : *“a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required”.*

1.3.3 In examining the Plan, I have also considered whether the legislative requirements are met namely:

- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the TCPA

** NB Two other matters relating to the desirability of preserving or enhancing listed buildings and conservation areas are also included in the basic conditions b) and c) but as these only concern neighbourhood development orders and not neighbourhood plans they are not included in this report.*

as applied to neighbourhood plans by section 38A of the PCPA.

- The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan meets the requirements of Section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area) and
- The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the PCPA Section 38A.

1.3.4 I have examined the LNP against the Basic Conditions and legislative requirements above and, as Independent Examiner, I must make one of the following recommendations:

- a) that the Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Plan, once modified to meet all relevant legal requirements, should proceed to Referendum;
- c) that the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

1.3.5 If recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Lovelace Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this Report in Section 8.

1.3.6 The role of the independent examiner is not to comment on whether the plan is sound or how the plan could be improved generally. In that context Savills in their Regulation 16 representation on behalf of Wisley Property Investments Ltd are incorrect in referring to tests of soundness. These apply to local plans. The focus in neighbourhood plans is instead on the compliance with the Basic Conditions.

2. The Examination Process

2.1 It is a general rule that neighbourhood plan examinations should be held without a public hearing i.e. by written representations only. However, according to the legislation, when the Examiner considers it necessary to ensure adequate examination of an issue, or to ensure a person has a fair chance to put a case, a public hearing may be held.

2.2 I have considered the representations received at the Regulation 16 publicity stage along with my background reading and research and my site visit and, in the light of this research, I decided that there was not a need for a public hearing on any of the matters and the examination could proceed by written representations only.

2.3 I confirm that **all** representations on the Neighbourhood Plan received at the Regulation

16 stage have been considered and responded to in undertaking this examination. Where appropriate I have made specific reference to the person's or organisation's comments and the responses from GBC and RPC in section 6 of this report.

2.4 I undertook an unaccompanied site visit around the Neighbourhood Area on 18 February 2020 during which I looked at its overall nature, form, character and appearance and at those areas affected by policies and proposals in the Plan in particular. Subsequent to the site visit I asked a number of factual questions arising from the Regulation 16 representations and my examination of the documents of both the Borough Council and Ripley Parish Council as Qualifying Body. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix 1. In the interests of a transparent process these have been uploaded to the Neighbourhood Plan webpage on the Borough Council's website. I am grateful to the two Councils for responding on these matters.

2.5 In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the Lovelace Neighbourhood Plan:

- a) National Planning Policy Framework (Feb 2019)
- b) National Planning Practice Guidance 2014 (as amended)
- c) Town and Country Planning Act 1990 (as amended)
- d) The Planning and Compulsory Purchase Act 2004 (as amended)
- e) The Localism Act 2011
- f) The Neighbourhood Planning Act 2017
- g) The Neighbourhood Planning (General) Regulations (2012) (as amended)
- h) The Guildford Borough Local Plan Strategy and Sites Adopted 2019
- i) The saved policies of the Guildford Local Plan 2003
- j) Lovelace Neighbourhood Plan Basic Conditions Statement
- k) Lovelace Neighbourhood Plan Consultation Statement
- l) Lovelace Neighbourhood Plan Strategic Environmental Assessment and Habitat Regulations Assessment Screening Opinion and Determination Statement
- m) The Habitats Regulation Assessment of Policies LNP H1 and LNP H3
- n) Lovelace Neighbourhood Area Designation Report
- o) Submitted Evidence Base documents as listed on the GBC webpage

Also:

- p) Representations received during the Regulation 16 publicity period post submission 4/11/2019 to 16/12/2019.

3. Public Consultation

3.1 Background

3.1.1 An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.

3.1.2 RPC submitted a Consultation Statement, as required by Regulation 15 of the

Neighbourhood Planning (General) Regulations, to GBC in August 2019.

3.1.3 Public consultation on the LNP commenced with initial awareness raising, discussions and surveys in 2015. The start-up consultation was followed by various consultation stages, including:

- Detailed surveys 2016
- Policy development including Health Check on the plan 2016-17
- The pre-submission consultation under Regulation 14 from 6/9/18 to 16/11/18.
- The formal, publicity stage, as required by Regulation 16, (the consultation period post submission of the plan) from 4/11/2019 to 16/12/2019.

The Regulation 16 stage resulted in consultation responses from 51 respondents. Some of these made no specific comments or were generally in support but a number raised detailed matters which will be addressed as part of the examination. The responses from the Borough and Parish Councils in response to my clarifying questions prompted in part by these representations are set out in Appendix 1 and are considered as necessary within my assessment of the plan in section 6 below.

3.2 Lovelace Neighbourhood Plan Consultation

3.2.1 The Lovelace Neighbourhood Plan Group carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used involved use of the LNP and GBC neighbourhood planning website pages, Ripley and Send Matters, Parish Council Newsletters, monthly updates at parish council meetings, Facebook page and email drops as well as a presence at community events such as Ripley Farmers Market and questionnaires. Copies of the Pre-Submission Draft and Submission Plan were uploaded to the websites and links provided via email as well as being available locally in hard copy.

3.2.2 During 2015 initial discussions and a questionnaire survey were carried out to determine the issues for the plan. The survey went to all domestic and business addresses across the 3 parishes in summer 2015 and 562 were returned. As a result of this, 5 main themes for the plan were established and working groups set up to research each. At the end of 2015 a public meeting was held to discuss policy directions and following on from that the working groups began further analysis and detailed survey work during 2016 including a housing and business survey. Traditionally hard to reach groups in particular the young and the elderly were also targeted during this stage. The period between 2016 and 2017 was used for policy development and in December 2017 GBC carried out a health check on the emerging draft plan.

3.2.3 The Consultation Statement sets out the form and content of these early consultations. It is clear that full opportunities were available to the community to be involved and that the consultations gave a good basis for the preparation of the plan.

3.2.4 The Pre-Submission Draft consultation on the plan, as required by Regulation 14, involved a 10 week period from 6/9/2018 to 16/11/2018. A poster and social media campaign advertised the consultation. The Neighbourhood Plan was made available

online on the LNP and GBC websites and links to the plan provided via email. Hard copies of the full plan were made available in the local area and articles were published in the press and local magazines. A summary version and questionnaire were circulated to all households and businesses in the plan area. Statutory consultees and other key stakeholders were consulted by email with a link to the plan or by letter. Open days within the neighbourhood area were arranged. 227 responses were made online via the websites and 166 hard copy responses. The responses from the resident community regarding the plan were strongly positive although it is clear from the Regulation 14 responses that there was strong concern about the then emerging Guildford Borough Local Plan and its proposed housing allocations.

3.2.5 Following the pre-submission stage and the analysis of results the plan was finalised for submission.

3.2.6 The Neighbourhood Planning Regulations are part and parcel of Basic Condition a) and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Having reviewed the Consultation Statement and its appendices I am satisfied that the consultation statement is compliant with Regulation 15 in demonstrating who was consulted, how they were consulted, what the main issues and concerns were and what action has been taken in response to these to arrive at the Submission Draft Plan. The interest and participation by residents in the plan has been facilitated throughout the process at the various stages and I am satisfied from the evidence that the communication and consultation which took place provided sufficient opportunity for the community's participation.

4. Preparation of the Plan and Legislative Requirements

In terms of the procedural tests set out in paragraph 1.3.3 of this report my findings are:

4.1 Qualifying Body

4.1.1 Although the LNP covers three parish areas, Ripley Parish Council, as a duly elected lower tier council, has acted as lead parish council for the preparation of the plan representing Ockham Parish Council and the residents of Wisley Parish. Ripley Parish Council is therefore the lead qualifying body for preparation of the Plan.

4.1.2 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

4.2 Plan Area

4.2.1 The Lovelace Neighbourhood Area, as designated, coincides with the administrative boundaries of the three Parishes of Ripley, Ockham and Wisley.

4.2.2 An application was made by RPC on 19/01/2015 to designate the Lovelace

Neighbourhood Area. This was approved by GBC on 02/07/15 following consultation.

4.2.3 There have been representations at the Regulation 16 publicity stage that Wisley Parish cannot form part of the Neighbourhood Area as the parish has no duly elected Parish Council to act for it and ensure the LNP reflects the wishes of the Wisley Community.

4.2.4 Reading the legislation, regulations and NPPG, if the area of Wisley is technically a parish and, in this case, has no parish council a neighbourhood forum cannot be established to prepare a neighbourhood plan and therefore Wisley is unable to prepare its own plan. Thus, if the view is taken that Wisley Parish cannot be part of the Lovelace Neighbourhood Area, the community is prevented from achieving the benefits of a neighbourhood plan which would be contrary to the spirit of the Localism Act and the Government's intentions for neighbourhood planning.

4.2.5 In any event the NPPG in a May 2019 revision, not quoted by the Regulation 16 objector, states that: *"A single parish council (as a relevant body) can apply for a multi-parished neighbourhood area to be designated, or a neighbourhood area that contains both parished and non-parished areas, as long as the area proposed for designation includes all or part of that parish council's administrative area."* Paragraph: 026 Reference ID: 41-026-20190509

This is the case in Lovelace where RPC applied for a multi-parished neighbourhood area.

4.2.6 The NPPG goes on to state that in a multi-parished neighbourhood area *"when the parish or town council begins to develop a neighbourhood plan or Order (as a qualifying body) it needs to secure the consents of the other parish councils to undertake neighbourhood planning activities. Gaining this consent is important if the pre-submission publicity and consultation and subsequently the submission to the local planning authority are to be valid."* Paragraph: 027 Reference ID: 41-027-20140306

4.2.7 The first extract corroborates the right of Ripley PC to have applied for the Lovelace NA as designated. The issue for me to be satisfied about, in the light of the second extract and in the absence of a parish council, is how the Wisley community has formally engaged in the process. The Regulation 16 representation asserts that whilst the Neighbourhood Area application refers to a group being established in each parish to engage in the preparation of the plan this was not done. However, in response to my clarifying question of RPC (See Appendix 1), it is clear that both RHS Wisley and the residents were represented throughout with one resident being secretary of the group until 2019. Other Wisley businesses, Wisley church and the National Trust (responsible for the Wey Navigation in the northern part of the parish) have also been consulted. I am therefore satisfied that, notwithstanding the absence of a parish council, the community of Wisley was directly involved in the process and the incorporation of Wisley Parish in the neighbourhood area is not in conflict with the Basic Conditions.

4.2.4 The designation of the Neighbourhood Area satisfied the requirement in line with

the purposes of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

4.3 Plan Period

4.3.1 A neighbourhood plan must specify the period during which it is to have effect. The LNP clearly states on its title page and again in the introduction to the plan that it covers the period from 2019–2034.

4.3.2 The plan period coincides with the end point of the Guildford Borough Local Plan Strategy and Sites (GBLPSS) which sets out the strategic policies for the neighbourhood plan. The time period satisfies the requirements of Section 38B of the PCPA as amended.

4.4 Excluded Development

4.4.1 The Plan does not include policies or proposals that relate to any of the categories of excluded development – county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the TCPA 1990. Surrey County Council in their Regulation 16 representation requested that the LNP identify safeguarded minerals sites. However, both because this would constitute the inclusion of an ‘excluded matter’ and because these sites are already safeguarded in another part of the development plan (The Surrey Minerals Plan) this would be inappropriate. The LNP, as proposed to be modified in section 6 below, relates solely to the neighbourhood area and no other neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies requirements of Section 38B of the PCPA as amended.

4.5 Development and Use of Land

4.5.1 The Neighbourhood Plan should only contain policies relating to development and use of land. Subject to the modifications proposed below in section 6, the LNP policies would be compliant with this requirement of Section 38B of the PCPA as amended and all relate to development and the use of land.

4.6 Plan Publication Following Submission

4.6.1 GBC undertook a final validation check of the LNP following submission and confirmed that it was satisfied that the Plan could proceed to the publicity stage and this independent examination. The Council produced a statement at the end of the publicity stage to myself as examiner setting out a significant number of points where it considered the plan required modification. As many Local Planning Authorities use the

Regulation 16 stage to raise any concerns they have about the neighbourhood plan I have considered this statement alongside the Regulation 16 responses and refer to it below as necessary in section 6 of this report.

5. The Basic Conditions

5.1 National Policy and Advice

5.1.1 The main document that sets out national policy is the *National Planning Policy Framework* (the NPPF). A revised version of the NPPF was published on 24 July 2018 with a further version including minor clarifications in February 2019. For continuity purposes and for neighbourhood plans already in the system the NPPF states at paragraph 214 that “*the policies in the previous Framework (dated 2012) will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019*”. The Lovelace Plan was approved for submission after this date and the submission version and the Basic Conditions statement have been prepared on the basis of the revised Framework and therefore I have based my consideration of the extent to which the LNP meets Basic Condition a) in section 6 below against the revised NPPF including the 2019 clarifications.

5.1.2 The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.

5.1.3 The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words, neighbourhood plans must be in general conformity with the strategic policies of the Development Plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.

5.1.4 The NPPF indicates that plans should contain policies that are clearly written and unambiguous so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area.

5.1.5 National advice on planning is set out in the *Planning Practice Guidance* (PPG) which includes specific advice regarding neighbourhood plans. The PPG has also been reviewed in tandem with the NPPF and as the submitted plan has taken account of the revised Framework, for the purposes of this examination, I have considered the advice of the PPG as at the time of submission.

5.2 Sustainable Development

5.2.1 A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole

constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.

5.2.2 There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried out in respect of neighbourhood plans. However a SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.

5.2.3 In this case RPC has only included in the Basic Conditions Statement a brief commentary and tabulation on how the plan meets the 3 main sustainability objectives in the NPPF. This has not been done against a suite of sustainability objectives (reflecting the environmental, social and economic dimensions of sustainability) to test the LNP policies, which would have been the more usual procedure. However, I consider the contribution of specific policies to sustainable development below in section 6 and whether the individual policies will result in the plan as a whole contributing to the achievement of sustainable development.

5.3 General Conformity with the Development Plan

5.3.1 The relevant sources of strategic development plan policy are:

- The Guildford Borough Local Plan Strategy and Sites 2015-2034 (GBLPSS) adopted April 2019
- The remaining saved strategic policies of the Guildford Local Plan 2003
- Policy NRM6 of the South East Plan. Although the Regional Spatial Strategies were withdrawn this policy was saved to inform the management of development affecting the Thames Basin and Heaths Special Protection Area (TBHSPA).

5.3.2 The Council's adoption of the GBLPSS in April 2019 was subject to legal challenges by three parties. The High Court dismissed all challenges in December 2019 and the application to appeal the High Court's decision by one party to the Court of Appeal has been refused. The GBLPSS therefore remains as adopted in April 2019 and together with some saved policies from the earlier GLP 2003 is the plan for the purposes of the LNP. The Council has brought to my attention in their statement the strategic policies that are of most relevance to the Lovelace Neighbourhood Plan as follows:

- Policy P2: Green Belt
- Policy A35: Former Wisley airfield, Ockham
- Policy A41: Land at Garlick's Arch, Send Marsh/Burnt Common and Ripley
- Policy A42: Land for new north facing slip roads to/from A3 at Send Marsh/Burnt Common.

5.3.3 In addition to the main component elements of the development plan and of relevance to this neighbourhood plan, as the Lovelace neighbourhood area contains a TBHSPA site and is in the vicinity of several other TBHSPA sites, is the TBHSPA Avoidance Strategy. The strategy sets out an approach to protecting the TBHSPA from the

effects of urbanisation and increased recreational pressure that results from new housing within the vicinity of the TBHSPA. Policy P5 of the GBLPSS delivers an approach consistent with Policy NRM6 of the SE Plan and the SPA Avoidance Strategy. The approach prohibits new housing within 400m of the TBHSPA and requires new residential developments within 5km of the TBHSPA to avoid increasing recreational pressure on the habitat by providing or contributing to Suitable Alternative Natural Greenspace (SANG) and funding Strategic Access Management and Monitoring (SAMM) measures on the TBHSPA.

5.3.4 I consider in further detail in Section 6 below the matter of general conformity with the strategic policies of the plan.

5.4 European Union (EU) Obligations

5.4.1 A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the UK's exit from the European Union this Basic Condition remains in place until such time as the Acts of Parliament incorporating it are revoked or amended.

Strategic Environmental Assessment and Habitat Regulations Assessment

5.4.2 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environmental Assessment (SEA) Directive. Directive 92/43/EC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can have a bearing on neighbourhood plans.

5.4.3 Regulation 15 of the Neighbourhood Planning Regulations as amended requires either that a SEA is submitted with a Neighbourhood Plan proposal or a determination obtained from the responsible authority (GBC) that the plan is not likely to have 'significant effects.'

5.4.4 A screening opinion was prepared by JBA Consulting on behalf of GBC in consultation with the statutory bodies in autumn 2018. The screening opinion and determination report recognized that there were a number of sensitive receptors in the neighbourhood area but considered that generally the policies of the plan protected against impacts to these. Accordingly, it concluded that the LNP does not need an assessment under the Strategic Environmental Assessment (SEA) regulations.

5.4.5 Regarding Habitats Regulations Assessment (HRA) the test in the additional Basic Condition now essentially mirrors that in respect of SEA and requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a

determination to be obtained from the responsible authority (GBC) that the plan is not likely to have a 'significant effect'.

5.4.6 The LNP was subject to a Habitats Regulations Assessment (HRA) screening at the same time as the SEA screening and was carried out in accordance with the findings of recent case law that the screening should not take account of potential mitigation measures. The screening determined that in respect of policies LNPH 1 and LNPH 3 they supported development taking place in close proximity to the TBHSPA and if this took place without mitigation it could lead to significant adverse effects and therefore Appropriate Assessment under Article 6 or 7 of the Habitats Directive was required. The subsequent Appropriate Assessment concluded that as a result of mitigation and in particular the availability of significant SANG capacity that the policies would not have significant adverse effects. Although there are significant developments proposed through the GBLPSS in the neighbourhood area these were assessed as part of the HRA for the Local Plan and, subject to mitigation, were found to be acceptable. The LNP scale of development over and above these sites is small-scale and local. Accordingly, either alone or in combination with other plans and projects the LNP HRA concluded there would be no significant adverse effects on the integrity of European habitats or sites.

5.4.7 The statutory consultees agreed with the findings of the screenings and Appropriate Assessment and I have no reason to reach a different view.

European Convention on Human Rights (ECHR)

5.4.8 The Human Rights Act 1998 encapsulates the Convention and its articles into UK Law.

5.4.9 An Impact Assessment to assess the potential impacts of the neighbourhood plan against the protected characteristics identified in the equalities Act 2010 which is how some qualifying bodies demonstrate compliance with the ECHR was not carried out for the LNP. Instead the Basic Conditions Statement makes the assertion that the LNP has had regard to the fundamental rights and freedoms guaranteed under the ECHR. This is not evidenced and I therefore consider below whether or not the plan is likely to lead to increased inequalities or discrimination.

5.4.10 In respect of Article 1 of the first protocol of the Convention - the right of everyone to the peaceful enjoyment of possessions; although the LNP includes policies that would restrict development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

5.4.11 In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair and public hearing in determination of an individual's rights and obligations - the process

for preparing the LNP is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.

5.4.12 In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground, the policies and proposals of the LNP have been developed in consultation with the community and wider stakeholders and as proposed to be modified constitute a document that seeks to be inclusive.

5.4.13 No concerns or objections on the grounds of human rights or equalities have been raised during the Regulation 16 Publicity Stage of the plan. I am satisfied on the basis of the above that, across the plan as a whole, no sectors of the community nor any protected characteristics are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.

5.4.14 I am satisfied therefore that the Plan does not breach, and is otherwise compatible with, the ECHR.

5.4.15 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the LNP is compatible with EU obligations and therefore with Basic Conditions f) and g).

6. The Neighbourhood Plan – Assessment

The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in section 5 above that the plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions), this section largely focusses on Basic Conditions a) (Having regard to National Policy), d) (Contributing to the achievement of Sustainable Development) and e) (General conformity with strategic policies of the Development Plan). Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.

6.0 The General Form and Content of the Plan

6.0.1 The structure of the LNP is generally logical and clear with early sections setting the background context, issues, vision and objectives and then policy sections.

6.0.2 The plan distinguishes between the policies themselves and their justification by boxing and shading the policies. Each policy is accompanied by supporting text introducing the policy intent and providing a reasoned justification.

6.0.3 However the general form and content of the plan does raise two major issues in respect to Basic Condition a) and the legal requirements of neighbourhood plans.

6.0.4 Firstly two Regulation 16 representations from Savills on behalf of Wisley Property Investments Ltd and Iceni on behalf of London Strategic Land, as well as the statement from GBC, make the point that the GBLPSS is now adopted and the legal challenges made to its adoption dismissed in the High Court. As such the strategic policies and development allocations of the plan are now adopted following due process. Given that, it is inappropriate for the LNP to raise negative arguments regarding the developments at Wisley Airfield and Garlick's Arch as to do so undermines the strategic provisions of the GBLPSS.

6.0.5 GBC take issue in particular with repeated assertions in the plan that large scale developments will adversely affect the TBHSPA. The Council points out that Natural England and the TBHSPA affected Local Planning Authorities have agreed a strategic approach that protects the TBHSPA from new development. This approach is overseen by the Joint Strategic Partnership, a group of TBHSPA affected authorities, which is advised by Natural England. The GBLPSS is fully consistent with the approach and has been examined for impacts on the TBHSPA both at the Local Plan examination and later in the High Court where the GBLPSS HRA was challenged unsuccessfully. Therefore, there are no grounds to state that the GBLPSS allocations will result in adverse effects upon the TBHSPA. The Joint Strategic Partnership approach is reflected in GBLPSS policy P5, South East Plan policy NRM6 and the Guildford TBHSPA Avoidance Strategy 2017 SPD. Both policies P5 and NRM6 are strategic policies and the LNP must be in general conformity with them in order to meet basic condition (e). I accept this position and agree that any statements which undermine the approach are therefore not in accordance with basic condition (e).

6.0.6 The NPPF requires at paragraph 29 that neighbourhood plans should not undermine strategic policies of the development plan and emphasises in a footnote to that paragraph that neighbourhood plans must be in general conformity with the strategic policies. Not only is the LNP in its submitted form presented in a way which undermines the strategic policies but it presents a confusing view of future development in Lovelace and implies that somehow the neighbourhood plan will deliver an alternative future scenario to that set out in the GBLPSS where the large scale developments will continue to be opposed, when this cannot be the case. Throughout the plan there is repeated criticism of the GBLPSS allocations and statements made about the negative effect of the developments particularly on the TBHSPA and no reference to positive benefits for example new social infrastructure that is proposed. Accordingly, I agree with the objectors in this respect. I set out a general recommendation below to resolve this but highlight specific areas of text which will need to be changed as I examine each area of the plan below.

6.0.7 Where I do not agree with Savills in particular is their further point developing from this that given that the Wisley Airfield site is a strategic allocation in the GBLPSS the policies of the LNP should not apply to it. There may be cases where there is a need for amendment to the policies as I set out below to distinguish that the LNP policy applies beyond the GBLPSS allocated sites but provided the provisions of the LNP policies do

not undermine the allocations and policies of the GBLPSS the neighbourhood plan policies can generally be applied to the site allocations and there is no reason why they should not be. Indeed, the Savills objection completely overlooks the fact that the LNP is likely to outlive the building-out of the Wisley Airfield allocation and ongoing development within the strategic location, after the initial construction phase, should be subject to the controls of the LNP policies. Not to do so would result in a confused and unclear policy basis for future development where some parts of the neighbourhood area are subject to LNP policies and some are not. This would be unclear, ambiguous and unworkable.

6.0.8 The second major issue I have with the general form of the plan relates to the fact that neighbourhood plans should not include any matters which are not related to the development and use of land and at various points throughout the LNP there is reference to 'Aspirations' which the community and RPC wish to pursue. I assume that these are community projects and intentions which the qualifying body wishes to see delivered to meet the wishes of the local community but recognise these are not part of the formal neighbourhood plan. However, as far as I can see, this is not actually made clear.

6.0.9 It is common practice amongst qualifying bodies to take the concerns of residents raised through the consultation and develop community projects to address these. Where these are not related to development and the use of land it is normally formally recognised that they cannot form part of the plan and they would typically be dealt with in an appendix to the plan.

6.0.10 I recommend that an introductory paragraph is included at the end of the introductory section to the plan to signpost the community 'aspirations' but that they are moved to a new Appendix 1 of the plan emphasising that they are separate to the plan.

6.0.11 There are also a couple of more minor matters to raise in respect of the general form of the plan. The PPG requires the plan to provide a clear and unambiguous guide to developers and, in that respect, if these matters are not addressed there will be conflict with Basic Condition a). The LNP is a long document and sections of it will need to be able to be referred to by users of the plan. Neither the maps or paragraphs within the sections have any reference numbering. This will make it difficult when the plan is in use to refer to the different sections and mapping within the plan.

6.0.12 There are references in the plan text to appendices in the plan often dealing with survey results which do not need to be appended and can simply be standalone documents as part of the evidence base. In any event these are not referred to in the contents page to the plan nor included. These appendices should simply be referred to as background documents and appendices only used where the content is directly required for the operation of the policies or to inform the implementation of the plan.

Recommendation 1 –

1A – Remove all text from the plan that portrays the GBLPSS allocations as still being determined and/or portrays them in a negative way adversely impacting on

the TBHSPA or implies they will continue to be opposed through the neighbourhood plan (See policy sections below in respect of specific areas of deletion).

1B – Add a new paragraph at the end of the introductory section introducing the ‘community aspirations’ and the appendix which sets these out as follows:

“As a result of the community consultation that has been carried out a number of issues have been raised that particularly concerned the community and on which they wished to see action taken. The Parish Councils recognise that in some respects the concerns raised involve matters which the Neighbourhood Plan cannot directly influence as they are not directly related to the development and use of land. Nevertheless, as these matters have been derived from the Neighbourhood Plan questionnaires the Parish Councils wish to set these out as community aspirations and which they wish to see actioned complementing the planning policies and helping the implementation of the neighbourhood plan. The list of community aspirations is set out at Appendix 1 at the end of the Plan”

Relocate the ‘Aspirations’ listed at the end of policy sections to a new Appendix 1 at the end of the plan.

Make consequent changes to the table of contents inserting the new Appendix 1.

1C - Insert paragraph and map reference numbers throughout the document.

1D – Delete current references to appendices A-D. The only appendices that need to be included are:

- **Community aspirations (new Appendix 1 as above),**
- **Local Green Spaces (new Appendix 2 as set out at the end of this report)**
- **Local Views (Appendix 3 as set out at the end of this report) and**
- **Lovelace Design Standards (currently Appendix C5)**

which are required in connection with implementing the plan.

6.1 Introduction to the Lovelace Plan

6.1.1 This section of the LNP describes the purpose and intent of the neighbourhood plan, how it relates to the existing policy base and defines the neighbourhood area. This is a largely factual introduction but carries inaccurate referencing to the status of the GBLPSS and implies in the purpose section that the GBLPSS allocated sites are still not acceptable. This is inappropriate and misleading content contrary to Basic Conditions a) and e) as set out in section 6.0 above. There will also be a need for updating of the procedural text on page 3 as the plan moves forward and as per Recommendation 1 above removing references to appendices.

Recommendation 2

2A Delete the penultimate sentence of Paragraph 4 and replace with the following:

“The plan is in general conformity with the strategic policies of the adopted Guildford Borough Local Plan Strategy and Sites (GBLPSS) 2019 and with the remaining saved policies of the former Guildford Local Plan 2003.”

2B Delete the text in the 1st purpose of the plan after the words ‘fifteen years’

2C Delete references to appendices in the last 2 paragraphs of Page 2.

2D Update the text setting out the procedure on page 3.

6.1.2 With these modifications the section meets the basic conditions.

6.2 Lovelace Profile

6.2.1 This section sets out the background to Lovelace neighbourhood area and sets the context for the plan but again is not in general conformity with the development plan as it carries now inaccurate references to the extent of the Green Belt which need to be corrected. GBC in preparing the GBLPSS carried out a Green Belt and Countryside Study which resulted in the village of Ripley being inset from the Green Belt in the adopted GBLPSS. The Local Plan also includes development allocations at the former Wisley Airfield and Garlick's Arch area on land which is inset from the Green Belt. The text in this section and map of the Lovelace Boundary on page 4 refers to the previous extent of the Green Belt and does not reflect these recent changes.

6.2.2 Savills in their Regulation 16 representations make the point that the references to poor transport infrastructure and lack of social infrastructure in the Lovelace Profile should be balanced by text indicating that through the GBLPSS allocation at Wisley Airfield these matters will be addressed. However inasmuch as the section paints the current position in Lovelace it is not inaccurate.

Recommendation 3

3A – Paragraph 1 last sentence amend to read:

“The majority of Lovelace lies within the London Metropolitan Green Belt....

3B - Update the plan of the Lovelace Boundary on page 4 to show the current Green Belt boundaries as per the GBLPSS 2019.

3C – Reword the 2nd sentence of the penultimate paragraph on page 7 to read:

“The GBLPSS 2019 insets (takes out of the Green Belt) the settlement area of the village.....”

6.3 Constraints and Challenges

6.3.1 The third section of the plan sets out the constraints and challenges in particular those arising from the strategic development decisions affecting Lovelace.

6.3.2 As set out in section 6.0 above this part of the LNP includes negative and outdated commentary particularly about Green Belt, allocated sites and the GBLPSS which means that it is not in general conformity with the development plan and presents a confused picture about what the future development pattern will be. The plan must reflect the current planning position and not comment on what might have been or what might be negative impacts of development on the allocated sites. Whilst I understand from the consultations that have been carried out that there is concern amongst the community about the scale of development on the allocated sites these decisions have now been taken and the neighbourhood plan must reflect these and support their implementation. If the community is concerned about the challenges then part of the solution is to ensure that the neighbourhood plan represents a robust set of policies to properly manage the change that is planned for Lovelace.

6.3.3 In particular, the referencing to the Former Wisley Airfield has been criticised by Savills in their Regulation 16 representations on behalf of the developer. Savills state that the site should not be referred to as Three Farms Meadows and should simply be referred to as Former Wisley Airfield. Most of the text on page 20 is out of date or irrelevant now that the allocation is part of the adopted GBLPSS and to avoid confusion and lack of clarity it should simply be deleted with only the map retained.

6.3.4 Furthermore in respect of section 3, as required by the NPPF and the PPG the plan needs to be clear and unambiguous if it is to accord with Basic Condition a). The text at 3.1 which is headed Green Belt then introduces the matter of the nature conservation constraints which, whilst undoubtedly important, are completely unrelated to Green Belt and to avoid confusion should be covered separately. Additionally, the table showing Planning Permission Refused on page 15 is confusing, unnecessary and meaningless in the context of section 3 and should be removed in the interests of clarity.

6.3.5 Finally Surrey County Council in its Regulation 16 representation states that alternative HGV routings for the Drift Golf Club development have been agreed which do not follow the route shown on page 16. The aerial photograph should therefore be deleted.

6.3.6 Accordingly, the following modifications to the text are required:

Recommendation 4

4A – Relocate paragraph 6 page 13 to form the introductory paragraph to the section replacing the words ‘next decade’ in line 3 to read ‘next 15 years’. Follow this introductory paragraph with the subheading ‘Green Belt’ and what is currently paragraph 1.

4B – Reword the second sentence of the paragraph starting ‘The Green Belt provisions...’ to read:

“However in preparing the GBLPSS 2019 the Borough Council has reviewed the extent of the Green Belt and has removed two areas from the Green Belt for development at the former Wisley Airfield and at Garlick’s Arch as well as insetting the village of Ripley.”

This paragraph should follow immediately after the first paragraph of the Green Belt section.

4C – Delete original paragraphs 2 and 3 and insert new section 3.2 entitled “Environmental Constraints” followed by the following original text:

“Lovelace is predominantly rural and includes the environmental designated areas of TBHSPA, SSSIs, SNCIs, LNRs and ancient woodlands. These areas make up approximately 11% of Lovelace and include Ockham and Wisley Commons, the former Wisley Airfield, Ripley Green, Papercourt Lake, and the River Wey and Wey Navigation. The designations cover a significant area of Lovelace and the remainder of the area is either Common Land or farmland.”

4D – Delete 1st paragraph of existing section 3.2. The current 3rd paragraph becomes the start of what will be section 3.3. Reword 1st sentence to read Lovelace faces challenges during the next 10 years...

Delete the last sentence of the paragraph and replace with the following text:

“Challenges will be managed through the policies of the GBLPSS and this neighbourhood plan”.

4E – Delete the table Planning Permission Refused at the top of Page 15.

4F - In the Current and Proposed Future Projects Map on page 15 remove the sites that are shown outside the neighbourhood area in the SW corner of the map. Only that part of Garlick’s Arch that lies in the Neighbourhood Area should be included.

4G – Delete photograph on page 16 and last sentence of section 3.3.2

4H – Section 3.3.4 - Retitle ‘Proposed Sites – GBLPSS 2019’.

Delete the last 2 sentences of paragraph 3 of section 3.3.4 and the last paragraph as the spatial strategy of the GLPSS is now fixed and these references are irrelevant.

Update plan on page 19 to show the strategic sites of the GBLPSS as adopted.

4J – Section 3.3.4.1 – delete Three Farms Meadow from the title of the section and reference to TFM in this section and throughout the plan.

Delete the words “and the Metropolitan Green Belt” from the first sentence.

Delete paragraphs 2 and 3 on page 19 and all of page 20 with the exception of the map. Replace with the following text:

“The airfield is a strategic allocation in the adopted GLPSS 2019 for 2000 homes and supporting infrastructure, services and community facilities including primary and secondary schools”. Follow this with the map.

4K – Section 3.3.4.2 – Second sentence – reword start to read:

“The GBLPSS Adopted 2019 allocates the area for a.....”

Delete the words “if approved” from the end of that paragraph.

4L – Section 3.3.4.3 Delete the paragraph at the top of Page 22 as the site is not in the neighbourhood area.

4M – Section 3.3.4.4

Remove the reference in the second paragraph to Send Prison which GBC state is an incorrect reference.

4N – Section 3.3.4.5 Delete the text in the summary and replace with the following:

“The six major projects described above will require careful planning and design to ensure there will be no long-term effects on Lovelace and its community”.

6.3.7 With these updating and clarifying modifications carried out the text of this section has regard to national policy and advice and is in general conformity with the now adopted GBLPSS 2019.

6.4 Lovelace Vision and Objectives

6.4.1 The fourth section of the plan sets out the community’s vision and the objectives for the plan to deliver the vision and provide the basis for the policies.

6.4.2 Being able to demonstrate the thread from issues to vision and objectives to policies is an important part of evidencing the neighbourhood plan as required in the PPG. The plan achieves this and section 4 creates the basis for the policies in sections 5-8.

6.4.3 The vision and objectives look to meet the local needs of the community whilst safeguarding the rural character of the parish and the qualities of its environment. The plan

looks to improve local infrastructure and facilities and retain and expand business and employment opportunities. The plan has regard to the PPG advice in respect of neighbourhood planning that it *“provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people.”*

6.4.4 The vision and objectives also encapsulate and are generally complementary to the vision and objectives set out in the GBLPSS at Section 3.0 and in particular those objectives relating to the environment and to infrastructure. Moreover, the impact of pursuing the vision and objectives of the LNP would contribute to the achievement of sustainable development and a more sustainable neighbourhood area.

6.4.5 The Vision and Objectives of the LNP therefore meet Basic Conditions a), d) and e) and other than the minor typographical corrections set out in Appendix 3 I have no comments to make on the section.

6.5 Housing Policies (Policies LNPH 1-3)

Section 5 of the plan sets out the policies of the plan relating to housing and I consider each in turn against the Basic Conditions following the order of the plan.

6.5.1 – Introduction

i) The first section of the housing policies is an introductory section that sets the scene and spells out the community’s wish to cater for local needs but in smaller sustainable developments. Given the adoption of the GBLPSS in 2019 and its development strategy the references in the introduction to the ‘challenged local plan’ and proposals must be updated if the plan is to be in general conformity with the development plan. Moreover, the community’s wish to see smaller incremental development can only apply to development beyond the GBLPSS allocated sites and existing commitments.

Recommendation 5.1

5.1A – Change all references to ‘CALP 2019’ and other varying forms of reference to the Local Plan throughout the LNP to “GBLPSS 2019”.

5.1B – Paragraph 7 – Delete last sentence as Ripley is already inset and this has been referred to earlier in the plan.

5.1C – Paragraph 9 - Reword as follows:

“The Garlick’s Arch site at the Southern end of Ripley and partly in co-joining Send ward is excluded from the Green Belt in the GLPSS 2019 and is allocated for development of 550 homes, around 200 of which will be in Ripley Parish and the remainder in Send”.

5.1D – Paragraph 10 reword as follows:

“The former Wisley Airfield site in Ockham Parish is also excluded from the Green Belt in the GLPSS 2019 and allocated for 2000 homes plus social and community infrastructure. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) agreementat Ockham and Wisley

Commons.” Delete the rest of the paragraph.

5.1E – Last paragraph on page 27 – delete all text after the first sentence.

ii) With these modifications to the text the section provides an introduction that is in general conformity with the development plan.

6.5.2 Suitability of Development Sites – (Policy LNPH 1)

i) Section 5.2 of the LNP in effect sets out the spatial strategy for Lovelace. Essentially this seeks to focus development within the settlement areas and without extending the built form. Development outside the development limits is restricted to rural exceptions housing.

ii) As it stands the policy is not in general conformity with the adopted GBLPSS as it does not acknowledge that major development will take place on the allocated sites and that the policy is intended to apply to development additional to that on the allocated sites. Therefore it conflicts with Basic Condition e).

iii) With this addressed and the policy clearly relating to future development beyond the GBLPSS allocations and given the scale of development proposed in Lovelace to assist in meeting district wide housing need the aspiration of the community and Parish Councils to see smaller more incremental growth is not in conflict with either national or local policy. In these circumstances it is not unreasonable to see development, (additional to that on the allocated sites), taking place over the rest of the plan period at a smaller scale within settlements helping to retain the landscape character and natural environment of Lovelace.

iv) However, there are two further issues with the policy which, in order for it to comply with the need for policies to be clear and unambiguous as set out in the NPPF and PPG, need to be addressed.

v) First, the policy is essentially a set of criteria which development within settlements must meet to be supported. Within that list at g) is a statement supporting development on rural exception sites. This is completely at odds with the other criteria and is a separate point entirely and should be relocated to the end of the policy.

vi) Secondly, GBC in its Regulation 16 statement has made the point that it is not always possible for infrastructure to be provided prior to occupation. Whilst I can understand this in respect of social infrastructure such as new educational provision the policy clearly applies to all infrastructure such as access roads, drainage, etc and it is not acceptable for these elements not to be in place when a development is occupied. In the interests of allowing some flexibility I would recommend that the wording is changed to ensure infrastructure is provided in time to meet needs.

vii) The supporting text to the policy retains the flaws of explanatory text in earlier sections of the plan where, despite the plan being submitted after adoption of the GBLPSS it still includes references to an earlier position and opposition to plan proposals. If the plan is to be in general conformity with the GBLPSS and not to undermine its strategic policies

these flaws need to be resolved. GBC in its Regulation 16 statement makes the point that the statement on page 29 last paragraph is incorrect in that significant major development with an adverse impact on the TBHSPA must provide SANG and SAMM but in any event this section of the supporting text reads as a policy statement – and as it is not covered in the policy and is covered elsewhere in the plan it should be removed. Finally, in respect of the supporting text needing to be clear and unambiguous, the second paragraph on page 31 introduces confusion in appearing to support development ‘alongside the settlements’ when in fact the policy seeks to contain development within the settlement areas other than in circumstances where residential development in the Green Belt would not be inappropriate.

viii) I set out my recommended modifications below dealing first with the policy.

Recommendation 5.2

5.2A – Revise the start of policy LNPH 1 to read:

“Residential development in addition to the site allocations of the GBLPSS and existing commitments will be supported within the settlement boundaries and where it is consistent.....”

Relocate criterion g) in policy LNPH 1 to form a separate clause at the end of the policy to read:

“Development adjoining settlement areas on rural exception sites to provide affordable housing will also be supported”.

Reword criterion j) line 2 after ‘is provided’ to read:

“...is provided in time to meet needs”

5.2B – Third bullet point on Page 28 delete the words ‘specifically FWA/TFM and GA’

5.2C – Page 29 1st paragraph revise first sentence line 2 from the words ‘changed by’ to read:

“changed by any further alteration to boundaries or extent.

Delete second sentence.

Move the paragraph following the bullet points up to become the first bullet point as it deals with the matter of GB alteration.

Delete bullet points 4-6 and 7 as these are not related to the Green Belt.

5.2D – Delete the last paragraph on page 29 and the first on page 30

5.2E – Delete last sentence of 2nd paragraph on page 30. Insert new paragraph following paragraph 2 to read:

“The adopted GBLPSS 2019 makes provision for this figure including 2 large site allocations within Lovelace at former Wisley Airfield and at Garlick’s Arch. Given the scale of these developments the strategy of the neighbourhood plan is to see residential development outside of these allocated sites restricted to smaller developments and, other than on rural exception sites and previously developed sites, restricted to the settlement areas.”

5.2F – Delete the rest of the text and photo on page 30 and the first paragraph on Page 31. With the GLPSS adopted it is not for the LNP to propose an alternative strategy that could have been followed of developing surface car parks in Guildford.

5.2G – Second paragraph page 31 first sentence delete the words ‘alongside the settlements’ and replace with the words ‘well-located’

5.2H – Insert after the plan on page 31 a new paragraph to introduce the 3 types of residential development in the Green Belt which are most likely to arise in the neighbourhood area as follows:

“The nature of the neighbourhood area is such that new residential development in the Green Belt is most likely to take 3 forms – infilling in villages washed over by the Green Belt, rural exception sites for affordable housing and the redevelopment or partial redevelopment of previously developed land.”

ix) The modifications I propose necessitate a number of changes to clarify the spatial strategy. However, these changes retain the intent of the LNP to pursue smaller developments within the developed area in the future as the larger allocated sites are built out. For the reasons given above I consider that modifying the plan as proposed at Recommendation 5.2 above is necessary to meet the Basic Conditions. Because the overall intent of the plan is unchanged and the modifications are mainly necessary to clarify the changed planning circumstances they would be unlikely to come as a surprise to the Lovelace community and therefore would not require the plan to be the subject of further consultation or re-submission at this stage.

x) With these modifications in place Policy LNPH 1 and its supporting text meets Basic Conditions a) and e). The proposed approach to residential development in the LNP is a sustainable one and will contribute to the achievement of sustainable development. Accordingly, Basic Condition d) would also be met.

6.5.3 Housing for All (Policy LNPH 2)

i) Policy LNPH 2 seeks to secure appropriate provision for affordable housing. The policy draws on evidence from the housing needs survey carried out by Surrey Community Action and census statistics.

ii) The NPPF at paragraph 61 encourages planning for a mix of housing based on the assessment of housing need from different groups in the community and reflecting this in planning policies. Essentially that is what the Neighbourhood Plan has done and to that end the principle of the policy has regard to the NPPF and is not inappropriate in terms of Basic Condition a).

iii) Policy GBLPSS H1 sets out a set of measures to ensure housing for all is provided within Guildford Borough whilst GBLPSS Policy H2 sets out the requirements for provision of affordable homes. Representations at the Regulation 16 stage have expressed concern regarding the proposed mix of sizes in respect of affordable homes set out in policy LNPH 1, in particular the smaller proportion of one bedroom properties proposed and that this is not compatible with the GBLPSS. However, for a number of reasons I do not think this constitutes a problem for general conformity with the GBLPSS. The evidence base for the LNP policy is the Surrey Community Action housing survey which went to 1177 homes in Lovelace and had a 22% response rate. The need evident from this survey was primarily for 2 and 3 bedroom houses and not necessarily 1 bedroom houses. Indeed the

range of sizes set out in the policy evens out what is a more pronounced need for 2 and 3 bedroom houses in the survey. The GBLPSS policy H1 does not require a specific range of sizes and simply requires a mix, although the supporting text does set out a range for affordable housing including 40% one bed units. This is not policy per se and is obviously a boroughwide figure. As argued in the LNP this rather more reflects an urban requirement than one for Lovelace. The matter of exactly what range is adopted is not a matter of general conformity and can be locally determined in the neighbourhood plan. The watch word is flexibility and as the plan looks ahead over 15 years it would be appropriate to acknowledge that an alternative split may be needed if evidenced by up-to-date survey results.

iv) Savills in their Regulation 16 representation take issue with the fact that as set out the policy would apply to the strategic site at Wisley Airfield and as this is already covered by the requirements of the GBLPSS at policy A35 this is not appropriate. However, GBLPSS policy A35 does not make any statement about affordable housing and, as policy LNPH 2 merely clarifies GBLPSS policy H2 as regards the quantity of affordable housing required, the LNP is not undermining strategic policies. Moreover, with the addition proposed above to introduce the flexibility to provide a different mix of affordable housing where there is needs based evidence I am not persuaded that policy LNPH 2 is in conflict with the GBLPSS strategic policies.

v) However, GBC has also made the point in their Regulation 16 statement that at clause b) of policy LNPH 2 the wording incorrectly refers to 'or more than 1000 sq metres of internal floorspace' and implies that financial contributions will always be applied in Lovelace Ward. GBC explains that for various reasons, not least that there may not be a suitable scheme in Lovelace to apply the money to, this may not always be possible. The Council therefore suggests that the wording should indicate that sites in Lovelace will be prioritised for the receipt of funds collected. I agree that this is a clarification that should be made to the policy.

vi) Finally, regarding the policy, clause e) merely repeats policy LNPH 1 and policy LNPH 2 and is unnecessary and unrelated to the subject matter of the policy.

vii) With respect to the supporting text the plan again requires updating to reflect the adoption of the GBLPSS and to remove negatively phrased text that undermines the now adopted strategic policies. Moreover, there is no evidence to suggest that an oversupply of one bedroom properties would exacerbate traffic problems as such units are only likely to have one car associated with them whereas it is the larger properties that are likely to have multiple car ownership. Finally, the paragraph relating to the TBHSPA is again repetitious and adequately covered by text and policies elsewhere.

Recommendation 5.3 (See also App 3 for typographical corrections to this section)

5.3A – Policy LNPH 2 clause b) line 1-2 delete the words 'or more than 1000 square metres of internal floor space'

In line 4 – delete the word 'in' after GBC and replace with the word '*prioritising*'.

5.3B – In clause c) Line 2 after the word 'homes' add the following wording:

“...homes other than where an up to date local housing needs assessment justifies an alternative percentage split.”

5.3C – delete clause e) and related text at page 35 paragraph 4 line 4 – ‘Any major development’ to end of paragraph.

5.3D – Make the following modifications to the supporting text:

Page 35 Paragraph 1 line 1 – Replace the word ‘CALP2019’ with the words “*adopted GBLPSS*”

Page 35 Paragraph 2 line 1 – delete the words ‘GBC’s emerging LP figures’ and replace with “*GBLPSS policy*”

Page 35 Paragraph 2 – Delete the last sentence starting ‘An oversupply...’

Page 35 Paragraph 5 – Delete whole paragraph.

vii) With these modifications Policy LNPH 2 and its supporting text would meet the Basic Conditions a), d) and e).

6.5.4 Housing Design and Density (Policy LNPH 3)

i) Policy LNPH 3 requires a high quality of design in housing developments and requires developments to comply with a range of design criteria.

ii) The policy has regard to Section 12 of the NPPF and in particular paragraphs 124 to 127 especially the criteria in paragraph 127. Policy D1 of the GBLPSS sets out a detailed list of place-shaping criteria that development in the district should adhere to. Policy LNPH 3 does not seek to replicate this but instead sets out the local requirements of the neighbourhood plan that complement the strategic policy. The intent of the policy is therefore not in conflict with Basic Conditions a) and e) but, as with other policies, there are a number of areas where the detail needs to be modified both to create a policy that is clear and unambiguous and that is up to date in respect of the adopted GBLPSS.

iii) First in clause a) the correct reference to the adopted local plan must be made.

iv) Secondly, the Lovelace Design Standard (LDS) is intended to apply to all developments in Lovelace yet clause b) of policy LNPH 3 only seeks to apply it in respect of the Conservation Areas in Lovelace. The policy needs to clarify where the LDS will apply and it needs to be attached to the plan as an Appendix.

v) Thirdly, clause c) seeks to apply a size restriction on residential extensions to small and medium sized properties. This is an inappropriate level of control which is not adequately evidenced and is contrary to the NPPF which encourages effective use of residential land. If the clause is to be retained it needs to be expressed in a more general way – not restricted to smaller properties and not expressing a maximum cap because situations vary significantly depending on the context within which each property sits.

vi) Fourthly, as the intention is that policy LNPH 3 can apply to all sites, the control in criterion d) does not reflect GBLPSS Policy D1 at subsection 5) which acknowledges that the scale and nature of the strategic sites is such that to a degree they will establish their

own townscape character and a restriction requiring materials to be local and complimentary to local character is not in conformity with the strategic policy. A similar issue arises with criterion i) where requiring density in the allocated sites to reflect the generally low density and character of the surrounding rural area would not be in conformity with the strategic intentions for these major sites.

vii) Fifthly, criterion e) seeks to restrict the height of development to a maximum of 3 storeys in keeping with the height and character of the surrounding area. However again this is unclear as the surrounding area to much of the development in Lovelace is rural countryside, in particular that around former Wisley Airfield. At the same time the NPPF at paragraph 123 seeks to make efficient use of residential land and therefore the policy would have closer regard to the NPPF and the Lovelace context if it was to be less specific and simply require that the height does not materially harm the character of the surrounding built form.

viii) Sixthly, criterion j) seeks to apply density controls and for Ockham, (where the Wisley Airfield development is located) proposes a very low density. This might be appropriate for the hamlets of Ockham but not for the strategic site. Therefore the criterion needs to exclude the allocated sites and, for Ockham, require development other than on the strategic site to be to a low density.

xi) With regard to the supporting text, the section on garden space is unclear as although it cites the importance of gardens it does not state what the policy seeks to do about it.

Recommendation 5.4

5.4A – In criterion a) of policy LNPH 3 delete the reference ‘GBC emerging local plan 2018’ and replace with “*the GBLPSS Adopted 2019*”

5.4B – Reword criterion b) to read:

“Developments in *Lovelace* should follow the Lovelace Design Standard at *Appendix x* and in the Lovelace Conservation Areas should also be in accordance with relevant Conservation Area Appraisal guidelines.

5.4C – Reword criterion c) to read:

“Overdevelopment and disproportionate additions to properties do not result.”

5.4D – Delete the words ‘local and complimentary’ in line 1 of criterion d) and add at the end of d) “*particularly on strategic sites*”.

5.4E – Reword criterion e) to read:

“Residential developments will be *built to a height that respects the character of the settlement built form*”.

5.4F – Insert at the start of criteria i) and j) the words “*Outside the strategic sites...*”

5.4G – Criterion j) line 3 delete the words ‘4 per hectare’ and replace with the word ‘*low*’.

5.4H – Make the following changes to the supporting text:

Add at the end of paragraph 5 of the reasoned justification on page 37 the following:

“*The policy requires individual gardens to be provided for houses and communal garden space for flats.*”

Delete paragraph 6 down to and including the words ‘...impact on the TBHSPA’.

Add after the words ‘green space in line 1 of page 38 the words “in addition to SANG and SAMM contributions”

x) With these modifications the policy complies with Basic Conditions a) and e). As the outcome from applying the policy will be development to a higher standard respecting the built and natural environment of Lovelace it will contribute to sustainable development and therefore Basic Condition d) is also met.

6.6 Environment Policies (Policies LNPEN 1-5)

6.6.1 Introduction

i. As with the housing policies the LNP has a suite of environment policies and sets out a general introduction to these at the start of the section.

ii. In the main this introduction is largely factual but on page 41 again the plan includes inaccurate text regarding the Green Belt and again chooses to include unnecessary text on the planning history regarding the former Wisley Airfield which will have the effect of undermining the strategic allocation of the site. Having made the point on page 39 that the environmental constraints are not to be confused with the Green Belt the text on page 41 then proceeds to do so by referring to Green Belt where it is irrelevant in the context of that section. Moreover, the text refers to the provision in the NPPF for neighbourhood plans to make detailed amendments to Green Belt boundaries and states that the LNP reserves the right to make such changes. Whilst it is possible for a neighbourhood plan to do this it cannot reserve a right. Either the detailed amendments are worked up as the plan is being prepared and subject to consultation, which has not happened, or the matter must be left until the plan is reviewed. This text must be modified to comply with the Basic Conditions.

Recommendation 6.0

Delete the whole of the first 2 paragraphs dealing with Green Belt and the penultimate paragraph referring to the former Wisley Airfield from page 41.

6.6.2 Local Green Space and Views (Policy LNPEN 1)

i) The LNP at Policy LNPEN 1 seeks to protect local Green Space and key local views. Whilst individually these policy topics are acceptable subjects for the Neighbourhood Plan they are completely different in terms of policy objective and combining them together in one policy results in a policy that is confused, and not clear and unambiguous as required by the NPPF and the PPG. At the very least the policy content and supporting text should be split into 2 distinct parts. I assess how the two policy topics perform against the Basic Conditions individually below.

Local Green Spaces

ii) The plan takes up the opportunity offered in the NPPF to identify and designate

Local Green Space (LGS) in accordance with paragraphs 99-101. Such spaces can only be designated at the time the neighbourhood plan is being prepared and development within them will be treated in the same way as development within the Green Belt ie only where very special circumstances apply.

iii) The 8 sites listed in the text on Page 43 and proposed to be designated as LGS are shown in the Map on page 43 with the exception of the sports area on Ripley Green which is not shown. It is stated that the justification for these sites being selected in terms of the tests set out in the NPPF are set out in Appendix D1 but that is not the case. As it is a requirement in the PPG that neighbourhood plans must be appropriately evidenced I requested the Parish Council to provide the evidence as to why the LGS had been proposed. The tests that the NPPF sets are:

- Is the green space in reasonably close proximity to the community it serves?
- Is the green space demonstrably special to the local community and of local significance?
- Is the green space local in character and not an extensive tract of land?

iv. The Parish Council has provided the assessment which was omitted in error from the submitted version of Appendix D1 (see Appendix 2A to this report) and I propose that it is included as Appendix 2 in the modified plan. In view of my recommendation below that policy LNPN 1 is split the evidence for the LGS and the keylocal views should be contained in two separate appendices. The evidence for the LGS now submitted satisfies me that the NPPF tests are met.

v. The GBLPSS does not identify any open space as Local Green Space but at Policy ID4 it looks to protect all land operating as open spaces. As such Policy LNPN 1, in seeking to protect these LGS, is in general conformity with and complements the GBLPSS by identifying which open spaces are important at a local level. Protecting key green areas by designating them as LGS is likely to contribute to the achievement of sustainability and is a justified activity for the LNP and therefore Basic Condition d) is met.

vi. Notwithstanding the fact that in principle the designation of the LGS accords with Basic Conditions a), d) and e) there are a number of issues with the policy and supporting text that, as it stands, would result in it failing the national advice that policies must be clear and unambiguous and evidenced properly.

vii. First, the policy does not make it clear where the Local Green Spaces are defined. Secondly, the policy states that all green spaces within the inset settlements will be consistent with Green Belt policies. It is unclear what this means and, in any event, not all the green spaces in the settlements are proposed to be designated as LGS and therefore cannot be treated in the same way as Green Belt. Thirdly, the criteria which development must meet introduces issues completely unrelated to the protection of the LGS in particular c) and d) whilst e) relates to the protection of key views. Finally, as stated above the justification for the LGS must be apparent and their extent must be properly defined on a map base. The map on Page 43 is at too small a scale to show the exact boundaries of the LGS.

viii. Surrey County Council in its Regulation 16 representation objects to the designation of the former playing field to Ripley Primary School being identified as LGS. I looked at this area during my site visit and clearly the site is well related to the community in terms of accessibility. Moreover it is not an extensive tract of land. It is currently fenced off and therefore is not currently providing a sports and recreation function for the community but clearly it could do and is well-related to the village hall which, when redeveloped as proposed, could provide supporting facilities. I note the County Council's argument that the NPPF states that designation of LGS should be consistent with the delivery of sustainable development and delivery of services but I am not persuaded that in this case a designation as LGS would pre-empt this. In any event the NPPF allows development of LGS in very special circumstances and it would be for SCC to demonstrate that what it proposed for the site in terms of community services constituted those very special circumstances.

Local Views

ix. The policy seeks to protect local views seen from public rights of way or where the public has access which are important in sustaining the distinctive character of the landscape. Inasmuch as the NPPF at paragraph 170 states that planning policies should protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside, this part of policy LNPEN 1 has regard to national policy. The GBLPSS at policy D1 - Place Shaping seeks to ensure development reflects distinctive local character including landscape character. In seeking to protect local landscape character and local views of importance the LNP is in general conformity with the GBLPSS and adds local detail to its policies. However, it is noted that views 12 and 13 look across the strategic allocation at the former Wisley Airfield. The intention of the policy cannot be to constrain the extent or quantity of development in this strategic allocation as its impact has already been assessed through the preparation and adoption of the GBLPSS. However, it remains reasonable and important for the LNP to ensure that the detailed design of the site respects the landscape character and local views across the area. To enable this to happen the policy wording needs to be adjusted from saying 'development with adverse impacts will not be supported' to 'development must respect the landscape character and local views'. The alternative would be that if the policy control remains in its original form views 12 and 13 cannot be protected as the policy would then undermine the strategic policies of the GBLPSS.

x. Again as with LGS I am not satisfied that the policy can operate successfully or deliver clear outcomes. In the main this is because although views are named and to a degree described in Appendix D1 there is no description as to why they are important or what the characteristic is that is important to retain. It is therefore difficult for a decision maker to operate the policy and protect the views. As such the policy is in conflict with national advice and Basic Condition a). As with the LGS I have asked the Parish Council to provide this justification in order that the policy can be implemented. Additional justification has been provided and it is attached at Appendix 2B to this report.

xi. Splitting the policy into the two separate parts requires amendment to the

supporting text for it to provide clear justification to each policy objective. The plan in the introductory paragraph to the Reasoned Justification also misquotes the NPPF. The text quotes NPPF paragraph 172. However, this relates solely to national parks and AONB. These do not apply to Lovelace and an alternative quote from paragraph 170 should be used instead.

Recommendation 6.1

6.1A Divide LNPEN 1 into two parts – LNPEN 1A Local Green Spaces and LNPEN 1B Local Views

6.1B - Change the first sentence of the 1st paragraph of original LNPEN 1 to read:

“LNPEN 1A Local Green Spaces

“The Lovelace Local Green Spaces as defined in Appendix 2 are to be maintained for the community”. (Note Appendix 2 in the modified LNP should be formed with the wording from Appendix 2A to this report).

Delete second and third sentences of original first paragraph plus the reference to SANG and the wording ‘ Developments are not supported where:’ and criteria a) to e) and replace with the following:

“Proposals for development in the LGS will only be supported in very special circumstances and should not result in negative impacts upon LGS nor result in the loss of any LGS unless the development is ancillary to and supports the existing uses of the LGS, such as on cricket pitches where a pavilion is needed”.

6.1C Insert new section to read as follows:

“LNPEN 1B Local Views”

“Developments should be designed to respect the existing landscape character set out in the Guildford Landscape Character Assessment and the important local views across the Lovelace landscape from within or from outside the area as identified and illustrated in the schedule at Appendix 3.”

6.1D – Insert Appendix 2B to this report (which is the substituted Appendix D1 information regarding local views) as a new Appendix 3 to the LNP and amend the plan contents sheet accordingly.

6.1E – Make the following changes to the supporting text

- **Add at the end of the first paragraph of 6.2 the following sentence:**
“These are designated in accordance with the NPPF and protected by policy LNPEN 1A”
- **Amend the first sentence of the second paragraph to section 6.2 as follows:**
“ Local views of the landscape setting to the settlements which can be seen from....customary are important in protecting landscape character.”
- **Insert subheading ‘Lovelace Local Green Spaces’ after the subtitle ‘Reasoned Justification’ on Page 42 and delete and relocate the first paragraph. See below.**
- **Insert after the first paragraph on page 44 ending with ‘which is a conservation area’ a new subheading ‘Landscape Character and Local Views’.**
- **Position the paragraph removed from the start of the Reasoned Justification to follow on from this new sub-heading with the NPPF quote changed to read:**
“that planning policies ‘should contribute to and enhance the natural and local landscape by ...recognizing the intrinsic character and beauty of the

countryside’ (paragraph 170).”

- **Insert in the first sentence of the paragraph starting ‘The three villages’ after the words ‘Green Belt countryside’ the following:**
- **“...Green Belt countryside with, *apart from the GBLPSS allocated sites, no development***

xii. With these modifications the policy will meet the Basic Conditions. Notwithstanding the fact that I am recommending that the policy is substantially reworked to divide it into two parts, the two parts of the policy cover essentially the same ground as the submitted version and nothing additional. I do not therefore consider there is any need for reconsultation in respect of changes which merely seek to ensure the policy is clear and unambiguous and provides clear guidance to developers as required to meet national advice in the NPPF and PPG.

6.6.3 Biodiversity and Natural Habitats (Policy LNPEN 2)

i. Policy LNPEN 2 seeks to ensure that development proposals avoid adverse impacts on biodiversity and natural habitats within the designated sites and provide net gains by creating or enhancing habitats. The policy sets out the criteria which development will need to satisfy.

ii. Section 15 of the NPPF and in particular paragraph 170 requires planning policies to contribute to enhancing the natural environment and at 170d) to minimise impacts on and provide net gains for biodiversity. The policy therefore has regard to the NPPF.

iii. Policy P5 of the GBLPSS seeks to ensure development proposals do not have an adverse effect on the TBHSPA and sets out what will be expected in terms of mitigation. Policy LNPEN 2 is in general conformity with Policy P5 and sets out how biodiversity will be protected and enhanced at the local level. A policy that seeks to protect and enhance biodiversity is likely to contribute to the achievement of sustainable development. As such the principle of what Policy LNPEN 2 is seeking to achieve meets the Basic Conditions a), d) and e).

iv. However, the policy includes factual inaccuracy, unnecessarily repetitious clauses and some unreasonable requirements which require to be modified if the policy is to meet the requirement of being clear and unambiguous and provide certainty to the decision maker. First, GBC have commented in their Regulation 16 statement that the policy is inaccurate in two respects. It introduces the concept of landscape enhancement when this is not what the policy is about and enhancement should relate to habitat. The policy also implies that recreational use in a SSSI is not allowed when that is actually not the case. I agree with these concerns and the policy needs to be amended to resolve these issues. Secondly, Savills in their Regulation 16 representation correctly point out that the restriction on developments adversely affecting the integrity of the SPA needs to account for mitigation and avoidance measures and this should be made clear.

v. With regard to the supporting text, again this includes statements seeking to raise

issues about the impact of the GLPSS allocated sites which have, whether the community agree or not, been resolved through the local plan process. The LNP must not seek to undermine these strategic policies and sites.

Recommendation 6.2

6.2A – Line 2 of policy LNPEN 2 delete the words ‘of the landscape’

6.2B – Reword the last sentence of the first paragraph to policy LNPEN 2 as follows:
“Developments which *would increase significantly recreational use or otherwise adversely affect* the European designated Thames Basin Heath Special Protection Area (TBHSPA) *after taking into account mitigation and avoidance measures will not be supported*”.

6.2C – Insert after the first paragraph:

“All new development must meet the following requirements:”

6.2D – Delete criteria b) and f) as these repeat the first main paragraph of the policy.

6.2E – Delete criterion c) and amalgamate with criterion i) to read:

“All development must ensure compliance with the regional approach to protection of the TBHSPA and in respect of residential development provide or contribute to SANG and SAMM as set out in GLPSS Policy P5 and the TBHSPA Avoidance Strategy SPD”

6.2F – Amend criterion h) to read:

“Any trees removed or lost as a result of development, other than those that are dead, dying or dangerous and of no ecological importance should be replaced at a ratio of 2:1. Development affecting ancient trees.....”

6.2G - Make the following changes to supporting text:

- Delete paragraph following the policy at the end of Page 45 starting The Portsmouth Road...
- Delete the last 2 paragraphs of page 47 and replace with the following:
“As much of Lovelace is in close proximity to the TBHSPA, particularly the section of the SPA at Ockham and Wisley Commons, the challenge is to ensure new development does not have a significant impact on this area which this Policy LNPEN 2 along with GLPSS Policy P5 and saved Policy NRM6 and the Thames Basin Heath Avoidance Strategy SPD seeks to do.

vi. With these modifications made the policy and text is clear and unambiguous and does not undermine the strategic policies of the GLPSS. The Basic Conditions would therefore be met.

6.6.4 Flooding (Policy LNPEN 3)

i) Policy LNPEN 3 sets out the approach to development to minimise flood risk. However, the policy in requiring all major development in clause a) to carry out a flood risk assessment sets a higher test than that required in national policy. The NPPF and the requirements of the Environment Agency are that an FRA is only required routinely on development sites of over one hectare. There are many major development sites (ie over 10 residential units) which are much smaller than this. The policy requirement is therefore unreasonable without modification and does not have regard to the NPPF regarding flood

risk. Given the extensive guidance in national policy on flooding and in Policy P4 of the GBLPSS and bearing in mind the PPG advice that it is not necessary to replicate policy at different levels of the hierarchy of planning policy, the requirement could simply be omitted. This would leave the policy to focus more on the prevention of surface water flooding from developments which it is clear from the supporting text is a major concern locally.

ii) The policy is also not clear in respect of the requirement in clause a) to produce a 'site water management plan'. It would appear this might in fact mean a surface water management plan and indeed the Parish Council has confirmed in response to my clarifying questions that this is the case (See Appendix 1). Whilst this does replicate the requirement in policy P4 of the GBLPSS it does make sense in the context of the policy and could be retained.

iii) The only other issue with the policy is that it is not clear and unambiguous in its intent because of unclear phrasing at the start and in the way that the criteria c) and e) are worded following the text 'Developers must where applicable:'. These should be modified.

iv) The supporting text on page 50 in reporting the comments from the Regulation 14 consultation again undermines the strategic policy site allocations and references to these sites being inappropriate in respect of flooding should be removed.

Recommendation 6.3

6.3A LNPEN 3 Reword first sentence after the word 'given' to read:

"...given to avoiding current areas of flood risk in Lovelace and minimising the impact of any new development in respect of flooding."

6.3B reword clauses as follows:

a) "Provide a surface water management plan for major developments"

c) "Design all flood prevention measures to avoid... TBHSPA."

e) "Incorporate Sustainable Drainage Systems (SuDS) in major developments in locations....risk."

6.3C Remove the reference to TFM in bullet no 3 and remove bullet No 4 completely from the text at the top of page 50.

v) As modified the policy would meet Basic Conditions a) and e) and inasmuch as ensuring development properly addresses flood risk and surface water drainage will contribute to sustainable development it also meets Basic Condition d).

6.6.5 Light Pollution (Policy LNPEN 4)

i) Whilst recognising that Lovelace is not officially designated as a dark skies reserve the LNP nevertheless wishes to limit light pollution in what is essentially an area of low artificial light and dark countryside. Accordingly, policy LNPEN 4 seeks to control artificial

lighting to minimise its impact on dark skies and wildlife. The NPPF at paragraph 180 states that planning policies should “*limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*”. The principle of Policy LNPEN 4 therefore has regard to national policy. The GBLPSS does not specifically include policy control on lighting but the LNP policy does generally conform with the direction of travel in the GBLPSS in respect of the encouragement it gives in respect of sustainable development and place shaping.

ii) The policy however currently again does not meet the requirement to be clear and unambiguous in 3 respects. First, as currently worded, it seeks to apply to all development whereas permitted development would be exempt. The policy should state it applies to new developments. Secondly the last clause in the introductory paragraph makes no sense. It is assumed it is intended to state “unless demonstrated to be necessary...”. Thirdly, clauses d), e) and f) all relate to street lighting which is a county matter and therefore not within the control of the neighbourhood plan. It is suggested that these clauses are removed from the policy but referred to in the text and included in the proposed community aspirations appendix.

iii) The supporting text on page 54 in the first paragraph again is negative in respect of the strategic allocation at Wisley Airfield implying there would be potential impact from light pollution on the Surrey Hills AONB. As the site is now a strategic allocation in the GBLPSS the commentary is inappropriate and should be removed.

Recommendation 6.4

6.4A – Insert the word ‘new’ in front of developments in lines 1 and 3 of the policy.

6.4B – insert the words ‘unless it is’ after the word ‘below’ in line 4 of the policy.

6.4C – Delete clauses d), e) and f) from the policy. These matters can be referred to in the supporting text and included as community aspirations in proposed Appendix 1 to the plan.

6.4D – First paragraph page 54 – delete the words ‘The proposed’ from the first line and delete everything after ‘AONB’ in Line 7.

iv) With these modifications the policy and supporting text meet the basic conditions.

6.6.6 Air Quality and Traffic Policy (LNPEN 5)

i) Policy LNPEN 5 seeks to manage the adverse effects of development in terms of traffic generation and air pollution. The neighbourhood plan group has commissioned a major piece of work to evidence the community’s concerns regarding air quality in particular through Ripley and along the A3 / M25 corridor within the neighbourhood area. It is on the basis of the results from this survey that they wish to apply policy control. Given the national policy in the NPPF at Paragraph 181 regarding the role of planning policies in pursuing opportunities to improve air quality the principle of policy LNPEN 5 has regard to national policy.

- ii) Policy ID3 of the GBLPSS on sustainable transport supports mitigation measures to improve air quality and reduce pollution and as such the principle of policy LNPEN 5 is in general conformity with strategic policies.
- iii) However again there are a number of issues with the policy where it is not clear and unambiguous and does not clearly show how a decision maker should respond to development proposals. As such there is conflict in the detail of the policy with Basic Condition a).
- iv) First, Paragraphs 2 and 3 of the policy present a confused text which talks about air quality exceeding legal limits when in fact this should either be that air pollution exceeds legal limits or more accurately air quality is below legal limits.
- v) Secondly, Paragraph 3 is unclear in using the term 'where appropriate'. It is far from clear to decision makers what is 'appropriate'. GBC have stated in their Regulation 16 statement that as Major Developments can be anything above 10 dwellings and 1000m² of commercial floorspace it is unreasonable that the requirement for measurable mitigation should apply to all Major Development. The Council suggest the policy should state major developments of 100 dwellings or more and I concur that this would be reasonable.
- vi) Thirdly, GBC express concern about criterion b) as it would be unenforceable given that the strategic route network in the form of the M25 and A3 pass through the TBHSPA. Virtually all development in Lovelace would route to these strategic roads and therefore through the TBHSPA. I agree that the criterion should be removed. In any event the point is broadly covered by criterion e).
- vii) Fourthly, with regard to criterion c) it is not clear what a 'wholly independent ecological assessment' means. In part this is covered by LNPEN 2 and if it is to be retained it should perhaps specifically link to impacts on biodiversity from traffic. In response to a clarifying question RPC have explained that they mean an ecological impact study. The words 'wholly independent' are superfluous as this would usually only be commissioned by the applicant/developer if required by the policy and therefore could not be argued to be 'wholly independent'.
- viii) The supporting text to policy LNPEN 5 is probably the longest and most detailed in the plan demonstrating the importance of this issue to the community. However again the text is used as an opportunity to flag up potential problems which the community argue will arise from the development of the GBLPSS allocated sites. Whilst I understand the concern of the community regarding the scale of development and what they see as a significant impact from traffic generated, the focus of the LNP must be on managing the change rather than the negative arguments being put forward in the supporting text. I propose below again that all such text is removed from the plan. This will give a clearer more robust evidence base for the policy.

Recommendation 6.5

6.5A - Amend Lines 1-2 of paragraph 2 of policy LNPEN 5 to read:

“...in Lovelace *such as to increase the level of air pollutants above European and UK legal limits.*”

6.5B – Amend paragraph 3 of the policy to read:

“Major developments of 100 or more dwellings must provide measurable mitigation for any significant increase in traffic movements in sensitive locations where the level of air pollutants currently exceeds legal limits. Such proposals should meet..”

6.5C – Delete criterion b) from policy

6.5D – Reword criterion c) to read:

“Provide an ecological impact assessment for the development site ...effects of developments in particular traffic on biodiversity....”

6.5E – Criterion d) delete the words ‘wholly independent’ from line 1 and in line 2 change the word ‘above’ to ‘below’.

6.5F – Make the following modifications to the supporting text as follows:

- Delete all bullet points on page 58. The first sentence of the Reasoned Justification says all that needs to be said.
- Delete the second paragraph after the photos on Page 59 beginning ‘The report also states...’
- Delete the penultimate paragraph on page 59
- Delete the second paragraph on page 60
- Delete the remainder of the third paragraph on page 60 after the word ‘northbound’ in line 5.
- Amend line 3-4 of paragraph 3 on page 61 to read:
“developments at FWA and GA will have to be carefully managed to avoid increase in air pollution levels”.
- Delete the last two paragraphs on page 61 and delete all text on page 62 and 63 down to the start of the paragraph starting ‘The numerous community public consultation....’
- Delete the second sentence of that paragraph and reword the line following to read: *“The NPPF advises – Planning should enhance the”*
- On page 64 amend the paragraph following the map to read:
“The intention of policy LNPE5 is to reflect these NPPF principles and manage current and”

6.7 Infrastructure Policies (Policies LNPI 1-6)

6.7.1 Introduction

i) This section of the LNP seeks to secure sufficient infrastructure, amenities and services to try and ensure Lovelace can be a sustainable community.

ii) As with the housing and environment policies the LNP has a suite of infrastructure policies and sets out a general introduction to these at the start of the section.

iii) In large part this introduction is again largely factual but on pages 66 and 67 again the plan includes out of date text and chooses to include text relating to the GBLPSS allocated sites which will have the effect of undermining the strategic policies. Regarding the position with water and sewage set out on page 66, GBC has stated in its Regulation 16 statement that a requirement was included in the GBLPSS to ensure infrastructure necessary to support development at the strategic sites is provided when first needed. GBC suggests that wording to this effect should be included rather than the LNP stating, as it does at present, that these areas cannot be supplied. The negative commentary in the section on public transport, cycling and walking in respect of Wisley Airfield is not acceptable given its allocation as a strategic site. Moreover, whilst recognizing that sustainable transport in Lovelace may not be easy to secure, the LNP at policy LNPI 3 is seeking to make improvements and the introduction should state this rather than leaving a negative impression. This text must be modified to comply with Basic Conditions a) and e).

Recommendation 7.0

7.0A – In the water and sewage paragraph on page 66 delete everything after the first sentence and replace with the following:

“A requirement is included in the GBLPSS to ensure infrastructure necessary to support development is provided at the strategic sites when first needed.”

7.0B – Paragraph 1 of the Public Transport Cycling and Walking section on Page 67 - 3rd sentence – Reword as follows:

“All the villages and hamlets are relatively isolated and the bus services are poor or non-existent however policy LNPI 3 seeks to improve the situation and encourage these sustainable transport modes.”

Delete paragraphs 2, 3 and 4 on page 67.

6.7.2 Infrastructure (Policy LNPI 1)

i) Policy LNPI 1 seeks to respond to the identified issues in the neighbourhood area around infrastructure provision and tries to ensure adequate infrastructure is present to support development. However, it is far from clear in the first paragraph that the policy would achieve this and indeed it is unclear what the first part of the policy is about. Moreover, the policy also raises a further matter relating to what is a reasonable timing requirement for infrastructure delivery. It is not always practicable to require that infrastructure is in place prior to occupation of a development. GBC in their Regulation 16 statement state that the GBLPSS already covers this in policy ID1 with a more general requirement and that this adequately addresses the issue. I note that in any event the point is covered by LNPI 1 clause b) in a more workable form advocating that infrastructure is delivered at each stage of development to allow for population growth. If both clause a) and b) are retained there is some conflict between the two statements. As such it fails to provide clear and unambiguous policy advice and as required by the NPPF and PPG and therefore does not meet Basic Condition a).

ii) Two other clauses contribute to a lack of clarity in the policy. Clause d) both covers policy matters which are covered in their own right in LNPI 2 and sets an unreasonable requirement as it will be impossible for all but the very largest developments to actually “provide a joined up sustainable transport network”. Clause h) in seeking servicing of properties with mains gas is now, as a result of recent announcements, directly contrary to Government policy which seeks the ending of natural gas as a domestic fuel source by 2025. It therefore is inappropriate for the LNP to require developments to be connected. It is acknowledged that this is a very recent policy announcement and as such could not have been foreseen by RPC when submitting the plan.

iii) In the supporting text in paragraph 2 of the reasoned justification the plan includes what appears to be a policy statement in respect of the M25/A3 Junction 10 improvements. This is inappropriate subject matter for the LNP as it relates to a national infrastructure project. The paragraph should be deleted.

iv) Finally, the introduction to the policy at the start of section 7.2 includes reference to ‘a Grampian Clause’. This is likely to confuse as it is not how it is referred to in the glossary but more importantly is not the normal mechanism for the provision of infrastructure. The paragraph would be clearer with the reference deleted and instead focus on S106 planning obligations and the CIL which are the more common routes to secure delivery of infrastructure.

Recommendation 7.1

7.1A – Reword the first sentence of policy LNPI 1 to read:

“Major development requiring new or changed infrastructure should demonstrate how *provision of these infrastructure improvements will be delivered* taking account of infrastructure requirements and *planned infrastructure* developments in the area during the life of this plan.”

7.1B – Make the following changes to clauses a) to h):

a) and d) - Delete clause

b) Revise after the word ‘development’ to state “*in response to need and population growth*”

c), e) and f) – As is

g) Amend to read – “Sufficient sewage *treatment and disposal* facilities which ...”

h) Reword as follows:

“*Where new buildings are in areas not connected to the national gas grid they should be heated using low carbon sources. Stored oil heating systems will not be acceptable.*”

7.1C Delete paragraph 2 of the reasoned justification dealing with Junction 10 improvements

7.1D Revise the 1st sentence of paragraph 1 of section 7.2 to read:

“Where planning permission is granted on the basis of delivery of infrastructure this *is usually secured through a planning obligation under Section 106 or, once it is introduced, through the Community Infrastructure Levy.*”

v) With these modifications the policy will meet the Basic Conditions.

6.7.3 Public Transport and Sustainable Travel (Policy LNPI 2)

i) Policy LNPI 2 seeks to secure developments that are well related to sustainable transport systems which has regard to the NPPF at section 9 and is in general conformity with the GBLPSS at policy ID3. However again the wording of the policy is not clear and unambiguous in three respects.

ii) First, the policy currently relates to all developments over 10 units or in excess of 1000m² of commercial floorspace. It is unreasonable to require that a development at the lower end of this definition could or should provide or contribute to the delivery of public transport. Therefore, there is a significant question mark over the outcome from this policy. This doubt over delivery is further compounded by the use of the phrase '*Where appropriate*' in the second clause of the first paragraph. Policies are much clearer and more certain in their outcome where the requirement is specified. In this case delivery would be most likely through a S106 planning obligation and the tests for these give certainty where it should apply. Secondly the policy at criterion c) does not allow for the fact that new bus services or access to bus services could be provided as part of the development even though, the site location may not currently be within 500 metres of a bus service. Finally, both Savills and GBC in their Regulation 16 submissions consider the requirement for a linking public transport service to Woking station is unreasonable. S106 requirements have to be necessary and directly, fairly and reasonably related to the development. Whilst I note that the requirement is based on consultation responses and the reason given that residents find Woking the most convenient station for fast services to London, the stipulation that this should be for the lifetime of the plan is unreasonable when the viability of these services will depend on usage. GBC does propose an alternative form of words that focusses the requirement on Wisley Airfield which technically is the only development that could deliver this. However I understand from the Council that the provisions of the S106 relating to public transport have already been agreed for this site with Surrey County Council and therefore the policy can only encourage provision of a service to Woking. Parallel revisions also need to be made to the supporting text.

iii) The following modifications are recommended.

Recommendation 7.2

7.2A - Amend Policy LNPI 2 – 1st sentence - to read:

“Major developments which reduce the need for car use are supported and all such developments should support sustainable transport choices to be made.”

7.2B – Amend Policy LNPI 2 – 2nd sentence - to read:

“Where necessary to make the development acceptable and directly, fairly and reasonably related to it, major developments will be required to contribute financially to the delivery of public transport particularly to the major towns of

Guildford and Woking.

Encouragement of....”

7.2C – Revise criterion c) to read:

“All major developments should be located within 500 metres of an existing regular bus service or where one is to be provided.”

7.2D - Revise criterion d) to read:

“Development at the Former Wisley Airfield site is encouraged to include a regular bus service to Woking station, particularly at rush hour, provided and secured in perpetuity as part of the bus network required in Guildford Local Plan Strategy and Sites Allocation Policy A35”.

7.2E – Amend supporting text on page 74 paragraph 3 line 3 – Delete – ‘must provide a regular bus service’ and replace with ‘will be encouraged to contribute to a regular bus service’.

iv) With these modifications the policy would both have regard to national policy in section 9 of the NPPF and be complementary to its policy objectives in paragraphs 102 and 104 and be in general conformity with the GBLPSS strategic policy on sustainable transport ID3 and the strategic allocation policy A35 for Wisley Airfield. Inasmuch as policy LNPI 2 is seeking to promote sustainable transport options for development in Lovelace, the policy is likely to contribute strongly to achieving sustainable development. The modified policy would therefore meet Basic Conditions a), d) and e).

6.7.4 Cycling and Walking (Policy LNPI 3)

i) Policy LNPI 3 seeks to improve connectivity by foot and cycle within and from developments in Lovelace which does have regard to national policy in section 9 of the NPPF and policy ID3 of the GBLPSS. However, again the policy is not clear and unambiguous in the way that it will operate. First, whilst the policy wording to require all major developments to provide safe and convenient walking and cycling links to nearby facilities is perhaps a desirable aspiration, again this wording requires potentially quite small developments of just over 10 units to fund such links and this is an unreasonable requirement. What would be justified, in addition to ensuring provision within the site, would be to require links to current or planned routes where these exist. Secondly, criterion b) of the policy proposes CIL funds are used to secure provision. However, for the present time the CIL is not yet in place and the delivery mechanism is more likely to be a S106 planning obligation and this should be the mechanism the policy refers to.

ii) The supporting text for the policy is confusing and doesn't provide an adequate reasoned justification to the policy. In the main this is because the text presents mixed messages arising from the community consultation about the suitability of the Lovelace road network for walking and cycling. Savills in their Regulation 16 representations make the point that the text does not acknowledge that the strategic allocation particularly at Wisley Airfield will be designed to provide safe off site cycling routes which means that for that large development at least, more sustainable transport can be achieved.

iii) The policy in its modified form as recommended below would contribute to achieving sustainable development.

Recommendation 7.3

7.3A – Reword the first section of policy LNPI 3 in lines 2-3 to delete the words ‘to nearby facilities’ and replace with the following:

“...links to established routes where these exist.”

7.3B – Reword clause b) to read:

“S106 planning obligations will be used to secure the provision of, or contribute towards appropriate improvements to safe walking and cycling routes within the development site and to link to existing or planned cycle routes and footpaths.”

7.3C – Delete last sentence of paragraph 1 of the reasoned justification.

Add after the sentence following starting ‘Cycle lanes to Guildford ...’ the following:

“However as policy A35 of the GLPSS outlines, a new safe and attractive off site cycle network is planned within the Wisley Airfield allocation which will offer improvements in reaching destinations including Effingham Junction and Horsley railway stations, Ripley and Byfleet by sustainable means. This will help to improve the cycling provision in Lovelace.”

7.3D – Delete the last sentence and 3 bullet points on page 75 and replace with:

“The LNP would like to encourage cycling but recognises the challenges this brings given the nature of the road network. Responses from the Reg 14 consultation demonstrate the challenge:” Delete the sentence following the bullets on Page 76.)

7.3E – Delete the last sentence of the first paragraph on page 77 starting ‘The FWA/TFM site.....

v) With these modifications the policy and supporting text give a clearer picture of the intent of the policy and what it can achieve such that it will meet Basic Conditions a), d) and e).

6.7.5 Parking (Policy LNPI 4)

i) Policy LNPI 4 seeks to address the problem of parking stress in Lovelace particularly in Ripley where both residential and commercial parking space is currently underprovided.

ii) The NPPF at section 9 does allow for the setting of parking standards at a local level. The NPPF in paragraph 105 encourages standards to be set according to the accessibility of the site, the availability of public transport and a number of other considerations. However whilst the policy has taken into account the general rural nature of Lovelace, the level of public transport available and the level of car ownership in arriving at the policy, the LNP concludes that the local circumstances are such that there is not the opportunity within Lovelace to offer a tiered parking requirement as, typically, accessibility by other modes is generally of a similar level across the neighbourhood area. The LNP has therefore generally had regard to national policy.

- iii) Policy ID3 of the GBLPSS requires sufficient levels of off-street parking to be provided to ensure that developments do not have an adverse effect on highway safety. The LNP has the same objective and therefore is in general conformity with the GBLPSS.
- iv) Notwithstanding that the principle of the policy is acceptable in terms of basic Conditions a) and e) again the detail of the policy is not clear and unambiguous in the way in which it is set out and presented. The start of the policy mixes policy justification with what are the policy requirements. The supporting text should be separated out.
- v) Clause c) of policy LNPI 4 as currently worded seeks to secure additional parking when additional bedroom accommodation is added to properties. However, in practice, most of these alterations to properties will be permitted development. The clause as it stands is therefore unenforceable. Either it should be removed or caveated to apply only to circumstances where planning permission is required and therefore policy control can be applied.
- vi) Regarding clause e) and the need for visitor parking, GBC in its Regulation 16 statement express concern that the clause is too inflexible and likely to lead to unnecessary provision of large amounts of visitor parking particularly in the Wisley Airfield site where the standard quoted in the policy would require 400 visitor parking spaces. This will merely have the effect of taking land that could be used more advantageously for example additional landscaping etc.
- vii) In circumstances where the houses otherwise meet the requirement for off street parking as set out in clause d) of policy LNPI 4 individual houses will normally be able to accommodate visitor parking and typically visitor parking would not usually be provided on very small schemes. A more general requirement on major development schemes ie on sites over 10 units would be reasonable and could be expressed to state simply that additional visitor parking will be required on major development sites. For the community this would have the effect of retaining the requirement but allowing the Local Planning and Highway Authorities some flexibility as to how it is applied subject to circumstances.

Recommendation 7.4

7.4A – Delete the first sentence of policy LNPI 4 and relocate to follow on from the first paragraph of section 7.5.

7.4B – Add to clause c) after the word ‘property’ the phrase ‘*where this requires planning permission....*’

7.4C – Revise clause e) to read:

“Additional visitor parking will be required within the development boundary on sites with more than 10 dwellings.”

- viii) Increasing parking provision is not an entirely sustainable objective but it is accepted that, for the time being, the available sustainable transport alternatives in Lovelace are limited and failure to make adequate off-street provision will give rise to additional problems. As modified the policy will meet the Basic Conditions.

6.7.6 Community Facilities (Policy LNPI 5)

i) Policy LNPI 5 looks to encourage the provision of community facilities and protect these. In that respect the policy has regard to section 8 of the NPPF which similarly supports the provision of community facilities. However, the NPPF at paragraph 92 in supporting planning positively for local community facilities at c) caveats the protection of valued community facilities by introducing the concept of guarding against **unnecessary** loss. In other words the NPPF recognises that, whereas communities may value and wish to resist the loss of their community facilities, it may be that in some cases the facility can continue to be provided in other ways and in those circumstances there is a need for flexibility. This needs to be built into the policy. (See also section 6.8.2 below which raises a similar issue in respect of policy LNPBE 1).

ii) The GBLPSS does not include a specific policy regarding community facilities but policy LNPI 5 is in general conformity with the provision of infrastructure sought in policy ID1 of the GBLPSS.

iii) In addition to the need to modify the policy in respect of the point at paragraph i) above there are 2 additional issues with the policy that need to be corrected in order for the policy to be clear and unambiguous. First, the initial sentence of the policy is unclear because it mixes the main aspiration of the policy to provide community facilities with restrictions. The policy would be much clearer moving the restriction regarding car usage which is a locational issue to the second sentence. Secondly, clause c) of the policy refers to CIL funding and the allocation of this. CIL is not yet in place in the GBC area which results in confusion but in addition the clause is really a supporting statement. The clause should be moved to the supporting text and expanded to explain that only 25% of any future CIL collected in the neighbourhood area will be available for Parish Councils with 'made' neighbourhood plans to allocate. It would also be possible to refer to the allocation of future CIL in the community aspirations in the proposed Appendix 1.

Recommendation 7.5

7.5A – Stop the first sentence of policy LNPI 5 after supported. Amend second sentence to read:

“Community facilities **should be located to reduce the need for car usage and should incorporate....”**

7.5B – Amend clause a) after the word ‘unless’ to read:

“...**unless suitable alternative provision of equal value to the community already exists or replacement.....”**

7.5C – Delete clause c) to the policy. Relocate text to page 84 3rd from last paragraph – 2nd sentence to read:

“The relevant parish councilswill allocate **the 25% of any future CIL raised from developments in the neighbourhood area once the levy is introduced by Guildford Borough Council. (See Appendix 1)**

iv) With these modifications the policy would meet basic Conditions a) and e). Inasmuch as maintaining and expanding community facilities within the local area will

contribute to a more sustainable community in Lovelace ward Basic Condition d) will also be met.

6.7.7 Healthcare and Educational (Policy LNPI 6)

i) The concern in the introductory and supporting text to the policy appears to be the absence of healthcare and education facilities in the neighbourhood area and particularly in Ripley. However, the policy as currently worded is very unclear as to what it is seeking to achieve. As worded it could result in major developments which require healthcare and education being supported without any way of ensuring these facilities are actually provided. It therefore does not meet the NPPF requirement of a clear and unambiguous policy and fails to meet Basic Condition a).

ii) I asked for clarification of the intent behind this policy from RPC as one of the clarifying questions. RPC's answer to this question provides some clarification as to intent but proposes a policy rewording which virtually amounts to a new policy which is not possible to introduce at this stage. (see Appendix 1 below).

iii) The policy also includes a further matter relating to what is a reasonable timing requirement for delivery of facilities. As the policy relates to health and education it is not practicable to require that these are in place prior to first occupation of a development. GBC in its Regulation 16 statement proposes that the requirement in the policy is reworded to a more general requirement that provision is made in time to meet wider community needs.

iv) I have proposed a modification to LNPI 6 that delivers the intent of the policy without materially changing it and addresses this timing point.

v) This section of the plan, as with other sections, fails to reflect the now established position with respect to the strategic developments, in particular Wisley Airfield, where the development will include both new primary and secondary schools and healthcare facilities. I acknowledge that this provision will not be within Ripley village but it will be new educational and healthcare facilities within the neighbourhood area close to the villages and, as the strategic development is also required to provide public transport links, the new services will be accessible by means other than the car. This should be acknowledged both in the introduction to the policy and the reasoned justification where the strategic developments are referenced.

Recommendation 7.6

7.6A – Reword policy LNPI 6 first sentence to read:

“Major developments generating healthcare and educational needs will be expected to contribute to provision of facilities to meet these needs through planning obligations.”

Add new second sentence introducing the clauses to read:

“The provision of new healthcare and educational facilities should be:

- a) *Located where they will not generate increased traffic through the villages***
- b) *Located where sustainable transport modes are available as an alternative to***

travel by car.

c) *Located where they will not lead to an adverse impact on the TBHSPA*

d) *Made in time to meet emerging community need.*

7.6B - Add new paragraph to introductory section of 7.7 before the policy to read:

“The intention through the strategic allocation at Wisley Airfield is to provide both new health and education facilities for both new and existing populations.”

7.6C – Amend the reasoned justification on page 86 third paragraph as follows:

Delete first sentence and amend second sentence to read:

“The former Wisley Airfield development will include the provision.....and two forms for the wider area. However, this planned provision does not address the current shortfall...other major developments.”

7.6D – Delete the words ‘prior to occupation to meet any anticipated requirement’ from page 86 Paragraph 4 lines 1-2.

vi) With these modifications the policy would meet the test of being clear and unambiguous and would be in general conformity with the GBLPSS particularly policy A35 regarding Wisley Airfield. The policy would also contribute to sustainable development in Lovelace. As such Basic Conditions a), d) and e) are met.

6.8 Business and Employment (Policies LNPBE 1 and LNPBE 2)

6.8.1 Introduction

i) This section of the Plan is seeking to protect existing economic activity, encourage commercial growth and provide local employment appropriate to the rural nature of the parish. As with other sections of the plan it starts with an introduction to the policies setting the context. This is a largely factual section. However, it sets out the current situation and Savills in their Regulation 16 representation have requested that the background to Ockham refers to the proposed delivery of new retail and employment floorspace at Wisley Airfield which will provide local service businesses and new jobs. Given that it is formally proposed through the GBLPSS to be a community providing homes, businesses and services and the scale of the strategic allocation within Ockham Parish this should be acknowledged and supported through the LNP if it is to have regard to the NPPF requirement that neighbourhood plans should support the delivery of strategic policies. Moreover, the fact that it is referred to in the LNP reinforces the requirement.

Recommendation 8.0

Add text at the start of the Ockham section to read:

“The strategic allocation in the GBLPSS at Wisley Airfield requires the delivery of retail and employment development. Specifically, a new local centre will be delivered providing new retail, service and employment floorspace. This will provide local services and new jobs for the Ockham area.”

6.8.2 Business and Employment (Policy LNPBE 1)

i) Policy LNPBE 1 looks to protect existing and promote new local services and encourage

the expansion of employment opportunities in Lovelace.

ii) The policy has regard to section 6 of the NPPF seeking to build a strong competitive economy, encouraging sustainable economic growth and supporting a prosperous rural economy, particularly the policy statements at paragraphs 81 and 83.

iii) Policy E5 of the GBLPSS seeks to support the development of new rural employment opportunities within the settlement areas and within the context of Green Belt policy and also to protect existing service and community businesses in the area. LNPBE 1 is therefore in general conformity with the GBLPSS.

iv) The intent of the policy in encouraging the local service economy and in promoting local employment opportunities that enable people to live and work locally and reducing out commuting will contribute to creating a more sustainable settlement.

v) Accordingly, the principle of policy LNPBE 1 meets Basic Conditions a), d) and e).

v) There are however two specific concerns with policy LNPBE 1 and the extent to which it accords with national policy. First the NPPF at paragraph 92 in supporting planning positively for local community facilities at c) introduces the concept of guarding against unnecessary loss. Whilst the LNP policy requires marketing over 12 months it does not say what the intention of that marketing is. The policy is therefore not clear and unambiguous. The test in the context of paragraph 92c) should be that there is no market interest in the property in its continued community use. Although this may be implicit – it needs to be explicit in the policy. Secondly, the NPPF gives general encouragement to rural enterprise. Proposals may include those for very small-scale businesses and it is unreasonable to make criteria f) in the policy a general requirement of all developments in order for them to be supported. Only larger proposals would be able to offer shared office facilities etc. I therefore recommend the modifications below in order that Basic Condition a) is fully met.

vi) With regard to the supporting text the only change necessary is to delete the final bullet point reporting the Regulation 14 comments on page 90. Whilst recognising that it is a view from the community, again its inclusion in the plan leaves the user of the plan unclear as to what the neighbourhood plan position is regarding the strategic site which it must now support.

Recommendation 8.1

8.1A - Insert after 'widespread marketing' in line 5 of policy LNPBE 1 the words:

“and it can be demonstrated there is no market interest in the property in its continued use as a service or community facility. The property must be marketed at a realistic....”

8.1B – Amend criterion f) to read as a general clause at the end of the policy as follows:

“Proposals that offer the opportunity to provide shared office facilities, shared office space, or a business centre providing for hot-desking or meeting rooms for hire will be encouraged”.

8.1C – Delete the final bullet reporting the Reg 14 comments on page 90.

vii) With these modifications the policy meets Basic Condition a).

6.8.2 Agricultural and Horticultural Land Use (Policy LNPBE 2)

i) Policy LNPBE 2 seeks to support proposals for agricultural and horticultural uses that contribute to the rural economy. Whilst the policy is in general conformity with policy GBLPSS E5 as above the policy sets stricter and inappropriate tests in two respects having regard to the NPPF at section 6. First the NPPF encourages the meeting of local business needs for expansion and adaptation. This may or may not include a net gain in employment. Whilst the growth of employment is to be encouraged it cannot be a requirement of a proposed business expansion as is set out in criterion b) of the policy. Furthermore, if it is specifically agricultural enterprise that is being encouraged in policy LNPBE 2, criterion c) requiring no significant additional traffic movements may be unrealistic. In any event criterion d) is sufficiently wide ranging to cover a particular concern where traffic adversely impacted on residential amenity.

ii) The following modifications are recommended

Recommendation 8.2

Delete criteria b) and c) from the policy.

7. Other Matters

7.1 Other Regulation 16 Representations

7.1.1 A considerable number of residents at the Regulation 16 stage took the opportunity to write in support of the overall strategy of the LNP and in particular its focus on smaller scale, sustainable development, the provision of infrastructure and its policies to resolve traffic issues within the Neighbourhood Area.

7.1.2 However a number of these representations used the opportunity to support the LNP's position whilst maintaining an objection to the GBLPSS allocation of large sites within the Neighbourhood Area particularly at the former Wisley Airfield and at Garlick's Arch and what they considered to be the impacts for the Lovelace area that would arise from these in particular regarding pressure on infrastructure and traffic congestion. A small number of these representations were directly objecting to the GBLPSS rather than making any point about the LNP.

7.1.3 The site allocations set out in the GBLPSS may constitute largescale development in the Neighbourhood Area but they relate to strategic policies of the GBLPSS and have been through due process through that document's preparation including examination by a

planning inspector and a legal challenge in the High Court. The High Court judge considering the three legal challenges in front of him dismissed them all in December 2019 and the Court of Appeal has recently refused the application to appeal this decision. The GBLPSS therefore stands as adopted in April 2019. The allocations are not proposals of the LNP and are not before me for determination. What the LNP should be seeking to do through its policies is to manage the impacts of these developments. I have therefore simply noted these particular Regulation 16 representations inasmuch as they are generally supportive of the LNP policies and proposals.

7.2 Glossary Corrections

7.2.1 The LNP includes a glossary at the end of the plan providing definitions. There are a number of factual inaccuracies in the descriptions. It is important that these do not mislead the reader and they should be corrected.

Recommendation 9

Make the following modifications to the Glossary:

- **Community Infrastructure Levy – Delete the words ‘formerly S106’ and add to the last line the words ‘once a neighbourhood plan is made’**
- **Conservation – Delete the word ‘sustains’ and replace with ‘preserves’**
- **Habitats Regulation Assessment – After the words ‘European Sites’ amend to read (Special Protection Areas (SPA) and Special Areas for Conservation (SAC) and RAMSAR Sites**
- **Land Availability Assessment – Reword line one to read ‘This is part of the GBLPSS evidence base’.**
- **Local Green Space – Reword start to read ‘Open space of demonstrably special value to the community...’**
- **Major Development – Change ‘250 sq metres’ to ‘1000 sq metres’.**
- **Massing Height – Delete all after the word development and replace with ‘When designed to respect the surrounding context, height and massing contributes to a built form of a high standard.’**

7.3 Typographical and Formatting Corrections

7.2.1 There are a number of typographical / grammatical errors in the plan which ought to be corrected. In addition to proposing modifications to ensure the plan meets the Basic Conditions the only other area of amendment that is open to me as the examiner is to correct such errors. I have identified these in Appendix 3 and in modifying the plan as set out above and finalising it for the referendum these typographical amendments should be made.

Recommendation 10 – Make typographical and grammatical corrections as set out

in Appendix 3 at the end of this report.

8. Referendum

8.1 Subject to the recommended modifications set out above being completed, it is appropriate that the Lovelace Neighbourhood Plan should proceed to a Referendum.

8.2 I am required to consider whether the Referendum Area should be synonymous with the Lovelace Neighbourhood Area or extended beyond it.

8.3 The Neighbourhood Area mirrors the new administrative boundaries of the three parishes in Lovelace Ward. There are major development proposals within the neighbourhood Area that will affect surrounding parishes. However, these are proposals of the GBLPSS and have been considered through the preparation of that plan. The LNP policies and proposals themselves will apply to these developments but do not seek to alter or extend them. To that extent I do not consider that extension of the area would be warranted.

8.4 Accordingly, I consider that it is unnecessary to recommend any other referendum area than the Neighbourhood Area and no evidence has been submitted to suggest any alternative approach.

Recommendation 11 - I recommend to Guildford Borough Council that the Lovelace Neighbourhood Plan, modified as specified above, should proceed to a referendum based on the Lovelace Neighbourhood Area as designated by the Borough Council on 02/07/15.

**Peter D Biggers
Independent Examiner BSc (Hons) MRTPI
30 April 2020**

Appendix 1 - Clarifying questions to Guildford Borough Council and Ripley Parish Council as Part of the Lovelace Neighbourhood Plan Examination.

Clarifying Questions to Guildford Borough Council and Ripley Parish Council/ Neighbourhood Plan Steering Committee

Questions for GBC to answer

1. What was the actual date of submission?

The documents were initially submitted on 23/08/2019. A validation exercise was undertaken until 30/08/2019 which found that the submission did not include the SEA determination or environmental report required by regulation 15 (e) of the Neighbourhood Planning (General) Regulation 2012 (as amended).

The Council wrote to advise the LNP group to amend the submission. Amended documents were received on 24/09/2019 and the submission was deemed to meet regulatory requirements.

2. What was the date of the Council's statement to the examiner?

The Council's statement was finalised on 28/01/2020.

3. What is the current position with the Court of Appeal consideration regarding the challenge to the LPSS 2019 following the High Court decision?

An application was lodged seeking leave to appeal the recent High Court judgement which dismissed all three legal challenges. The Court of Appeal refused to grant leave to appeal on 25 February 2020 ref. C1/2020/0087.

4. Is it the intention to establish a Community Infrastructure Levy and if so when might this be established?

The Council intends to introduce a Community Infrastructure Levy. However, this is still at a relatively early stage of preparation. There are currently no published timescales for adoption.

Questions for Ripley PC or Neighbourhood Plan Steering Committee to answer

5. How were members of the Wisley Parish Community actively involved in the preparation of the LNP?

During the period of the Lovelace Neighbourhood Plan preparation most of the inhabitants of Wisley were RHS employees, with approximately twelve private houses. The RHS has also engaged heavily in the Lovelace Neighbourhood Plan so as to promote the significance of the Garden, and also the village to create a better society in Wisley, Ockham and Ripley. Michael Jenkins, Geoff McGorrie and David Alexander of RHS have been involved throughout. It should also be noted that residents were offered the chance to comment on the Lovelace designation via public consultation in 2015.

Cameron Brown, a private individual, was elected as a Wisley representative at the public meeting

in 2015, as was Colin Crosbie, who represented the RHS (replaced by Michael Jenkins after Mr Crosbie moved away). Cameron was LNPG Secretary until 2019. There is a reasonable email trail showing that over the years we consulted most local residents, all RHS employees, Carlton Investments (owners of the Courtyard), the business located at The Courtyard, including the National Trust, the church etc.

6. What was the intention at policy LNP EN3 – Flooding at subsection a) – should this refer to ‘surface water management plan’?

Yes. Please amend.

7. What is the intention of policy LNP I6? It is currently unclear. It reads that major development requiring healthcare and education facilities will be supported without any control on delivery thus making the situation outlined in the supporting text regarding inadequate provision worse. If the intention is to require major development to provide the services or to support those that do - this is not what the policy says. Please explain.

This is a difficult question to answer. GBC advised that there is no planning definition other than “major” to cover what would otherwise be classed as “small, medium, or large” developments. Providing controls is understood to be beyond our remit, i.e. decided by Local Authority planners, Clinical Commissioning Groups, and developers. We do not know at what point such controls should be implemented, or what say the NP has over them.

The intention of the Policy is for significant major development to provide services onsite where they are ill serviced by public transport, as sites A35 and A41 are, particularly the former. Could we suggest the Policy be amended to read:

Significant major developments should provide onsite healthcare and education facilities where:

a. They would otherwise significantly increase car usage through the villages

b. They do not provide bus services to schools and external healthcare facilities from locations where public transport is poor

and:

c. These facilities are provided prior to occupation

d. They do not have an adverse impact on the TBHSPA

8. What is meant by ‘ecological assessment’ in policy LNP EN5 ?

This should be amended to read ‘Ecological Impact Assessment (EclA)’, i.e. the production of a standalone Ecological Impact Statement to assess the potential ecological impacts from development on flora and fauna.

Originally shown as an Environmental Impact Assessment (EIA) in drafts the LNP, it was amended following GBC comments in ‘Representations on draft Lovelace Plan (regulation 14 consultation)’, 15 November 2018, points 11.9, 11.10 and 11.11. GBC advised the type of development that tend to require EIA are large projects such as nuclear power stations, major road schemes and wastewater treatment plants and that Neighbourhood Plans must not contain EIA development, so should not address EIA development.

9. Is there a section of Appendix D1 uploaded to the GBC website missing that provides evidence as to the Local Green Spaces. The supporting text to the policy suggests there is. If there is not and you wish to retain the Local Green Spaces in the plan I would ask that you provide an amended appendix that as a minimum sets out a tabulation showing how each site is justified in

terms of the criteria set out in paragraph 100 of the NPPF 2019 and a map showing the exact extent of each LGS. The scale of the map currently included in the plan itself is too small to define the sites accurately. I will require this supplementary evidence before I complete the examination report if the proposed LGS are to be retained.

Our sincere apologies, this appears to have been unintentionally omitted and the complete Appendix D1 is now attached.

Subsequent to the initial 9 clarifying questions two further questions were posed on 5 March 2020. The questions and subsequent answers are as follows:

10 – In the introduction to the plan in the penultimate paragraph on page 2 – last sentence – last clause - I do not know what is intended by the words ‘... including sections referred to by the policies in the boxes’.

The text should read “decision makers should take into account any references to other Policies”

11 - Section 3.1 paragraph 2 the text seems to suggest that 11% of Lovelace is covered by the nature conservation designations but then later in the same paragraph states the designations cover almost all of Lovelace. Which is correct?”

GBC Response

It's clear from the mapping (supplied) that it's not correct to state that almost all of Lovelace is covered by the designations.

It is not clear where the 11% figure is derived from. It was possibly produced by GBC but it is unlikely it applies to that specific group of designations as it looks like together they cover more than 11%. GBC suggest amending the wording to refer to something like “The above designations cover a significant proportion of Lovelace”.

RPC Response

This should be rephrased “The 11% figure refers to the TBHSPA, SSSI, SNCIs, LNRs and Ancient Woodlands, whilst the ‘above designations’ also includes the designated Green Belt. Despite the removal of areas from the Green Belt in the GBC LP, Lovelace remains a predominantly rural area.”

NB: With regard to the Examiner's question 1, when we formally submitted the Plan on 23/08/2019 we understood the SEA determination had already been carried out by GBC and that nothing further was required.

Can the TRL and GBC air quality type of sensors, location and height be compared to confirm an apples to apples comparison?

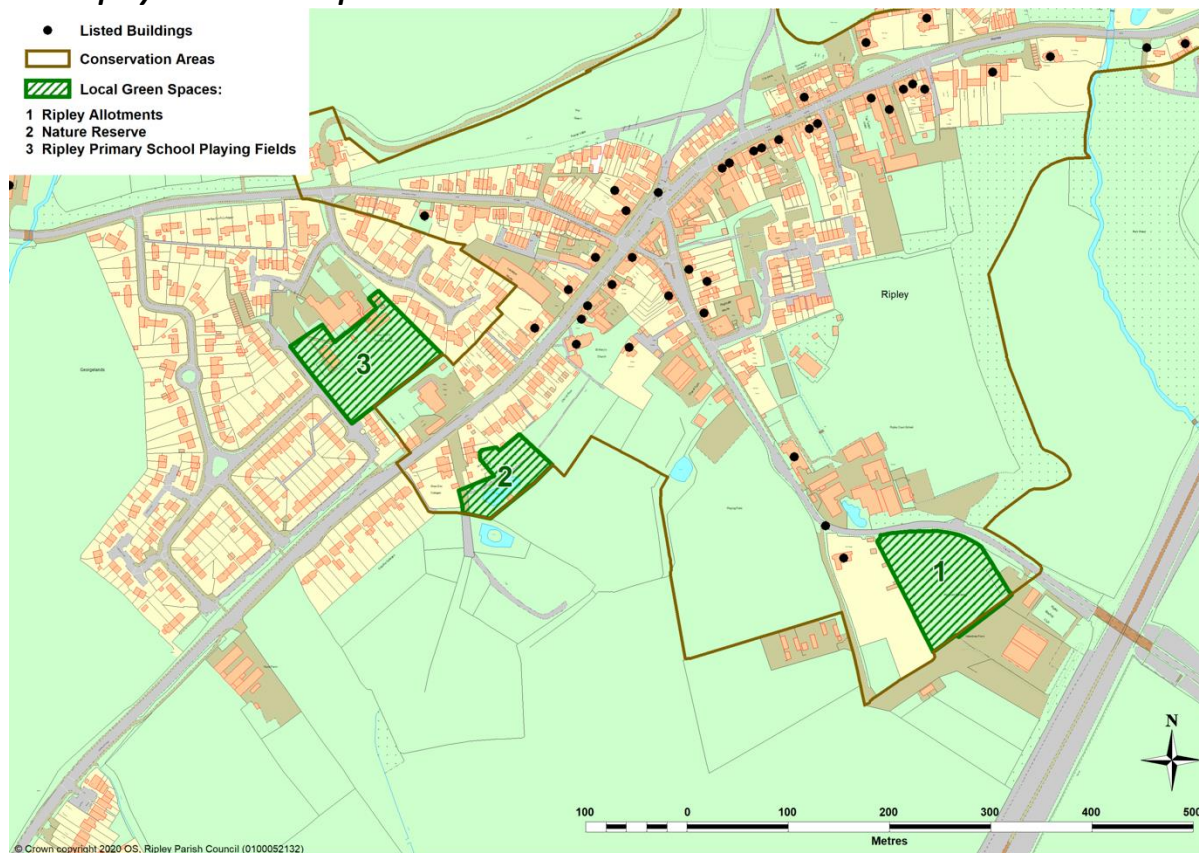
Can it be noted that the Examiner's February 18th site was during the half term, traffic is considerably lighter during school holidays.

The LNP committee disbanded after handing the LNP to the Parish Councils for review, collation, printing, dispatch etc. Resources were not available to update after adoption of the GBC LP.

Peter Biggers Independent Examiner 19 February 2020

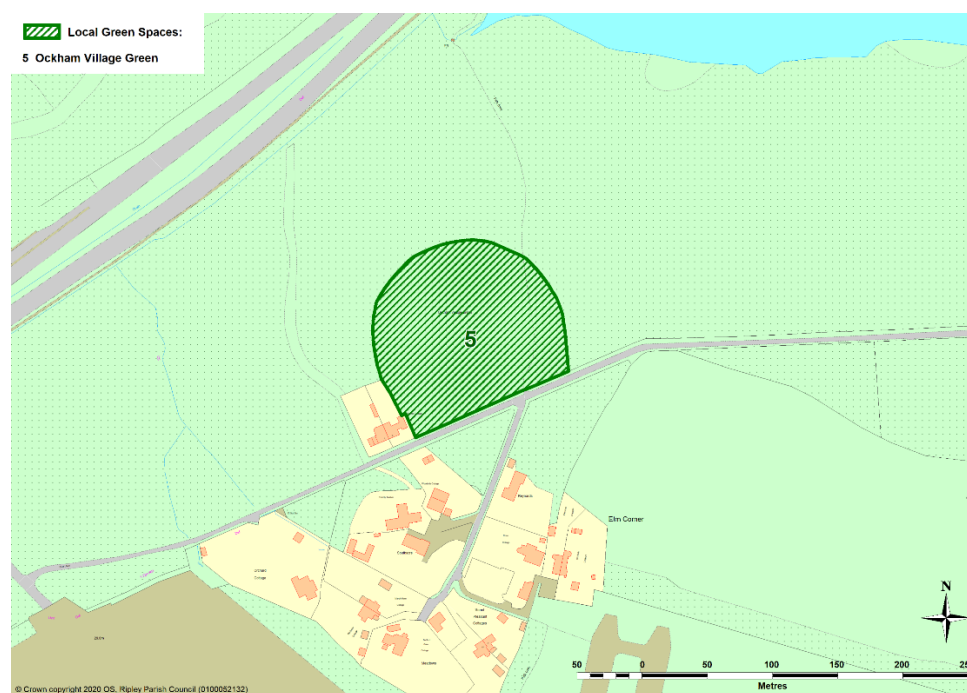
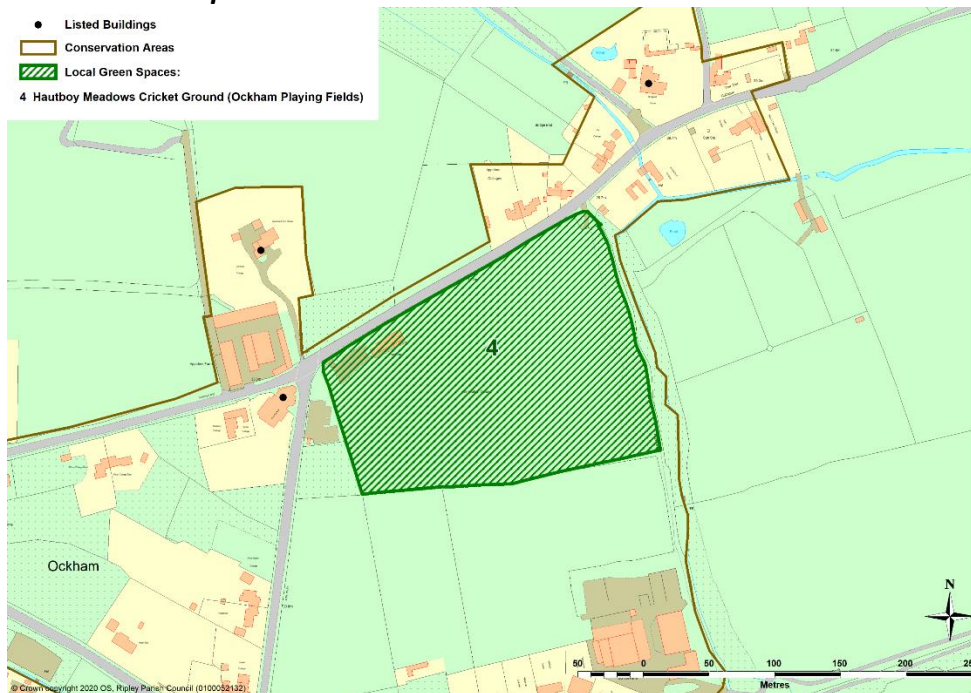
Appendix 2A – Local Green Spaces Designation Justification

Ripley Local Green Spaces



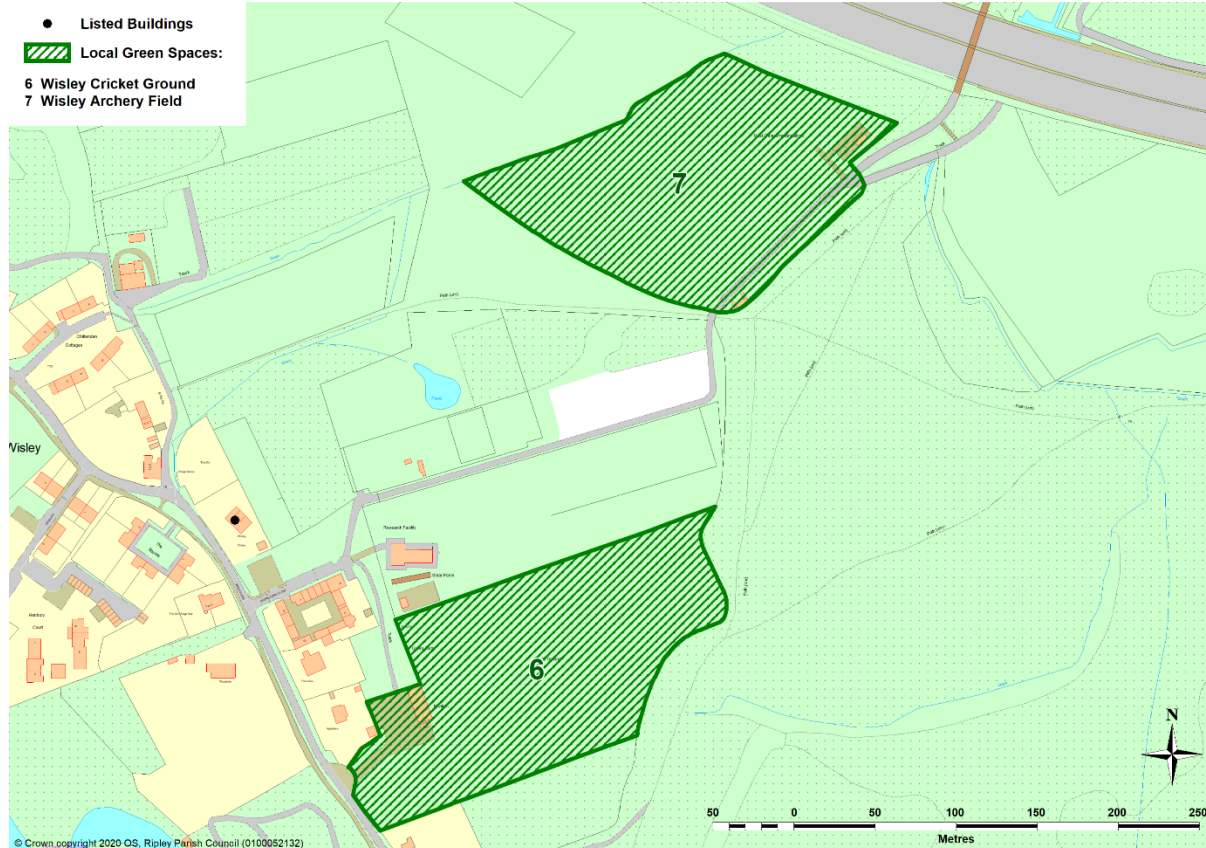
Name & Address	Description & Purpose	Quality of facility (including deficiencies)
1. Ripley Allotments, Rose Lane GU23 6NE. Size: 1.12 ha	21 full size plots & 18 half size plots for growing fruit, vegetables, flowers for personal use only. Residents of parish given priority of others.	Fairly well maintained, with a waiting list of 3 within parish & 4 out of parish.
2. Nature Reserve (land rear of West End Cottages) High Street GU23 6AD. Size: 0.46 ha	A quiet space for bird watching, walking and sitting. Dogs (other than Guide Dogs) are excluded from the area.	Administered, developed and maintained by Ripley Parish Council with the aid of local volunteers.
3. Ripley Primary School Playing Fields, Wentworth Close, GU23 6ED. Size: 1.4 ha	Sports and recreational use.	Well maintained by Ripley Primary School until closure of the school in July 2018.

Ockham Local Green Spaces



Name and address	Description	Quality of Facility
4.Hautboy Meadows, Ockham Cricket Ground. Size: 3.62 ha	Owned in Trust and leased to Cricket Club for Cricket, Football, and other events.	<i>Well maintained grounds with clubhouse.</i>
5.Ockham Village Green, Elm Corner. Size: 1.52 ha	Area for bird watching, and walking with extensive wildlife and flowers	Maintained and managed by Ockham Parish Council.

Wisley Local Green Spaces



Name & Address	Description & Purpose	Quality of facility (including deficiencies)
6. Wisley Cricket Ground, Wisley Lane, Wisley Size: 2.39 ha	A currently unused village cricket ground, owned by the RHS.	Owned and maintained by the RHS. Could be brought back to use as a village facility.
7. Wisley Archery Field, Wisley Lane, Wisley Size: 2.28 ha	Used by the Woking Archery Club, situated behind Deers Farm Close, owned by the RHS	Owned and maintained by the RHS.

Appendix 2B Protection of Important Local Views

Preservation of Landscape And Rural Character

The 2015 survey of opinion in Lovelace confirmed that the characteristic of the area that is most valued by residents and other stakeholders is its rural character.

Respect the rural and landscape character and the setting of each of the villages in the ward as defined in the Guildford Borough Council Landscape Character Assessment; in particular by conserving the open countryside in and around the villages and the key strategic views and vistas described in Table 1 below.

Development proposals should have regard to key views and vistas and be designed to minimise the effect on the existing landscape character and long-distance views across the Plan Area, or on attractive outlooks from within the built area.

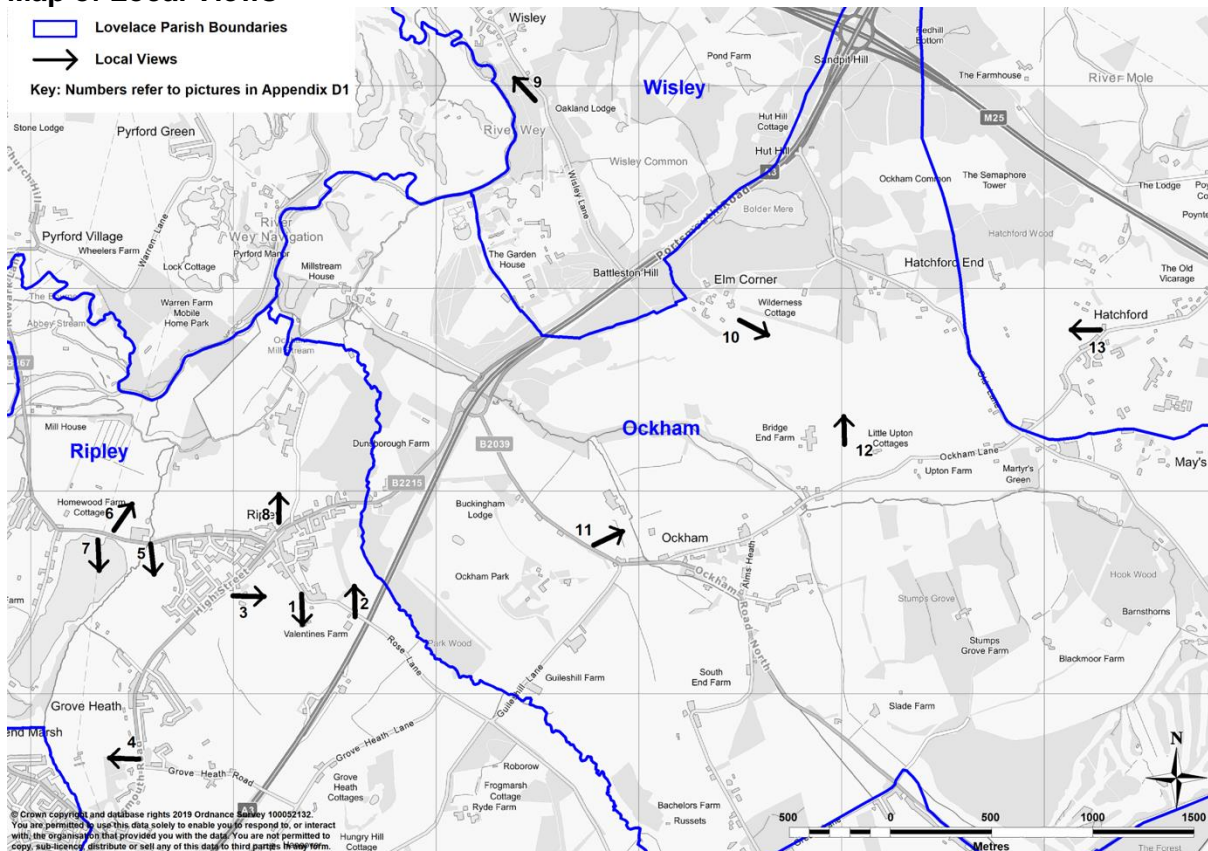
Schedule of Views and Vistas

The views and landscapes below have all or a number of the following characteristics:

1. They can all be seen from public rights of way or areas where the public has access rights
2. They provide a sense of tranquillity, including the absence of buildings and human presence
3. They sustain the distinctive character of the Lovelace area and contribute to its setting
4. They reflect key characteristics identified in the Guildford Landscape Character Assessment.

A view does not have to be scenic in order to be valued; it may be valued for its intrinsic contribution to the nature, setting and historical significance of parts of the area. The images below are taken from a single viewpoint, but each are enjoyed and valued from other locations around the selected viewpoints. The number of views that this plan will protect is a reflection of the current rural nature of the area (which this provision seeks to preserve) around the three villages.

Map of Local Views





1. Rose Lane facing south.

Wide, panoramic, picturesque view over gently rolling pastoral fields looking back towards Guildford. The view is encountered just a short walk from the centre of Ripley village. Distant tree belts and hedgerow strips provide focus and interest to the view.

Viewers will include motorists and cyclists travelling along Rose Lane towards West Horsley and pedestrians/walkers using the route 69 footpath.

The openness of the countryside surrounding the village is a key factor in maintaining the rural ambience of the village.



2. Rose Lane facing north.

Framed view looking back over grazing fields and dense tree belts towards the eastern end of Ripley village. The density of the tree coverage restricts onward views through to village properties, as well as providing a natural screen and sound buffer between them and the busy A3, which is just out of shot.

Taken from the apex of the bridge which traverses over the A3, viewers will predominantly be motorists and cyclists heading towards Ripley village.

The openness of the countryside surrounding the village is a key factor in maintaining the rural ambience of the village.



3. The pond at Ripley Nature Reserve and WWI Commemorative Community Orchard.

The Nature Reserve, Community Orchard and pond were created by Ripley Parish Council in order to increase local biodiversity. Located at the southern end of the village, opposite the Village Hall, the setting of the Nature Reserve provides an area for visitors to enjoy an outside space.

Views from this tranquil spot are predominantly of the green pastures to its south. A strong tree belt sits across the horizon, restraining long ranging onward views. These outward views help to enhance the tranquillity of the site.

Viewers will solely be pedestrians/walkers who choose to enjoy this community asset.



4. Portsmouth Road at the southern end of Ripley.

View across fields between the village settlement area and housing on Portsmouth Road, facing towards Papercourt Lake, with Milestone Close to the left.

The surrounding fields limit the settlement area and preserve the rural nature of the village. Nevertheless, the outer edges of the Georgelands estate can be made out to the right of the view, somewhat obscured by the tree and hedge boundary that sits in front, which helps to inform that this is a transitional view at the edge of Ripley village. The nearby Farm Shop has a public footpath leading to Papercourt lake.



5. Newark Lane facing south towards Portsmouth Road and Milestone Close.

This open view is taken between Papercourt Lake and the gateway into Ripley Village. It provides the very first glimpses of Ripley's northern settlement boundary, with the backs of housing in the Georgelands estate clearly visible to the left of the shot. The urban character of this housing estate is considerably softened by the hedge and treeline that run around its periphery, in tandem with the field in the foreground. The rooftops of properties situated along Portsmouth Road can be seen in the far distance. However, these rooftops are tempered and made less prominent by the surrounding tree and hedge planting. Viewers will include motorists, cyclists and walkers using Newark Lane.



6. Newark Lane facing north west.

Part of a very popular circular walk which goes across Ripley Green (view no 8) to the Wey Navigation, along to Newark Lane and back into Ripley Village. Located directly opposite the SSSI Papercourt Lake (view no 7), it is the final open green space on that route before Home Farm and Georgelands and an important visual green view for residents walking from the settlements of Newark Lane, Polesden Lane and Papercourt Lane into Ripley Village. Daily viewers are local residents, walkers, cyclists and motorists.



7. Papercourt Lake

The picture of this view is taken from footpath 39 from the eastern side of the lake looking west towards Send Marsh.

The lake is a significant asset to the area. As a designated SSSI it is a haven for wildlife, both in and out of the water, but it is also a popular recreational spot, offering the opportunity for visitors to sail, swim, fish and walk.

From this vantage point you can appreciate the full scale of this body of water. The trees which encircle it constrain wider views beyond, thus helping to draw focus. However, the utility pylon and wires which cross the skyline are an unquestionable visual detractor.

Viewers will be mainly pedestrians/walkers or those using the lake for recreation purposes.



8. Ripley Green.

Ripley Village Green is an exceptional asset to the village. Situated on the north side of the High Street, set behind properties, this large open flat green extends for around 68 acres and is acknowledged to be amongst the largest in England. It is used for a variety of recreational purposes, including cricket and football and also includes a purpose-built children's playground. The view which is captured in the image above is taken from the south western corner, looking north east. From this you can appreciate how large this historic space is. The dense tree belt seen in the distance forms and reinforces its boundary. Within this view you can see the recreation assets that The Green offers, including the football pitch, the white rendered cricket pavilion and the vibrantly coloured children's playground.



9. Wisley Lane

A long, contained view along this rural route that links the A3 to Wisley village. The Road is framed by dense tree lines to either side which have, over time, established an overhead canopy, aiding the enclosure of the space. This natural enclosure limits outward view, thus drawing the viewer's eye along the road. The slightly curving form adds to the sense of anticipation. Viewers will be predominantly motorists and cyclists. However, the presence of some footpaths in the area means that this view would be enjoyed by some recreational walkers.



10. Elm Corner at Ockham.

View towards Elm Corner hamlet on the left and Ockham Village Green on the right. This is the only view for residents at Elm Corner Hamlet (to the left) walking to the Ockham Village Green (further down on the right) and the footpath alongside the A3 leading to Ockham and Wisley Commons. The view is naturally enclosed by vegetation on both sides of the road whilst the curving road provides additional visual interest. Currently the vehicular access to the A3, this will be improved by the Highways England works to M25 J10/A3 Wisley Interchange. Users are walkers, horse riders, cyclists and motorists.



11. Entrance to Ockham at Ockham Road North.

A view facing the Ockham hamlet of Bridge End from the approach to the Old Vicarage and the Guilehill Lane/Ockham Park entrance. The nearby Ockham village sign acknowledges the historic nature of Ockham, whose 8 hamlets are scattered throughout Ockham Parish, linked by rural public rights of way and surrounded by countryside. Viewers are motorists and occasional horse riders as no pavements or paths run alongside.



12. The top of the ridge at Former Wisley Airfield.

View across the former airfield looking north-east towards RHS Wisley and Wisley Common. The former airfield is crisscrossed by many Public Rights of Way and preserves the rural character of Lovelace. The former airfield has been allocated for development in the Local Plan: Strategy and Sites 2015-2034.

Its large open scale, in tandem with its flat topography at the top of the ridge provides long reaching views across to distant tree belts that cut across the horizon.

Viewers would typically be recreational walkers, horse riders and cyclists.

The new development should aim to preserve the rural landscape character around the site, integrating the development into the landscape and retaining important views out of the site as far as possible.



13. Bridge End

A panoramic and long ranging view looking south towards the Surrey Hills. This elevated point provides views across the tree rich landscape to the prominent Sheepleas ridgeline. Nearby villages and settlements are shielded from view due to the very strong tree blanket. This view depicts the rural nature of Ockham village and its hamlets.

The picture is taken from Bridge End Farm next to Bridleway BW 16, which is used by horse riders, pedestrians and walkers, and cyclists and farm vehicles.

Appendix 3 - Recommendation 12–Table of Typographical and Formatting Corrections

Page	Location	Correction
1	Acronyms- PPG	Should read ‘Planning Practice Guidance’.
2	Paragraph 4 Line 2	Delete the word ‘Policy’ in ‘Planning Policy Guidance’ and replace with the word ‘Practice’.
8	Last paragraph Line 3	Insert space between ‘Ride’ and ‘London’ and delete the word ‘annual’ before ‘event’. Change is needed to make sense of the sentence.
12	2 nd Paragraph Line 1	Add ‘s’ to the word ‘road’. Change is needed to make grammatical sense.
14	3.3 Future Development Table	Change the site references ‘A43’, A43a and ‘A45’ to ‘A41’, ‘A42’ and ‘A44’ respectively. Change corresponding footnotes. The reference numbers have changed in the adopted version of the GBLPSS. All policy references should be corrected.
23	1 st paragraph line 2	Change the word ‘retain’ to ‘retaining’ in order to make sense of the sentence.
23	Table – 2 nd housing objective line 3	Add ‘s’ to the word ‘development’. Change is needed to make grammatical sense.
24	Table – 5 th Environment objective line 1	Change the word ‘quality’ to ‘pollution’ to make sense of the objective.
24	Table – 5 th Environment objective line 4	Insert the word ‘in’ after traffic to make sense of the objective.
32	2 nd paragraph line 2	Delete the letter ‘d’ from the word ‘abled’.
33	Policy LNP H2 line 1	Replace the word ‘meeting’ with the word ‘meet’ to make sense of the sentence.
33	Policy LNP H2 line 3-4	Delete the words ‘affordable homes to rent’ as this repeats the same words earlier in the sentence.
33	3 rd paragraph of reasoned justification Line 1	Add the words ‘ <i>in the glossary</i> ’ after the words ‘as defined’. To direct the reader to the definition.
33	3 rd paragraph of reasoned justification – last line	Add the words ‘ <i>for sale</i> ’ to distinguish between social rented housing which also falls within the definition of affordable housing.
35	4 th complete paragraph line 3	Delete ‘i.e.’ replace with ‘e.g.’ This is necessary as Green Belt is just one

		example of protection afforded by the Framework.
36	Policy LNPH3 Line 3	Insert 'and' between the words 'history' and 'where' in order to make sense of the sentence.
36	Policy LNPH3 Clause (l) Line 1	Remove capital 'S' at the word 'space'
37	Policy LNPH3 Clause (o) Line 2	Remove capital 'S' at the word 'space'
37	Paragraph 4 Line 1	Delete 'i.e.' replace with 'e.g.' This is necessary as the buildings named are merely examples of 3 storey buildings.
49	Last paragraph Line 1	Add the letter 'F' to 'NPP'.
50	Line of text after bullets	Insert the word 'risk' after the word 'high' in order to make sense of the sentence.
56	Paragraph 4 Line 1	Insert the word 'to' after the word 'close'.
57	Policy LNP EN5 (e) Line 1	Delete the word 'of' after the word 'provide'.
60	Paragraph 4 Line 3	Insert after NO ₂ a capital 'T' to form the word 'The'.
66	Section 7.1 5 th bullet point	Policy reference should read 'LNPI 5'.
66	Second paragraph - line 2	Replace the word 'small' with 'minor' to reflect the formal planning definition of 'Minor'.
71	Policy LNPI 2. Page 71- Top line	Number the clause starting 'major development should..' as 'e)' and the clause following as 'f)'.
72	Ist Paragraph after bullet points - line 3	Delete the word 'bus' after the phrase 'evening buses'.
75	Policy LNPI 3 Part a) – Line 2	Replace the word 'sties' with the word 'sites'.
80	Paragraph 1 –line 4 and paragraph 3 - line 1	Substitute capital 'S' for lower case 's'.
80	Paragraph 3 – line 3	Delete the word 'exam' and replace with 'example'.
81	Penultimate paragraph – line 1	'Car-owing' should read 'car-owning'.
81	Final paragraph – line 4	Should read 'by way of' at end of the line.
83	Section 7.6 Paragraph 1 – line 4	Delete the word 'at'. The word is superfluous to the sentence.
84	Second complete paragraph – line 1	First word 'this' replace with 'The' – in order to make sense of sentence.