

**REIGATE AND BANSTEAD DEVELOPMENT MANAGEMENT PLAN (DMP)****INSPECTORS POST HEARING ADVICE – MAIN MODIFICATIONS AND RELATED MATTERS.****INTRODUCTION**

1. The purpose of this note is to provide advice on some key issues and my views on the further Main Modifications (MMs) that are likely to be required to make the Reigate and Banstead DMP sound following the hearing sessions. The MMs are in addition to the potential MMs prepared by the Council in advance of the hearing sessions following consultation on the publication version of the DMP and those put forward by the Council following the hearing sessions.
2. I would also advise that I have given full consideration to all the representations made with regard to the DMP including the oral contributions made at the hearings. My final conclusions regarding soundness and procedural compliance will be set out in the report to be produced following consultation on the proposed MMs. Nevertheless, having regard to the criteria for soundness and to assist at this stage, I shall provide brief explanations for my advice so far.
3. My findings may alter in light of further evidence that emerges including the consultation process. My views are therefore given here without prejudice to the conclusion in my final report. I do not comment on every issue in the advice. My final report will cover other main issues that arose during the examination.

**Further potential main modifications****Employment**

4. I note the Council's detailed explanation as to how the Core Strategy requirement of 46,000 square metres of employment floorspace would be met. I agree that that this level of detail is not necessary to be included in the DMP. However I consider that a brief explanation, including reference to the allocated sites is necessary in the interests of clarity and effectiveness. The Council should prepare some additional explanatory text to accompany paragraph 2.2.5.

**Housing****Site Capacity**

5. At the hearings a number of site promoters suggested that the capacity of certain sites could be increased. Following the hearing sessions the Council proposed modifications which included a single figure for the

approximate number of houses that could be delivered on some sites but for other sites a range has been put forward. This forms an inconsistent approach.

6. The rationale behind the calculation of site capacities provides clear justification for the likely number of units a particular site could deliver. I therefore recommend that a single figure be included in the DMP for each allocation. In the case of sites ERM2/3 and SSW2, where the site capacity could be increased if other community infrastructure is no longer required, the capacity should be stated without taking account of the potential deletions of these community uses. The supporting text should make reference to a possible increased capacity should the respective community facilities no longer be needed.
7. The above changes should be set out as potential MMs and the housing trajectory amended accordingly.

### **Housing Delivery - Policy MLS1**

8. As requested at the hearing sessions and after consideration of ways forward suggested by a number of representors, the Council has given further thought to this policy. An amendment has been put forward.
9. The revised policy proposes a forward looking approach to monitoring housing land supply which would take account of lead in times. However I have significant concern with the soundness of the proposed phased release of sites. Based on the evidence before me, and bearing in mind the size of many of the Sustainable Urban Extensions (SUE's) proposed, many providing less than 100 units, no strategic infrastructure requirements have been identified which would directly impact on their delivery. Furthermore any required mitigation measures appear to be able to be addressed as part of the respective developments. I accept that the one exception to this may be Site ERM2/3 Copyhold Works. A controlled phased release, identifying the order in which sites should come forward is therefore unnecessary. Based on the available evidence there is no justification for such an approach which would unjustifiably constrain the supply of land.
10. I am also concerned about the practical operation and effectiveness of such a policy. In the circumstances of a lack of a 5 year housing land supply, assuming other policy requirements are met, the refusal of planning permission for a site because it is out of step with the order in which sites should be released would be unjustified and contrary to national policy.
11. I suggest the Council have the following options:

Option 1 – delete the policy completely. An addition could be made to the justification text to reference back to Core Strategy Policy CS13, explaining that now that the SUE's have been identified, their infrastructure needs and mitigation requirements are known, and having regard to the objectives of the Framework, it is not necessary to introduce detailed phasing for their release when a shortfall in housing supply has been identified.

Option 2- Amend the revised policy wording, retaining the forward looking approach to the monitoring of the 5 year housing land supply but deleting references to the phased release of the SUE's in part 2c), part 3 and part 4 of the policy.

### **Policy DES6 - Affordable Housing**

12. I have considered the evidence submitted to justify an affordable housing contribution from small schemes of less than 11 dwellings, in variance to the Written Ministerial Statement of November 2014 and National Planning Practice Guidance.
13. I accept that affordability issues have increased in Reigate and in other neighbouring authorities over the last few years. However the evidence before me does not demonstrate that there are such compelling local circumstances to justify a deviation from national policy.
14. A MM should be made deleting part 2c) of the policy.

### **Policy MLS2 – Safeguarded Land**

18. Having given careful consideration to this policy, there remain many uncertainties with regard to delivery. Firstly this cross boundary site does not form the preferred option for Tandridge Borough Council. Tandridge is currently pursuing a Garden Village proposal on another site in their borough. I accept that this may change when the Tandridge Local Plan is examined however there is no guarantee that the Aerodrome site would then be taken forward. The Council have advised that if Tandridge Borough Council continues with their preferred site, the Aerodrome proposal would not be pursued and consideration may be given to returning the site to the Green Belt in a future plan review. This approach would not be consistent with national policy ensuring that Green Belt boundaries endure beyond the plan period.
19. Secondly the proposed new junction from the M23 requires further work and detailed assessment. There is no commitment to provide such a link

from Highways England at this time. This also creates uncertainty and doubt for the deliverability of the site.

20. In light of the above, I consider there is insufficient evidence to demonstrate the exceptional circumstances required for the Redhill Aerodrome site to be released from the Green Belt and safeguarded for future development at this time. I consider that Policy MLS2 should be deleted from the Plan. This should be set out as a MM. The submitted Policies Map would also need amendment and should be consulted upon at the main modification stage in a separate Policies Map schedule of proposed modifications. The Council would have the opportunity to reassess the position during the review of the Core Strategy when matters have progressed further and there is more certainty of delivery.

### **Policy GTT1 – Gypsy, Traveller and Travelling Showpeople Accommodation**

21. At the Hearing the Council offered to undertake some further work in relation to this matter which I have had the opportunity to assess. The Council have proposed a number of changes to the Policy including the expansion of the boundary for the allocation at Kents Field (G12) and the allocation of a further site at Highlands, Blackhorse Lane (G11). The Sustainability Appraisal (SA) should be updated accordingly. This MM would also need to be accompanied by consultation on the required change to the submission Policies Map and also a justification that there are exceptional circumstances to justify these changes to the boundary of the Green Belt.
22. There is also a minor drafting error in the amended policy which should be rectified for consistency. In the latter section of the Policy which provides details of each site and their respective development requirements, references to the number of pitches in respect to sites G9a and b) should read 'approximately' and not 'up to'.

### **Next steps**

23. The Council should now consider its options with regard to Policy MLS1 and prepare the further modifications I have outlined. These should be incorporated into a consolidated schedule of all the potential MMs. The Council should also consider any consequential changes to the DMP that might arise.
24. The final version of the MM schedule should be provided to me for comment before being made available for public consultation. For clarity and to avoid excessive MMs, I suggest that changes to a single policy

together with any changes to the explanatory text be considered as one MM.

25. The Council should ensure that they have met the requirements for sustainability appraisal by producing an addendum to the Sustainability Appraisal of the submitted plan in relation to the potential MMs, as appropriate. I would like to see a draft of the addendum and may have comments on it. The addendum should be published as part of the future MM consultation.
26. The Council has also prepared a list of additional modifications (AMs). Apart from those I consider should be defined as MMs, the AMs are a matter solely for the Council. If the Council intends to publicise or consult on these it should be clear that such changes are not a matter for me to consider.
27. In line with the Examining Local Plans Procedural Practice document, the MM consultation should be undertaken for a minimum of 6 weeks. It should be made clear that the consultation is only about the proposed main modifications and not about any other aspect of the plan. The MMs are put forward without prejudice to my final report. It is my expectation that issues raised in the consultation of the draft main modification will be considered through written representations. Further hearing sessions will only be scheduled exceptionally.
28. I would request the Council provide a response to this Advice Note by Friday 1 February 2019. The response should include a timetable for the work required and the potential dates for the MM consultation and the collation of responses.
29. This Note should be published on the Council's website as soon as possible together with the Council's subsequent response.
30. No representations on this Note or the Council's response are invited at this stage. Representations will be invited on MMs once these are published.
31. Should the Council have any queries please contact me via the Programme Officer.

Helen Hockenhull                      Inspector

15 Jan 2019