

GUILDFORD BOROUGH COUNCIL

Minutes of an extraordinary meeting of Guildford Borough Council held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on Wednesday 21 February 2024

The Mayor, Councillor Masuk Miah

* The Deputy Mayor, Councillor Sallie Barker MBE – in the chair

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| * Councillor Bilal Akhtar | * Councillor Steven Lee |
| * Councillor Phil Bellamy | Councillor Sandy Lowry |
| * Councillor Dawn Bennett | * Councillor Richard Lucas |
| * Councillor Joss Bigmore | * Councillor Julia McShane |
| * Councillor David Bilbe | * Councillor Richard Mills OBE |
| Councillor Honor Brooker | * Councillor Carla Morson |
| * Councillor James Brooker | * Councillor Danielle Newson |
| * Councillor Philip Brooker | * Councillor Patrick Oven |
| Councillor Ruth Brothwell | * Councillor George Potter |
| * Councillor Yves de Contades | * Councillor Maddy Redpath |
| * Councillor Amanda Creese | Councillor Merel Rehorst-Smith |
| * Councillor Geoff Davis | * Councillor David Shaw |
| * Councillor Jason Fenwick | * Councillor Joanne Shaw |
| Councillor Matt Furniss | Councillor Katie Steel |
| * Councillor Angela Goodwin | * Councillor Howard Smith |
| * Councillor Lizzie Griffiths | * Councillor Cait Taylor |
| * Councillor Gillian Harwood | * Councillor Jane Tyson |
| * Councillor Stephen Hives | * Councillor James Walsh |
| * Councillor Catherine Houston | * Councillor Fiona White |
| * Councillor Tom Hunt | * Councillor Dominique Williams |
| * Councillor Bob Hughes | * Councillor Keith Witham |
| * Councillor James Jones | * Councillor Sue Wyeth-Price |
| * Councillor Vanessa King | * Councillor Catherine Young |

*Present

CO113 APOLOGIES FOR ABSENCE

Apologies for absence were received from the Mayor, Councillor Masuk Miah, and Councillors Honor Brooker, Ruth Brothwell, Matt Furniss, Sandy Lowry, Merel Rehorst-Smith, and Katie Steel; and from Honorary Aldermen Catherine Copley, Sarah Creedy, Jayne Marks, Tony Phillips, Lynda Strudwick, and Jenny Wicks.

CO114 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO115 MAYOR'S COMMUNICATIONS

The Deputy Mayor reported that, before leaving for his well-deserved break, the Mayor had joined Guildford Hongkongers for their New Lunar Year Market at Guildford Cathedral on Saturday 10 February 2024, and very much enjoyed meeting over 60 stall holders – who served over 5,000 people during this popular event.

On a rainy Shrove Tuesday afternoon, The Mayor opened the popular Pancake Races, and the Charlotteville Jubilee Trust, who organised the event were delighted that £1,000 was raised for the Guildford Street Angels.

One of the Mayor's last engagements before his break was to join representatives from Rotary in Guildford and the Vivace Chorus, as they presented funds raised by the Mayor's Christmas Concert. Ticket sales raised £3,000 for the Mayor's Local Support Fund and the retiring collection raised just over £1,300 for the Fountain Centre.

CO116 LEADER'S COMMUNICATIONS

Crowdfund Guildford

The Leader reported that there would be a free virtual workshop on Friday 8 March, in which participants would gain valuable insights into how residents can access support and funding for their ideas and projects, learn first-hand about the resources available, the application process and how the Council can help in bringing forward community initiatives. Councillors were asked to encourage residents and local groups with an idea, to attend. They could sign up by visiting www.spacehive.dot.com/movement/Guildford.

Pride in Surrey

The Leader announced that Guildford would be hosting the fifth anniversary celebration of Pride in Surrey, at Stoke Park on Saturday 21 September 2024. The Leader expressed immense pride in our diverse community, which included a high representation of LGBTQ+ residents, recognising the significance this event had to our residents. Tickets were now available via the Pride in Surrey website and were being offered on a 'pay what you can' basis keeping pride accessible for as many people as possible.

Arts Council Accreditation – Guildford Museum

The Leader reported that the Museum had retained full accreditation with Arts Council England, which recognised the hard work that the heritage team had put into every aspect of the Museum from looking after the collection of objects to meeting relevant standards for policies and procedures.

Public inquiry for planning appeal at land at Guildford Cathedral

The Leader reported that this appeal would be determined by public inquiry, which would open on 5 March 2024, and was due to last 10 days. Times and dates were subject to change, as advised by the Planning Inspector. More information could be found on the Council's website, where the appeal documents could be viewed.

CO117 PUBLIC PARTICIPATION

The following persons addressed the Council meeting in respect of Minute No. CO119 below – Review of the Guildford Borough Local Plan: Strategy and Sites (2015-2034), and made the key points indicated below:

- (1) Julia Osborn, Chair of Send Parish Council, stated that the Local Plan had adopted a spatial strategy of housing and industrial development that was characterised by a heavy concentration of development in the north-east corner of the borough, particularly the ward of Send and Lovelace.

Since the removal of the villages from the Green Belt, Send had also witnessed a huge spike in windfall applications. According to the sustainability appraisal, villages sat at tier 10 of the sequential hierarchy, which meant that they were the least sustainable position for development to take place. All villages should only account for 5% of total supply. However, since the adoption of the plan, 843 dwellings had been approved in Send alone, which was 8% of total supply of the plan in just one village. Furthermore, strategic sites had not been delivered in the timeframe expected and key road improvement infrastructure fundamental to the spatial approach of the plan had not been delivered.

The spatial strategy of the Local Plan was now not fit for purpose, and it never was. The continued reliance on windfall applications, without infrastructure in villages was a completely unsustainable approach. This update needed vision and leadership, to produce a new spatial strategy, with a town centre master plan at its core and allocated sites in villages that had not yet received approval must be removed from the plan, with immediate effect, to alleviate any further pressure on existing infrastructure. A new Green Belt and Countryside Study was also needed to reapply constraint to villages.

In response, the Lead Councillor for Planning, Councillor Fiona White stated that the Council was only being asked at this meeting to agree that the plan should be updated following the officer review. The matters to which the speaker had referred would be dealt with during the work to update the plan and the evidence that would be required as part of the update process. It was therefore not possible to respond to these matters at this stage. The Lead Councillor assured the speaker that the Council would liaise with parish councils, residents' associations and residents throughout the borough as part of this process.

- (2) John Rigg, on behalf of the Guildford Vision Group stated that many people in Guildford believed that the 2019 Local Plan was not fit for purpose, had huge gaps, with missing or bad policies. The glaring omission from the 2003 plan, the 2019 plan, and the officer's report on the agenda was a lack of planning vision, with no reference to the town or the emerging town master plan. The report remained silent on the essential evidence assembled in Shaping Guildford's Future (SGF). Seventy percent of the borough's population lived in the town, yet the Local Plan had no ambitions for flood remediation for height restrictions, density, delivering riverside homes and parks or to assist green belt protection. Its land allocations were incoherent and, as with North Street, often wrong. Thirty brownfield sites in the centre and 90 across the borough excluded due to flood risk. The Council appears to have abandoned and disregarded the emerging SGF.

In response, the Lead Councillor for Regeneration reiterated to the speaker that the Council at this meeting was only being asked to agree that the Local Plan should be updated, not to discuss the details of any future Plan. The Lead Councillor agreed that the evidence base needed to be reviewed, and reassured the speaker that the Council had no intention of discarding the work already completed through SGF. The regeneration team was already working with the planning policy team sharing the data that had been gathered during the SGF programme. The Lead Councillor emphasised that the flood alleviation scheme was essential to unlocking a wealth of opportunity within the town centre and that work was progressing.

- (3) Alastair Smith, Chair of the Guildford Society, supported the Council initiating an update of the Local Plan. National planning policy was in turmoil with three significant updates to the NPPF over 18 months. The Guildford Local Plan needed to be robustly developed to cope with this turmoil. It was noted that a detailed plan and budget for the update was due to be prepared

for approval. It was suggested that the following should be included in the plans:

- The evidence base needed to be fully updated, but must also include initiatives such as the economic strategy and the outputs from the Shaping Guildford Future programme.
- The revised local plan must lock in required infrastructure improvements particularly if the housing numbers increase.
- The Local Plan update was likely to take more than three years. The Lead Councillor had expressed caution on achieving a 30 month timescale proposed by central government. We cannot wait for three years. Alongside the Local Plan update, the Council must be prepared to draft and add extra policies on matters such as heights, which was a major concern to the Guildford Society and potentially, for selected site areas to guide development or policy in draft carried weight in the planning process. It was stated at the Executive meeting that the update should be viewed as an opportunity to address issues including town centre, riverside, brownfield sites, affordability, etc. The Society agreed, but also felt that design, quality and standards should be included.

In response, the Lead Councillor for Planning reiterated that the Council at this meeting was only being asked to agree to update the Local Plan and the speaker's comments would be looked at as part of that update. The Lead Councillor thanked the speaker for sending the paper that he had submitted in respect of the heights policy, which had already been passed on to the Planning Policy Team. The Lead Councillor assured the speaker that the Council would not ignore any of those things as part of the update process.

- (4) Malcolm Aish, Chair of Ockham Parish Council stated that the failure to deliver the infrastructure which underpinned the current Local Plan, should lead the Council to decide to proceed with an update of the Local Plan. The problems included the lack of delivery of the A3 improvements with the Burnt Common slip roads and other works around Guildford not proceeding. The works at junction 10 on the M25 were allegedly running two years late and the increase in residents had led to traffic queues and delays on the local road network. Optimistic plans for more cycling were not the answer.

The failure to upgrade the Ripley wastewater works meant that it could not cope with the numerous new homes already being built in Horsley and Send. The flood risk programme required much more work across the borough. Displacement is a problem across the Borough. The lack of evidence of a new

Howard of Effingham School was putting a strain on school places, doctors' surgeries were refusing to take on new patients in this area, which would result in displaced residents looking further south for education and health needs. Guildford Borough Council's efforts to tackle climate change had not progressed, the take-up of electric vehicles had been slow and there were not enough charging points. The housing number forecast using the SHMA had been based on inflated ONS figures, which had grossly overstated the student population. This was expected to be demonstrated by the 2021 census data due to be published in 2025. These inflated figures were unlikely to lead to students wanting to live in the remote locations of the strategic sites. Students had been helped by the significant levels of purpose-built student accommodation and the possible reduced demand from the closure of the law school this year. The difficulties with the former Wisley Airfield as a strategic site may result in that not being available in an update of the plan. The brownfield sites in the centre of Guildford had reduced demand for retail and were available for residential development. The housing number had benefited from the large number of windfall units outside the plan and the huge demand for delivery materials had led to severe damage to local roads.

In response, the Lead Councillor for Planning, stated that the Council would take into account all the issues that had been raised on the assumption that the Council agreed to update the plan, but, unfortunately, she could not respond to any of the detail at this stage.

- (5) Karen Stevens, on behalf of Compton Parish Council commented on the current uncertainty around whether the proposed widening of the A3, part of the critical infrastructure on which three of the current strategic sites depended. Studies had shown that it would do little, if anything, to alleviate local traffic; it would simply unlock thousands of out-of-town houses, all reliant on cars. The strategic sites could not all be delivered, and keeping them in the Local Plan served no other purpose than to keep the housing figures artificially high. This would inevitably risk aggressive development when the five-year supply was not met. In the case of Blackwell Farm, it was also preventing the land from being designated a National Landscape. Natural England had assessed Blackwell Farm as meriting AONB status and had said that it could be included within the extended Surrey Hills National Landscape, but only if the Council acknowledged that the site was undeliverable and removed it from the Local Plan. Compton Parish Council, whilst agreeing that an update was needed, felt that the Local Plan required a wholesale revision so that it delivered for Guildford. The current Plan was undemocratic,

developer-led and bad for the environment. It ignored the views of thousands of residents, did not invest in the town centre or brownfield areas, but instead lazily built on countryside sites that relied on non-existent infrastructure and were anything but 'strategic'.

In response, the Lead Councillor for Planning reiterated her earlier comments, but also pointed out that the current Local Plan would remain in force while the update of the plan was being carried out, and that any planning decisions would be made by reference to that current local plan during the update period.

- (6) Amanda Mullarkey, on behalf of Guildford Residents Association, stated that a five-year housing supply based on the new formula would be required, but the Council was asked to plan the timetable wisely and to get some crucial things in place upfront. Firstly, a height supplementary planning document to sit alongside the heights policy for the plan. The SPD would inform site allocations for brownfield sites in the new plan, allow a plan-led approach and avoid excessive allocations for brownfield sites driving up heights. Secondly, development briefs for major brownfield sites linked to flood risk management and sustainable transport plans. Site briefs would make brownfield proposals credible and avoid housing figures for sites that bear no relationship to how a site could be developed. Thirdly, there was not a Community Infrastructure Levy plan to channel developer contributions from the current plan. We cannot afford to miss out that important part of the plan cycle. Effective means were required to secure developer contributions to infrastructure. Not only were there no A3 improvements, there was no sustainable movement corridor. Putting these three things in place would help to mitigate some of the big challenges that an update would trigger, for example, gaming of the system by developers who would have an incentive to talk down delivery of existing allocated sites in order to negotiate new supposedly deliverable sites, as happened in the run-up to the last plan. Another challenge would be Woking's unmet need, last time Guildford had to provide homes for Woking's unmet need under the duty to co-operate. This time, Woking's housing shortfall could be eye-watering, the Council would need excellent data in respect of constraints and on deliverable strategies for sustainable development of brownfield sites otherwise Guildford would again be asked to look for many more unsustainable greenfield sites.

In response, the Lead Councillor for Planning stated that none of the detail referred to by the speaker could be looked at until the Council had agreed to update the Local Plan and had commenced the update process, which had to be evidence led.

CO118 QUESTIONS FROM COUNCILLORS

- (a) Councillor Joss Bigmore asked the Deputy Leader of the Council and Lead Councillor for Regeneration, Councillor Tom Hunt, the following question:

“The Local Plan contains a number of large strategic sites which are yet to deliver homes. The allocation at Blackwell Farm can’t be delivered without the addition of a piece of land owned by GBC. Can the lead councillor please give an update as to the negotiations between the University of Surrey and GBC as regards this ransom strip.”

The Lead Councillor’s response was as follows:

“Blackwell Park Limited (BPL), the wholly owned subsidiary of the University of Surrey charged with the development of Blackwell Park, has entered into Heads of Terms for an Option Agreement with the Council to purchase from the Council a small parcel of land necessary for the development. We are confident that the transaction meets our best value requirement and as the Local Planning Authority have reserved all rights and powers to determine or refuse any future planning application.

The Council has commissioned a S123 valuation to confirm that the best value requirement is being met and Legal are finalising documentation for completion.

The Council in its role as Local Planning Authority (LPA) is now working with BPL to establish a Planning Performance Agreement and BPL is committed to lodging a planning application that meets the high expectations that the Guildford community is calling for and deserves.”

As a supplementary question, Councillor Bigmore asked the Lead Councillor to review whether it was appropriate for the matter in question, given the public interest in the site and the potential value to the Council, to be dealt with as an officer delegated decision thus avoiding formal scrutiny by a Committee of the Council. In response, the Lead Councillor stated that the key challenge with this site was that its value was not yet known and that there was an option agreement using the Stokes and Cambridge method which would depend on the value of the sale of the Blackwall Farm site. It would therefore be difficult to determine how it would navigate any governance procedure other than delegated authority. The Lead Councillor indicated that he would discuss this with officers but did undertake to give councillors a briefing on the option agreement once the matter was a little closer to being finalised.

- (b) Councillor Catherine Young asked the Lead Councillor for Planning, Councillor Fiona White the following question:

“The NPPF at paragraph 61 states the following:

*‘To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of **the standard method is an advisory starting-point** for establishing a housing requirement for the area (see paragraph 67 below). There may be **exceptional circumstances**, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect **current and future demographic trends and market signals**’.*

Correct me if I am wrong, but the officer’s report implies that we are likely to be working towards an increased housing figure based on the standard method of 771 houses per annum, versus our current figure of 562.

*To me, the NPPF clearly states the standard method is **advisory**.*

Will the Lead Councillor ensure that the significant constraints that did not appear to be given due weight during the previous Local Plan examination be fought for with more vigour? This would include greater protection for our Green Belt, the Surrey Hills National Landscape, our countryside and all our open green spaces.

Additionally, can she also confirm her intention to fully investigate and evidence the challenges that have been made over recent years to the ONS figures, which indicate a significant inflation of migratory student numbers, which clearly indicate our housing need is lower?

Once this evidence is considered, if it points to a significantly lower housing number for Guildford, can she commit to the reinstatement of Green Belt to those villages that were removed from the Green Belt by the Local Plan in 2019?”

The Lead Councillor's response was as follows:

"These questions all relate to work and evidence collecting that will need to take place as part of the update process, should this be agreed by the Council tonight. As part of understanding the timetable and budgetary requirements associated with the update (see Recommendation 2), the Planning Policy team will be considering the breadth of evidence that will be necessary to support a new plan. The updated plan and associated evidence base will be prepared in accordance with the national policy and guidance that is in place at that time."

- (c) Councillor Catherine Young asked the Lead Councillor for Planning, Councillor Fiona White the following question:

"There is already established a Planning Policy Board made up of cross-party membership. Would the Lead Councillor for Planning please provide details as to how this group will be involved in the update of the Local Plan, should the recommendation to Full Council be agreed tonight?"

Whilst there is understandable reliance on the Planning Policy Board members to keep their respective groups informed, if approved, this is a critical process affecting every aspect of our Borough, our residents, our places, and our environment. Can the Lead Councillor agree to ensure that there are at least formal quarterly updates provided to all Councillors?"

The Lead Councillor's response was as follows:

"I am sure that Councillor Young will remember that there was previously a Local Plan Panel to provide a sounding board in relation to the putting together of the current local plan. Once part 2 of the local plan was complete, that changed to become the Planning Policy Board. In anticipation of the council's agreement to update the local plan, I am proposing to disband the Planning Policy Board and to revive the Local Plan Panel. Each of the opposition groups on the council will be invited to nominate a member to serve on the panel. It is important that those members discuss the issues raised with their own groups as I want to encourage as much involvement from all parties on this council. If a nominated member can't attend, I hope that they will send a substitute so that nothing gets missed. I will be chairing the Panel and I have asked Councillors Vanessa King and Dominique Williams to join as well. The Panel will meet as and when necessary. I think that the workload will be fairly light at the beginning but will increase as the update evolves."

I will also try to ensure that all councillors are kept informed on our progress, but I am not willing to commit to providing updates on a specific basis. The process of updating the local plan is not linear and, in fact, can be quite “lumpy”. There will be times when so much detailed work is being done behind the scenes that there is little to report, and I don’t believe that I can commit to the regular updates you have asked for. However, I will commit to share as and when we have something to share, which is the purpose of the Local Plan Panel.”

CO119 REVIEW OF THE GUILDFORD BOROUGH LOCAL PLAN: STRATEGY AND SITES (2015-2034)

The Council was required to review the Local Plan: Strategy and Sites (LPSS) within five years of adoption to decide if an update to the Plan was required. Having considered changes in national planning policy, associated guidance and relevant legislation, as well as changes in circumstances affecting Guildford borough since the LPSS was adopted, officers had recommended that the Local Plan should be updated.

Changes identified and which supported a decision to update the LPSS included the level of local housing need based on Government’s standard method calculation, which differed significantly from the LPSS housing requirement; changes in the economy; slower progress toward delivery of several strategic sites than had been anticipated; and changes in planned delivery of supporting infrastructure such as the Guildford A3 scheme.

Furthermore, whilst many of the LPSS policies remained consistent with the National Planning Policy Framework (NPPF), there were changes in planning related legislation and guidance identified which supported a decision to update the LPSS. More fundamentally, however, the Government had proposed to introduce significant planning reform flowing, at least in part, from the recent publication of the Levelling Up and Regeneration Act 2023 (LURA). These changes, which included a new NPPF and National Development Management Policies and other regulations, would impact on plan-making to the extent that ‘new style’ Local Plans were proposed.

Should the decision to update the Local Plan be supported, a further report would be prepared to propose appropriate timing for and budgetary requirements of the Local Plan update. Importantly, this would consider planning reform proposals including the Government’s timescales for initiating ‘new style’ Local Plans

alongside the impacts of changes on the nature and form of plans and supporting evidence.

It was important to stress that the findings of this review did not change any elements of the LPSS. The LPSS remained part of the Council's Development Plan, which was the primary consideration in terms of determining planning applications. Due weight would be given to policies according to their degree of consistency with the NPPF, which for the most part they were.

Upon the motion of the Lead Councillor for Planning, Councillor Fiona White, seconded by the Deputy Leader of the Council, and Lead Councillor for Regeneration, Councillor Tom Hunt, the Council

RESOLVED:

- (1) That the Guildford Borough Local Plan: Strategy and Sites (2015-2034) be updated following the findings of the review undertaken in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (2) That a further report be submitted to the Executive at a later date to clarify the appropriate timing for and budgetary requirements of the Local Plan update, such report to follow the enactment of the national planning reform legislation and to consider its implications for the update process.

Reasons:

- There was a statutory requirement to review the LPSS within 5 years of its adoption. This was to assess whether it needed updating. The review findings set out in the report had indicated that an update of the LPSS would be an appropriate course of action to ensure that the Council's Local Plan remained effective into the future.
- There were a range of uncertainties which impacted on the context for the preparation of a new / updated Local Plan, some of which related to the lack of clarity regarding the detail of proposed Government reforms to the planning system which guided plan-making. It was necessary that these were fully considered in order to set out recommendations regarding the scope and timing of a new plan-making process.

The meeting finished at 8.21 pm

Signed

Mayor

Date