

Guildford Borough Local Plan: Development Management Policies

Schedule of main modifications to accompany final report dated 27 February 2023

The main modifications below are expressed either in the form of ~~strikethrough~~ for deletions and underlined for additions of text, or by specifying the modification in words.

The main modifications set out below are sorted with the order of the Local Plan's chapters and policy sections.

| Main mod number | Policy number | Paragraph number | Modification |
|-----------------|---------------|----------------------|---|
| MM1 | H7 | Policy paragraph (1) | If a reduced contribution to affordable housing than that which is required by the Local Plan is proposed and justified on viability grounds, the Council will <u>normally</u> , where it considers appropriate , require a viability review mechanism to be secured. |
| | | Paragraph 2.33 | The Council may choose not to impose a <u>Any departure from the</u> requirement for a viability review mechanism <u>will be dealt with on a case-by-case basis but would require substantial and robust justification by the applicant where the developer demonstrates, and the Council is satisfied</u> that the potential for additional contributions is likely to be limited by the circumstances of the case. This could include cases involving smaller scale development where the likelihood of an increased contribution <u>is unlikely.</u> (including offsetting the costs associated with further viability review) is diminished. |
| | | Paragraph 2.39 | At the point of review, applicants would be required to <u>should</u> submit an updated <u>full</u> viability assessment consistent with the format <u>and methodology</u> submitted at planning application stage and any supplementary information that the Council requires. <u>Whilst such a full viability assessment using the same methodology as the original assessment may be best suited to the circumstances of the case, a more limited formula-based approach to the review, focussing on any changes to submitted values and build costs, may also be considered where this is agreed by the applicant and the Council.</u> The Council's costs associated with commissioning an independent review of this assessment will be met by the applicant. The approach should be agreed with the Council prior to submission of an updated viability assessment <u>with the terms set out at the time that planning permission is granted, usually as part of the Section 106 agreement. The terms should include appropriate dispute resolution clauses. This could include reference to the RICS or Law Society to appoint an arbitrator or independent expert for valuation or legal disputes respectively. The updated viability assessment should follow the government's recommended approach to assessing viability as set out in Planning Practice Guidance.</u> |

| Main mod number | Policy number | Paragraph number | Modification |
|-----------------|---------------|--|---|
| MM2 | H8 | Policy paragraph (1) New paragraph after paragraph 2.53 | A minimum of 25% of affordable homes provided either on-site or off-site or as a financial contribution in lieu of on-site provision in line with the Council's adopted affordable housing requirements are required <u>expected</u> to be First Homes. <u>It is recognised that, due to exceptionally high average market house prices in the Borough, the national policy requirement for a minimum of 25% First Homes, combined with application of the price cap, may lead to provision of First Homes under the policy being predominantly in the form of one-bedroom homes. Where there is agreement that compliance with this level of provision may lead to an adverse planning outcome in relation to a sub-optimal affordable housing tenure/mix or site design there may be scope for some flexibility. Any substitute for First Homes would be the provision of other forms of affordable housing so that the requirements of Policy H2 are still met. Early engagement with the Council's Housing team is advised to establish any specific factors that should be considered in terms of local housing needs that may impact on the desired tenure mix.</u> |
| MM3 | P6/P7 | Policy paragraph (1) Policy paragraph (12) Policy paragraph (13) | Development proposals, including those exempt from minimum biodiversity net gain standards, are required to seek maximum biodiversity gain <u>on site balanced with delivering other planning priorities</u> and to follow the mitigation hierarchy. Qualifying development proposals <u>submitted after the national scheme comes into effect</u> are required to achieve a biodiversity net gain of at least 20 per cent, or the advised national minimum amount, whichever is greater, measured using the national biodiversity net gain calculation methodology. Biodiversity net gain is not a requirement on previously developed land, unless it <u>Where previously developed land is exempted from biodiversity net gain under the relevant regulations, a minimum net gain will not be required unless the site</u> supports at least one protected or priority species population or habitat, or an assemblage of species with an otherwise demonstrably high biodiversity value. Where these are present, a measurable <u>20%</u> net gain for those features <u>relevant habitats will be</u> is required. |

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|-----------------|---------------|------------------|--|
| | | Paragraph 4.16 | <p>Maximum biodiversity gain means that opportunities for enhancing and supporting biodiversity <u>on site</u> have been fully explored and implemented wherever possible, <u>balanced with the delivery of other planning priorities.</u> In practice, this means that biodiversity should be considered from the outset of design work. <u>Where an applicant can demonstrate clearly that circumstances particular to the development justify the need for a viability assessment, and that assessment shows that the scale of obligations jeopardise viability, decision makers will prioritise competing needs on a case-by-case basis taking into account the specific local circumstances including the importance attached to biodiversity enhancements in the development's location.</u></p> |
| | | Paragraph 4.44 | <p>The NPPF has always incorporated the principle that new developments should achieve biodiversity net gain and since 2019 required plans to identify and pursue opportunities for securing measurable net gains for biodiversity. <u>The Environment Act 2021 proposes a minimum 10% biodiversity net gain, but on commencement of the national scheme</u> The policy therefore requires a minimum 20% biodiversity net gain <u>will be required within the Borough using the national biodiversity net gain calculation methodology. Defra Biodiversity Metric.</u> This <u>higher level</u> is higher than the proposed 10% net gain recommended nationally but reflects the fact that <u>is justified because</u> Surrey has suffered a severe biodiversity decline which is significantly worse than the country as a whole, <u>opportunities to deliver this off-site if necessary are likely to be available locally and the viability of development is unlikely to be unduly impacted in most cases.</u> and is more consistent with the NPPF as the higher figure provides greater certainty that a genuine net gain will be achieved.</p> |
| | | Paragraph 4.47 | <p>4.47 Biodiversity gains may be achieved through habitat restoration and/or creation on-site. Where the full required net gain cannot be achieved on a development site, the remaining gain may be achieved outside the development site, either by the developer or by a third party. In the unlikely event that the required gains cannot be provided through these routes, the Council may negotiate a justified and proportionate financial contribution which will be used to secure the required gain by obtaining credits from a 'habitat bank'. <u>The Council will offer developers opportunities for off-site biodiversity net gain at its Tyting Farm site and will encourage other sites to be provided in the Borough to ensure the local availability of alternative options.</u></p> |

| Main mod number | Policy number | Paragraph number | Modification |
|-----------------|---------------|----------------------|--|
| MM4 | D14 | Policy paragraph (4) | New buildings <u>dwelling</u> s must achieve <u>an emission rate</u> a reduction in carbon emissions of at least 31 per cent and other buildings must achieve a reduction in carbon emissions of at least 27 per cent measured against no higher than the relevant Target Emission Rate (TER) set out in the Building Regulations 2010 (as amended) (Part L). This is required to be achieved through improvements to the energy performance of the building and the provision of appropriate renewable and low carbon energy technologies on site and/or in the locality of the development. |
| | | Paragraph 5.240 | New dwellings and other buildings must achieve reductions in carbon emissions of at least 31 per cent and at least 27 per cent respectively through the provision of appropriate low and zero carbon energy technologies in the locality of the development and improvements to the energy performance of the building. These are the new national standards proposed by the government in forthcoming changes to the Building Regulations |
| | | Paragraph 5.241 | Technologies will be considered appropriate only where they would be effective. <u>The Climate Change, Sustainable Design, Construction and Energy SPD provides some guidance on what ‘appropriate’ and ‘effective’ mean.</u> The reduction in emissions is judged against a baseline of the relevant Target Emission Rate (TER) set out in the Building Regulations. For types of development where no TER is set out, reductions should be made against the typical predicted energy use of building services. The 31 and 27 per cent figure represents a minimum standard and applicants are strongly encouraged to improve upon this standard. The NPPF paragraph 134 calls for significant weight to be accorded to “outstanding or innovative designs which promote high levels of sustainability”. |
| | | Paragraph 5.242 | The baseline for the carbon reduction is the relevant Target Emission Rate set out in the Building Regulations 2010 (as amended). The 2010 Building Regulations have been subject to a number of amendments, including changes to carbon emissions standards in 2013. The baseline for the carbon reduction is therefore the relevant 2013 Target Emission Rate. |
| | | Paragraph 5.243 | The carbon emission standard applies to each new building individually. |
| MM5 | ID10 | Policy paragraph (1) | The routes and infrastructure which comprise the Comprehensive Guildford Borough Cycle Network, including the cycle elements of the Sustainable Movement Corridor, as represented on the Policies Map, will be the basis and starting point for the identification of improvements, primarily for utility cycling, provided and/or funded by new development. |

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| | | <p>Policy paragraph (2)</p> <p>Policy text</p> <p>Paragraph 6.80</p> <p>Paragraph 6.85</p> <p>Paragraph 6.91</p> <p>Paragraph 6.93</p> | <p>Development proposals are also required to deliver the site-specific requirements for cycle infrastructure as identified in site allocation policies and also <u>may include</u> any further requirements identified as part of the planning application process <u>where justified</u>.</p> <p>For consultation purposes, The mapped routes which comprise the ‘Comprehensive Guildford Borough Cycle Network’ can be found in Appendix A.</p> <p>Infrastructure – can include high quality cycle tracks segregated from motorised and pedestrian traffic, crossings, low traffic neighbourhoods²⁷⁶, 20mph speed limits and modal filters²⁷⁷, dependant on location. <u>In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures.</u></p> <p>The map is <u>a starting point</u>, not exhaustive, and consideration will be given to proposals not presently included in the Policies Map. <u>Further to this, the majority of routes identified have only been established at a concept level and the identification of improvements will, in such cases, require feasibility and design stages to be undertaken. This will involve undertaking road safety auditing and impact assessments, as appropriate, taking into account any relevant statutory designations.</u></p> <p>The measures applicable to each development proposal will vary on a case-by-case basis, but all should take account of the needs of cyclists, for example by providing safe, secure, convenient, accessible and <u>suitably</u> direct access to, from and within development. This may be achieved through cycle lanes or tracks, low traffic neighbourhoods, 20mph speed limits and modal filters, dependant on location. <u>In rural areas, this could include the designation of Quiet Lanes, development of greenways, speed limits and traffic calming measures.</u> Infrastructure should be integrated, well signed (<u>avoiding street clutter</u>), lit (<u>if appropriate</u>) with high quality surfaces, benefit from attractive landscape design and comprehensive wayfinding and further enhanced by sufficient, convenient, safe and secure cycle parking facilities (discussed further in Policy ID11 Parking Standards).</p> <p>Conflict can arise between walkers and cyclists on shared use paths. By providing a comprehensive Guildford borough cycle network and adhering to national guidance, this conflict will be reduced as shared use facilities will generally no longer be appropriate, unless it can be demonstrated that segregated facilities cannot or should not be provided. <u>Shared use facilities may be appropriate in some rural settings such as greenways and Quiet Lanes.</u> The delivery of a comprehensive Guildford borough cycle network does not mean the importance of the pedestrian network should be overlooked.</p> |

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| MM6 | ID10 | Appendix A Figure A1 | [Add additional route along Long Reach, West Horsley whilst also retaining the routes along Old Lane and Ockham Road North – See Appendix A map below] |
| MM7 | ID11 | <p>Policy paragraph 2 (e)</p> <p>Policy paragraph 3 (a)</p> <p>Policy paragraph 3 (b)</p> <p>Policy paragraph 3 (d)</p> <p>Policy paragraph 3 (e)</p> <p>Policy paragraph 3 (f)</p> <p>Policy paragraph 4 b) iv)</p> <p>Paragraph 6.134</p> | <p>the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S) Parking SPD;</p> <p>the provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, will not exceed will have regard to the maximum standards set out in the Parking Standards for New Development SPD;</p> <p>the provision of car parking in new residential development in village and rural areas, for use by residents themselves, should meet will have regard to the expected standards set out in the Parking Standards for New Development SPD;</p> <p>the provision of non-residential car parking will not exceed will have regard to the maximum standards set out in the Parking Standards for New Development SPD;</p> <p>the provision of electric vehicle charging will provide at least the minimum requirements set out in the Building Regulations (Part S) Parking SPD;</p> <p>the provision of cycle parking will provide at least will have regard to the minimum requirements set out in the Parking Standards for New Development SPD.</p> <p>that the car-free status of the development can be enforced assured by planning obligations and/or on-street parking controls;</p> <p>Where the level of car parking provision is proposed to be slightly below the maximum standards (a traditional development in terms of car parking provision) there is unlikely to be any significant justification required as this would not be proportionate. However, in in instances where significantly lower car use...</p> |

Appendix A - Comprehensive Guildford Borough Cycle Network

Figure A1. Comprehensive Guildford Borough Cycle Network – Full Borough View (MM6)

