



Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD
01276 707100
DX: 32722 Camberley
www.surreyheath.gov.uk

Service Planning Policy
Our Ref: PJ/RLP
Your Ref:
Direct Tel: 01276 707213
Email: philip.james@surreyheath.gov.uk

Ms Louise Gibbons BA (Hons) MRTPI
Inspector, Rushmoor Local Plan
C/o Ms Rosemary Morton
Local Plan Programme Officer
Rushmoor Borough Council
Farnborough Road
Farnborough
GU14 7JU

By email to: Rosemary.Morton@rushmoor.gov.uk

14th November 2018

Dear Inspector

Housing Market Area – Local Plan Examinations

Surrey Heath Borough Council (SHBC) is aware that the examination of the Rushmoor Local Plan has advanced and that a public consultation on Main Modifications has recently been completed and with the indication that the examination is likely to conclude later this year. SHBC has submitted a response to the Rushmoor Local Plan Regulation 19 publication including on the topic of unmet housing need in the wider Housing Market Area (HMA) shared by the three authorities (SHBC, Hart District Council – HDC and Rushmoor Borough Council – RBC).

More recently the Hart Local Plan has been submitted for examination and hearings are due to commence shortly. SHBC has been invited by the Hart Inspector (Mr Johnathon Manning) to participate in the Hearing on Matter 3 – Housing: the objectively assessed need for housing and

the housing requirement, including (3.4) “Does or should the housing requirement formally include any unmet need from Surrey Heath?”¹

I believe you have already been made aware by RBC and have noted that the three authorities have recently concluded a Statement of Common Ground (SOCG) (November 2018) which SHBC believes is relevant to the consideration of Housing Market matters in the wider area and helpfully moves on from earlier SOCGs.

See attached and which is publically available having been uploaded on council websites.²

As you know the Government has announced Changes to Planning Policy and Guidance including the standard method for assessing local housing need, which sets out the Government’s preferred approach to determining housing need in Local Plans, and is currently consulting on this³. For SHBC this will likely be the starting point for the identification of a Surrey Heath Local Plan requirement and target and provides the best basis to anticipate what may be coming forward in that Plan, SHBC are likely to publish under Reg 19 next summer. The Surrey Heath Local Plan will not be submitted within the transitional “window” referred to in NPPF2 para 214 Appendix 1.

The attached table, also available on the Council’s website⁴, usefully sets out a summary of the latest position across the HMA (November 2018). Your attention is drawn to this. You will see that it helpfully confirms that the Surrey Heath position on unmet need is basically that which

¹ https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/Local_Plan/Matters%20and%20Issues.pdf

² <https://www.surreyheath.gov.uk/sites/default/files/documents/residents/planning/planning-policy/statementofcommongroundrushmoorhartandsurreyheathnovember2018.pdf>

³ <https://www.gov.uk/government/consultations/changes-to-planning-policy-and-guidance-including-the-standard-method-for-assessing-local-housing-need>

⁴ <https://www.surreyheath.gov.uk/sites/default/files/documents/residents/planning/planning-policy/housingneedacrossthehartrushmoorsurreyheathstrategichousingmarketareanov2018.pdf>

has been previously drawn to your attention in Surrey Heath's Reg 19 submission to the Rushmoor Local Plan.

Previously SHBC has commented at Reg 19 Stage of the Rushmoor Local Plan on the issue of unmet need in the housing market area and notes that you have identified unmet housing need arising in Surrey Heath as an issue for your examination. This table, together with the latest SOCG we trust will therefore assist the Inspectorate.

In the course of the discussion preparing the latest SOCG (November 2018) it has been pointed out that the Main Modifications for the Rushmoor Local Plan (as published for consultation) do not contain any reference to the topic of unmet need across the HMA. SHBC consider that it is likely that this matter will not be concluded or at least further insight available until at least the publication of your Inspector's report. Therefore we cannot take any inferences at this point in time to assist SHBC in progressing a Statement of Common Ground that fully reflects latest national framework and guidance, including on the distribution of unmet need ⁵across the HMA, to assist the drafting Surrey Heath Local Plan Reg 19 .

Surrey Heath Borough Council considers that it would be an undesirable outcome from the Rushmoor Examination if there were no observations recorded on this matter in your Final Report. SHBC respectfully request that your Final Report give consideration and reach explicit conclusions having tested out OAN in the housing market area on what contribution to meeting wider housing need can be expected to be delivered in an adopted Rushmoor Local Plan. Obviously your conclusion would assist SHBC (and the other two HMA authorities) in their ongoing discussions on how best to approach the issue of unmet housing need and indeed the preparation of the SHBC Reg 19 publication draft and a future NPPF2 compliant Statement of Common Ground.

⁵ Paragraphs: 003 and 004 Reference ID: 61-003-20180913 Revision date: 13 09 2018 Statement of common ground: scope

As well as appraising you of these circumstances, which we consider are relevant and material, I would also wish to draw attention to the judgement dated 5th November 2018 [2018] EWHC 2669 (Admin)⁶. You will be aware that Waverley BC Guildford BC and Woking BC together form a HMA adjacent to our HMA and that the Green Belt referred to is contiguous with that in Surrey Heath. Woking is considered to be the most constrained authority in that HMA and whilst had not progressed as fast with an up to date Local Plan as the other two authorities the Waverley Inspector (Jonathon Bore) had reached a conclusion that Waverley should contribute towards meeting 50% of Woking's unmet need based on Woking's evaluation of housing supply and potential based on a housing requirement in the Woking Core Strategy 2010-2027 adopted 2012 which was referred by the RSS (South East Plan (May 2009) . Mr Bore's approach has now been reviewed by the High Court and considered appropriate.

It is relevant to consider the guidance from the High Court over EWHC 2669 (Admin) as to the role of the Inspector in a Local Plan Examination:

14. The issue of unmet need within the HMA, and how it was to be met, was raised by various parties in the Local Plan process and in a series of documents from the Local Plan Inspector (Inspector Bore) from the date when the Local Plan was submitted. The position of the three local planning authorities, as recorded in a Statement of Common Ground for the Local Plan inquiry, was that unmet need had been considered through the Duty to Co-Operate process, and that they all agreed that WBC was not in a position to meet any of Woking's unmet need. I note that it is one of the potential difficulties of the current system that it is open to neighbouring authorities to agree together in this way thus potentially leaving housing need unmet, and it is one of the functions of the Inspector at the Local Plan Examination to test out whether the Local Plan in issue is meeting the full OAN, taking into account any unmet need and relevant policy constraints.

In the light of ongoing DTC discussions and the preparation of the most recent Statement of Common Ground (referred to above) it is apparent that there is not complete unanimity

⁶ <http://www.bailii.org/ew/cases/EWHC/Admin/2018/2969.html>

between the three authorities and for various reasons cannot at the moment progress a SOCG to meet the full requirements of the Framework and latest guidance. The three authorities are therefore looking to be able to progress in future iterations of SOCG, aided by your conclusions having tested the specific evidence relating the housing allocations and “ceiling” required for the successful implementation of the Rushmoor Plan’s housing policies.

Surrey Heath Borough Council therefore would respectfully request that you give consideration, when committing your final report, to setting out your explicit conclusions having tested out OAN in the housing market area, in the light of circumstances as they now stand and EWHC 2669. This will be of assistance to the three authorities when considering the distribution of future Local Plan Housing Requirements and allow further progress to be made in satisfying the requirements of the Duty to Cooperate in relation to this topic and the preparation of Statements of Common Ground etc.

I am copying this email to other relevant parties so they are aware.

Yours sincerely,

Philip James

P.D.R James, BSc. (Econ). MRTPI
Interim Planning Policy Manager
Policy and Conservation
Surrey Heath Borough Council
Knoll Road
Camberley
GU15 3HD
Planning Policy - 01276 707100
DD - 01276 707213
www.surreyheath.gov.uk

Attachment: Table A: Housing Need across the SHMA November 2018

Table A: Housing Need across the joint Housing Market Area (Hart DC, Rushmoor BC, Surrey Heath BC)

November 2018

Local Authority Area	2016 SHMA Total 2014-2032	Dwellings per annum from SHMA	Local Plan Name	Status	Time period	2014-based projections (Standard Method)	OAN from standard method (2014 base)	Plan Target/Housing Requirement	Dwellings per annum Plan Target	Headroom or deficit
Hart	6,876	382	Hart Local Plan Strategy and Sites	Submitted and Examination commenced	2016-2032	292 ¹	292 x 16 = 4,672	6,208	388	7,384 ² – 6,876 = (+)508 NB excludes Murrell Green/Winchfield
Rushmoor	7,848	436	Rushmoor Local Plan	Submitted and Main Mods consultation completed	2014-2032	footnote ³		7,848	436	8,884-7,848= (+)1036
Surrey Heath	6,876	382	Local Plan Issues and Options/Preferred Options Consultation Draft Local Plan to 2032	Reg 18 completed	2016-2032	352	5632	4,901	306	5632-6876= (-)731
Total (HMA)	21,600	1,200								

¹ This is the capped figure from 2016. Without a cap its 310 dpa from 2016.

² 7,384 is identified supply from 2014, the SHMA base date

³ plan is prepared against the SHMA 2016 using the transitional arrangements