

## **Guildford Local Plan Examination – Responder: R Nagaty**

### **1.3 Can the Council demonstrate that it has exercised the Public Sector Equality Duty adequately in the preparation of the plan and the formulation of its policies?**

No. GBC has shown bias towards the owner of the Blackwell Farm site, University of Surrey. This is evidenced by:

1. Lack of transparency in the way it has dealt with residents concerned about the site allocation and with Compton Parish Council. Frequently, we have had to resort to FOI requests to obtain information needed to make an informed response to the Local Plan. Examples of what GBC has refused to disclose are:
  - Route of the new “Western link from A31 to Gill Avenue (Annex 1 demonstrates GBC’s lack of transparency and referral of questions to planning application stage)
  - GRIP 2 study relating to the new Park Barn Railway
  - GBC’s assumptions about where the development traffic will go (Annex 2 demonstrates lack of transparency, tone and attitude of Council to parish councillors)
  - A list of sites not included in the Plan, and the assessment that resulted in their exclusion from the Local Plan
  - Communications between the GBC Environmental Officer and GBC relating to air quality in Compton.
2. GBC has also misled the public about the Blackwell Farm site in its evidence base and in other communications. For example, GBC’s *Air Quality Review* (part of the 2017 evidence base) stated that part of the B3000 in Compton “was not declared as an AQMA as the assessment noted that emissions from traffic were expected to decrease into the future” (4.1). This is despite the Council's Environment Officer having stated that “it is fairly conclusive that an Air Quality Management Area will need to be declared”.

The Council has also misled the public in the way it has presented the Blackwell Farm allocation, describing it as:

- ‘Partly brownfield’ – the entire site is farmland and woodland. If there are any previously developed areas, they must be buried underground.
- Part of the ‘urban centre’/an ‘urban extension’ – Blackwell Farm is separated from Guildford by fields and woodland, and it would continue to be so separated even if the development went ahead. Land parcel H1, which lies to the east of the site, is to remain within the green belt. This means there would be a green belt island, comprising woodland and fields, separating Blackwell Farm from the urban edge. H1 was removed from the draft Plan after GBC belatedly appreciated its great sensitivity. Nonetheless, GBC now proposes to put sports fields on it, suburbanising this critical countryside. GBC has repeatedly told the public that the Local Plan does not involve any building on AONB and AGLV. It has neglected to point out that a major road will cross the AONB and that its setting will be harmed by the Blackwell Farm development. It has also ignored the fact that a portion of the AGLV has been included in the PDA. We have only just learned, through GBC’s answers to the

Inspector's initial questions, that the Council is proposing to locate school sports pitches on green belt land outside the site boundary. The University's *Blackwell Park Vision and Development Concept, July 2017* shows these pitches on the AGLV, adjacent to AONB. Levelling the land for sports pitches, would permanently alter the landscape character of the higher slopes of the Hog's Back (harming the AONB setting).

3. Members of the public and councillors speaking against sites have been intimidated and silenced in the Council Chamber:
  - At a Council meeting (on May 15, 2017), Councillor Phillips pointed out the traffic problems that would be created by the Blackwell Farm site on the A31, and also the harm to the AONB that would result from a new road off the Hog's Back. After making these comments, he was accused by the Council Leader of being "an embarrassment to the Council", and of "not caring about his residents".
  - At a Council Meeting on November 21, 2017, public speaker Diana Elliot was repeatedly interrupted by the Chairman, and stopped from finishing a 3-minute speech, which highlighted the historic traffic problems at Egerton Road, and the University's objections to the Tesco superstore application on the grounds of increased traffic in the area impacting its operations. The reason given for silencing Diana was that she was not allowed to mention the University.
  
4. Prior to and during consultations on the Plan, GBC has tried to steer the public towards Blackwell Farm as a potential development area (PDA). An example of this is the video the Council featured on its Local Plan web page. This claimed to present the public's view of the Plan as proposed, but it only put forward the views of those in favour of the Plan; there was not a single balancing view expressed from anyone concerned about the Plan's proposals (and given that there were 20,000 responses to the previous draft, GBC was clearly aware those concerns existed). Instead, this video featured a carefully orchestrated presentation by the University and other interested parties in the development of Blackwell Farm. The video appeared to be a deliberate attempt to bias responses on what should have been a fair and open consultation process. GBC refused to remove the video, even after an email from a councillor advising the monitoring officer that he had received legal advice indicating that the video might make the Local Plan process unsound. (Annex 3 – email from Cllr Cross re legal advice.)

The councillors and the public have not had an opportunity to listen to opposing views to the Plan. It is therefore not based on proportionate evidence and is not justified or sound.

### **9.3 Are the proposed new business land and floorspace allocations in the right strategic locations?**

The Surrey Research Park is not in the right strategic location for the following reasons:

- **It is unable to offer a broad range of on-site services and facilities.** A report by Henley Business School states among the key themes contributing to the success of business parks: "*On-site services and facilities, such as shops, cafés, dry cleaning*

*and the like, are more valued by the younger demographic.*<sup>1</sup> This is backed up by EA Games (situated in the town centre), which advertises itself as “a 5 minute walk from the main train station and only minutes away from the town’s main shops, restaurants and bars”.<sup>2</sup> And it is not just the employees who benefit – the local economy would benefit as employees working in the town centre would be spending money in the shops and restaurants/cafes.

- **It is an inefficient use of land.** A low-density Research Park this close to the town centre is an inefficient use of land. Locating offices in the town centre means that you don’t need all the associated infrastructure/space of a business park, which is occupied for just 40 hours a week.
- **There is no evidence to suggest that businesses prefer out-of-town locations,** in fact the Employment Land Assessment 2016 states that: “*Where sites are available the Council could seek to encourage office/R&D development in town centres. The town centre is a more sustainable location and there is evidence of demand from potential occupiers which currently do not necessarily have town centre offices that match their needs.*” (ELNA, 2016 7.3.2).
- **There is no evidence that the additional employment land needs to be in close proximity to the University.** A survey conducted by the University in 2002 showed that more than half of the companies on the Research Park (27 out of 46) believed that proximity to the University was of “weak or no influence”, and only six cited it as the “most important” factor. The same survey also showed that links with other tenants on the research park was of even less importance (39 out of 46 said it was of “weak or no influence” and none felt it was the “most important” location factor). (Annex 4 – extract from University survey).

It would appear that the Research Park offers little additional benefit to knowledge-based companies over other locations. However, even if proximity to the University were a factor, there are sites in the urban centre much closer to Stag Hill (the main University campus), for example, Guildford Business Park, which currently has 8,000 sqm of office space available, plus another 5,000 sqm under development. This available floor space is not insignificant as it represents 20% of the existing Research Park.

The Council’s argument that there is no other available land does not stand up to scrutiny. There were brownfield sites identified as suitable for employment space in earlier iterations of the Plan (now dropped), and if these were built at an appropriate density there would be no need for further land take. The recently approved £150m Solum regeneration project demonstrates what can be achieved. This 2.2-hectare site provides:

- Around £25m of station improvements
- 412 car parking spaces for rail users
- 536 cycle spaces for station users
- Over 300 new jobs

---

<sup>1</sup> *Meeting the workplace challenges created by today’s multi-generational workforce*, Nick Kemsley, November 2012

<sup>2</sup> <https://www.ea.com/careers/careers-overview/guildford>

- 3,427sq m of retail GIA
- 1,877sq m of new offices
- 438 new homes
- 456 cycle spaces for residential

So multiply this by 10 for the 22-hectare Research Park and compare: The land could provide:

- 4,120 car parking spaces for the hospital, residents and businesses
- £250m investment in a new West Guildford train station
- Retail and office space equals totaling 53,040 SQM – compared to the 65,000 SQM on the Research Park at present
- 4,380 new homes compared to none at present
- 4,560 cycle spaces for residents, students and hospital workers.

Whilst, I share the view of many residents that the design of the station redevelopment leaves much to be desired, and would prefer to see three storeys built underground, it demonstrates what can be achieved on a relatively small plot.

Policy E4 is not sound:

- It does not meet infrastructure requirements and therefore is not effective. (It is dependent on a new link road to the west which is unworkable and undeliverable.)
- It is not the most appropriate strategy when considered against the reasonable alternatives (ie providing employment land on brownfield sites/town centre), based on proportionate evidence, and is therefore not justified.
- It requires development in the setting to the AONB and a road through the AONB, which is not consistent with national policy.

**9.4 Having regard to the extent to which it is proposed to release Green Belt land and develop greenfield sites, do the plan's policies strike the right balance (in terms of housing provision) between the use of urban and previously developed land and urban extensions? Has the potential for further residential development in the urban area been adequately explored?**

*Surrey's Provisional Local Transport Plan – Getting out of the jam, 1999* states: “We want to ensure that at least 75% of major developments are located within existing urban areas and sites which have good access by public transport cycling and foot” (Annex 5 – extract from Surrey's Provisional Local Transport Plan). GBC's Local Plan does the exact opposite – nearly 70% of the new housing is directed onto greenfield and green belt sites outside of the existing urban area. This does not appear to be a good or fair balance.

GBC has stated that there is not enough brownfield land available in the town centre, but this depends on the density of development. There is an opportunity to increase density in those areas in need of regeneration, for example along the railway, Walnut Tree Close, Ladymead and Slyfield. GBC seems to equate high density with undesirable environments, but the quality of a built environment is only related to the quality of design and relationship with the surroundings. Higher density does not necessarily mean high rise.

Redeveloping surface car parking (much of which is owned by GBC) and other areas of brownfield land at a higher density 40-100 dwelling per hectare (DPH), would mean that nearly all new housing could be concentrated in the urban centre. Mayfair has 200 DPH and Notting Hill (a desirable tree-lined suburb of London) has 100 DPH. Low-density sprawl onto green belt land will simply repeat planning mistakes from the past, with lost opportunities for a more vibrant and attractive town.

The NPPF states that “to boost significantly the supply of housing, local planning authorities should...set out their own approach to housing density to reflect local circumstances.” (para 47). The draft Local Plan fails to do this. It has not optimised the density of development in Guildford, it does not reflect local circumstances (land in Guildford outside the green belt is in short supply and house prices are high) and therefore cannot demonstrate that exceptional circumstances exist to change green belt boundaries. It does not follow national policy and is not sound.

**Are the plan’s policies sound and effective in delivering a wide variety of quality homes to provide for the needs of all the community?**

#### **6.5 The provision of student accommodation.**

The plan does not go far enough in terms of providing on-campus, purpose-built student accommodation (PBSA), and there should be a requirement for the University to provide a much higher proportion of its FTE students with homes. Building the student residences would also release Hazel Farm, as originally planned, for residential use (although, due to proximity to the SPA, its usage would be restricted to a care home).

In responding to the Inspector’s initial questions, GBC defends its position of a 60% target for PBSA provision on a number of grounds. However these grounds are misleading, as explained below:

- **The University already provides accommodation for a very high proportion of students (top 5% of all universities in the country)** – Surrey University is unusual in that it is a town-centre campus and that is why statistically it compares favourably with others, but it should be doing much better. Only 36.8% of its students currently live in PBSA, which is not a “*very high proportion*”, particularly as the University committed to providing 60% of its students with on-campus accommodation in 2003. Even if, proportionally, this does place Surrey within the top 5%, most universities are not located in boroughs with 89% of their land in green belt and 64% in the AONB. Nor are they necessarily located in towns with the same affordability problems that Surrey University students face when seeking accommodation in the private rental market – often being forced to work part time to cover very high rents. But if you look at places under similar pressure, such as Oxford, you find that the City Council there has a far more vigorous approach (see evidence below).
- **The University is opposed to providing even 60% of its FTE students with accommodation (7.2).** Why should the University oppose the 60% target when it has already committed to housing this proportion of its students on campus in 2003. The provision of this level of on-campus accommodation was cited as the exceptional circumstance for removing Manor Farm from the green belt, yet the University Estate

Strategy 2009-2019 aims for merely 40-45% on-campus. If that exceptional circumstance does not exist then shouldn't this area of green belt be reinstated?

- **Providing accommodation above the 50-60% rate would lead to increased vacancy rates in campus accommodation (7.14).** The University website makes it clear that there are limited rooms available for students, and there is no evidence to suggest that the University-owned accommodation experiences, or is likely to experience, vacancies. On the contrary, the University of Surrey Students Union states:

*“Although the accommodation policy allows returning undergraduates to apply for rooms, in practice almost no second year students are allocated rooms in campus accommodation and must therefore find private accommodation within Guildford. Professional Training Year Students are also excluded from campus accommodation and if they are working in Guildford, then they too must find private housing within the borough. Final year undergraduates take the remaining campus accommodation places; however, a significant amount continue to live in private rented accommodation in their final year.”*<sup>3</sup>(Annex 6 demonstrates shortage of University accommodation for students).

Furthermore, it is clear from the students themselves, that there is a desperate need for more campus accommodation, and that living in private accommodation is expensive and fraught with problems (Annex 7 – extracts from a supplement sheet to Annex 6 showing impact of poor student housing provision). This evidence was presented to the full Council at a meeting on May 5, 2017, so there is no excuse for GBC not challenging the University's claim and for suggesting to the Inspector that the University can't fill the accommodation it has.

- **GBC needs to plan for the reality that many students will continue to want to live off campus in market housing (7.3) (7.20).** Whilst some students may prefer to live off campus (and the driver is usually to seek cheaper accommodation), the Students Union states that students generally prefer to live in PBSA, close to the main University campus. *“PBSA has two major advantages over private housing:*
  1. *It can house more students in a smaller physical footprint as the buildings are predominantly student bedrooms.*
  2. *The experience of students living in PBSA is arguably much better than living in an HMO as it brings residents together in a community with appropriate facilities.”*<sup>4</sup>

*It also points out that:*

*“Over a five-year period, students have moved further to the fringes of Guildford town, including Merrow and Burpham, with markedly more living in Woking.”*<sup>5</sup> It is not good thing in terms of having students remote from the student community and adding to traffic on an already busy network.

---

<sup>3</sup> *Living at the Limit – Guildford Student Housing Crisis*, May 2017, p7 (see Annex 6)

<sup>4</sup> *ibid*, p8

<sup>5</sup> *ibid*, p9

Furthermore, the University's claim that a large part of the student body prefer to live in shared houses in established residential areas, goes against everything the University argued at the last Local Plan, when it was pushing to have 64 hectares at Manor Farm taken out of green belt. The University then argued:

*"The provision of on-campus accommodation for over 60% of students is a benefit of very substantial significance. On-campus accommodation is cheaper than renting in the private sector and students are closer to the University's facilities. Other benefits include a subsequent reduction in housing demand in Guildford, further enhanced by the release of University land at Hazel Farm for general housing provision."*<sup>6</sup>

It now suits the University to argue the opposite and to have students taking up affordable housing in town as this will put additional pressure on the housing market and require green belt land to be released.

- **There is uncertainty over the long-term (later in the plan period) in terms of likely actual FTE student numbers. (7.18)** If there was a dramatic swing in students numbers in the future then spare capacity could be passed back to offer homes for local residents – the new student accommodation at Walnut Tree Close built by Scape Student Living makes provision for this, although it is currently fully occupied by students.
- **Requiring universities to provide a higher proportion of student housing could discourage academic facilities from growing (in terms of the investment needed) and in turn have a negative effect on academic opportunities available within Guildford** – There are a number of different PPP/private finance models that could be used to build the student accommodation and a number of universities have adopted this approach as a quick search on the internet demonstrates: *"As student accommodation is increasingly viewed by funders and investors as an attractive asset class in its own right, public private partnerships are becoming increasingly common."* (Mills and Reeve – <https://www.mills-reeve.com/studentaccommodation/>).

It seems strange that GBC should consider student housing a poor investment for the University, when the Council itself is proposing to take out a £82m loan to invest in student accommodation. Councillor Spooner, has stated: *"Given the recognised demand for student housing within our own borough and that it is recognised as a stable long-term income-generating asset class, there is the potential for the council to increase the level of diversification within its property portfolio by investing in student housing."*<sup>7</sup>

The Council has also been made aware that Oxford University has not been *"discouraged from growing" or experienced a "negative effect on academic opportunities"* as a result of the restrictions placed on it by Oxford City Council.

---

<sup>6</sup> University of Surrey, Manor Park Non Technical Summary (para 19/20), November 2002.

<sup>7</sup> Councillor Spooner formal written response to Councillor McShee (<http://www2.guildford.gov.uk/councilmeetings/mgAi.aspx?ID=4250>).

Oxford University has nearly 23,000 students and only 3,000 of these live off-campus. This is because the Council recognises the problems with student accommodation in the city and stipulates limits in its Local Plan. The same limits are placed on Oxford Brookes University. The top Universities in the US (top of the world rankings) provide more than 90% of student accommodation so it can't be argued that doing so has an adverse impact on the education provided.

- **By actively requiring additional PBSA there is also the potential to lose sites that may be more appropriate for C3 use class housing.** This argument only holds if it is assumed that student accommodation must be built on land within the town and not currently owned by the University. The University has stated that there is ample space: “*The University has the land bank and outline planning to create one of the largest universities in the country.*”<sup>8</sup> There is scope to:
  - build over University's surface car parking;
  - provide student housing amongst the low-density Research Park buildings;
  - build further accommodation at Manor Park – The Planning Inspector's report in 2003 said the land requirement for the planned University expansion over the next 20 years was 40 hectares (25 hectares for academic use and staff and student residences and 15 hectares for sport and recreation). In fact, GBC decided to take 64 hectares out of green belt to allow for the University's expansion over an even longer horizon – this is almost double the University's Stag Hill campus (33 hectares), and provides space to meet the University's accommodation and expansion needs throughout the Plan period and beyond;
  - densify the student campus at Stag Hill. Kent University, for example is redeveloping its campuses to increase density<sup>9</sup>. The University has stated in its Estates Strategy that it “*is keen to avoid its Stag Hill campus being developed to a high density*” (3.12.1). Why should it have this luxury when it is located in the centre of a major town and its main campus occupies such a large footprint? The University's strategy has changed – it wants to be bigger, therefore its trade off should be to develop its own sites more efficiently.

Even if PBSA was to be built in town, it is a much more efficient use of land than students occupying residential-houses-turned-HMOs (compare with low-density Park Barn, where many students live, for example). Houses and flats being let to students are generally vacant for about 40% of the year, and this is not appropriate in a town such as Guildford, with a shortage of affordable housing. Within the cycle of just one academic year, dedicated student housing would free up hundreds of houses in the town currently occupied by students for the C3 use.

Whilst there may not be the political will to shift the existing student population living in town into PBSA, the University should make provision for future growth of student numbers by accommodating all future students on its existing campuses. GL Hearn estimates that the growth in student population will create a demand of 500 homes

---

<sup>8</sup> *The University Estates Strategy, 2009-19*, para 7.3.2.

<sup>9</sup> <https://www.kent.ac.uk/masterplan/downloads/canterbury-campus-master-plan-2016.pdf>



across the Plan period, which contribute to the OAN. As a minimum there should be a freeze on the total number of students able to live in town at 2013/14 levels.

Policy 3.3 has not been positively prepared in terms of maximising student accommodation that can be provided and is therefore not sound.

## **A26 Blackwell Farm**

### **11.16 Where would the traffic impacts occur and how would they be mitigated?**

#### **A3**

Existing peak-hour eastbound queues into Guildford tailing back up the Farnham Road/A31 extend past the Down Place junction on most weekday mornings (Annex 8 illustrates existing traffic delays on A31, which make this junction unworkable). This means that anyone using the proposed new road through the AONB during rush hour to exit the new development will be joining a stationary queue, so the queue to get out of Blackwell Farm will back down the slopes of the AONB, and it is conceivable that it might take upwards of 20 minutes to leave. This situation is unavoidable for any road joining the A31 from Blackwell Farm, and will not be alleviated by widening the A3 as the traffic backing up on the A31 is local traffic, heading to, and through, Guildford (London-bound traffic having already turned off on the A3 slip road). The proposed access to the south of the site is not effective, and the Plan is therefore unsound.

#### **Egerton Road/Gill Avenue**

The northern access to the site is also highly congested at peak hours, with traffic backing up onto the A3 from the Tesco roundabout. The Inspector examining the 2003 Local Plan identified this problem and imposed a cap of 5% additional traffic. This limit has already been breached.

Alf Turner, Deputy Chief Executive of the Royal Surrey County Hospital has stated that emergency vehicles have problems getting through when traffic is backed up to the A3. GBC did not consult with the South East Coast Ambulance Service (SECAMB) when drawing up its Plan. An FOI response (Feb 12) revealed: *“There has been no communication between SECAMB and Guildford Borough Council, Royal Surrey County Hospital or Guildford Borough Council regarding new infrastructure.”*

This is despite such consultation being good practice. An email from NHS Improvement states: *“the NHS looks to local planning authorities to take into account A&E access when considering changes and improvements to transport infrastructure. We would certainly encourage local authorities to engage with our ambulance services as early as possible in the planning cycle.”*

It is implausible that the addition of 1,800 homes, two schools, a local centre and an extension to the Research Park would not result in “severe” residual cumulative impacts (NPPF, para 32) on this junction and the roads linking to it, and therefore the Plan is not consistent with national policy and is unsound.

### A3

It is accepted by GBC that the Blackwell Farm development is dependent on the A3 widening going ahead. However, the delivery of this scheme is uncertain.

In an email to Karen Steven, HE has confirmed that:

1. The widening scheme will not definitely go ahead if it cannot demonstrate value for money, even if HE has been asked to develop a potential scheme as part RIS Phase 1.
2. Value for money, as well as affordability, will only be considered once a potential scheme has been developed, as there cannot be any certainty around costs until that point.

The NPPF makes it clear that *“To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.”* (NPPF, Footnote 11).

There is no “realistic prospect” that housing at Blackwell Farm can be delivered within five years. In fact, the housing cannot be realistically delivered until after 2027 (if at all). The A3 widening is currently uncertain and there is a real risk that planning permission would be refused, resulting in GBC not meeting its housing targets. This is against national policy and is unsound.

#### **11.19 Are there local level exceptional circumstances that justify the release of this site from the Green Belt?**

There are no local level exceptional circumstances that justify the release of this site from the Green Belt. The benefits that GBC lists in its response to the Inspector’s initial questions – provision of employment land, schools, travellers’ pitches, a local centre etc – could all be provided elsewhere in the borough in less environmentally sensitive locations and in locations that would have less impact on the road network.

There are no exceptional circumstances offered for damaging views into and out of the AONB (Annex 9 illustrates views into and out of AONB) or for building a new road through the AONB itself. The “presumption in favour of development” does not apply where AONB is concerned and, as GBC has provided no justification for building this road, the Plan is not consistent with national policy and is not sound.

The road itself is unworkable in terms of the impact it would have on local network; and the housing development and employment space it is proposed to serve may never be delivered (being dependent on a government road scheme that may never materialise).

GBC has provided no assessment of the cost/scope for providing 1,800 houses and 30,000 sqm of employment land elsewhere. The only assessment provided is the unsophisticated green belt ‘s ‘traffic light’ assessment, which has been inconsistently applied to sites.

Annex 1a – Email from D Yell to K Stevens, March 24, 2017

Annex 2 – Email from Matt Furniss to Karen Stevens, May 19, 2017

Annex 3 – Email from Colin Cross to Satish Mistry, June 18, 2016

Annex 4 – *A Vision of the future of Science Parks*, by Dr M Parry, MD, Surrey Research Park and University Planning Officer, 2002, (para 28).

Annex 5 – *Surrey's Provisional Local Transport Plan – Getting out of the jam*, 1999

Annex 6 – *Living at the Limit – Guildford Student Housing Crisis*, University of Surrey Students Union, May 2017

Annex 7 – Excerpts from supplementary sheet to *Living at the Limit – Guildford Student Housing Crisis, Guildford*, University of Surrey Students Union, May 2017

Annex 8 – Google maps screen grabs showing existing problem on the A31

Annex 9 – Views into and out of the Surrey Hills AONB