	<p>Surrey Heath Borough Council</p> <p>Pre-Submission Surrey Heath Local Plan (2019 – 2038) : (Regulation 19)</p> <p>Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Please return to: planning.consultation@surreyheath.gov.uk
OR
Planning Policy and Conservation, Surrey Heath Borough Council,
Surrey Heath House, Knoll Road, Camberley, Surrey GU15 3HD.

By 12.00 noon 20th September 2024 NO LATE REPRESENTATIONS WILL BE ACCEPTED

This form has two parts:
Part A – Personal Details
Part B – Your representation(s). (Please be aware that this together with your name will be made publicly available)
Please fill in a separate sheet for each representation you wish to make.

Surrey Heath Borough Council's Privacy Statement is [here](#).

Please read the separate guidance notes before completing this form.

Part A

1. Personal Details*		2. Agent's Details (if applicable)	
<i>*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.</i>			
Title	Mr	Mr	
First Name	Robert	Robert	
Last Name	O'Carroll	Steele	
Job Title (where relevant)	Planning Manager	Director	
Organisation (where relevant)	Bloor Homes Limited	Savills	
Address Line 1	Business Park, River Reach Unit 7	244 - 246, High Street,	
Line 2	London Road	Guildford	
Line 3	Newbury, Berkshire		
Post Code	RG14 2PS	GU1 3JF	
Telephone Number	C/O Agent	[REDACTED]	

E-mail Address

C/O Agent

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Do you wish to be notified of when any of the following occurs? (place an X in the box to indicate which applies)

	Yes	No
• The Pre-Submission Local Plan has been submitted to the Secretary of State for independent examination?	X	
• The independent examiner's recommendations are published?	X	
• The Local Plan has been adopted?	X	

Please note that your formal comments (known as representations) and your name will be made available on the Council's website. All other details in Part A of this form containing your personal details will not be shown.

The Council cannot accept confidential comments as all representations must be publicly available.

Part B – Please use a separate sheet for each representation

Your representation should cover all the evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations following this publication stage.

After this stage, further submission will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Name or Organisation :	Savills
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3. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph	See Representations o.bo Bloor Homes	Policy	See Representations o.bo Bloor Homes	Other, e.g. policies map, table, appendix	See Representations o.bo Bloor Homes
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4. Do you consider the Pre-Submission Local Plan is? (place an X in the box to indicate which applies)

4.(1) Legally compliant (please refer to guidance notes)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound (please refer to guidance notes)	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to Co-operate (please refer to guidance notes)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Pre-Submission Local Plan is not legally compliant or does not meet the tests of soundness or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Pre-Submission Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. You are advised to read our Representations Guidance note for more information on legal compliance and soundness.

Please refer to our full representations for comments on the Local Plan. A summary of these is provided in the table below.

Policy	Recommendation/Objection	Comment
Policy SS1 – Spatial Strategy	Comment	It is recommended that the plan period is changed to 2023/24 – 2040/41 to provide for a 15 year period.
Policy SS3a /b Climate Change Mitigation and Adaption	Object	Policy SS3a/b should be amended to remove reference to requiring development to deliver net zero, but instead refer and be led by the progress of Building Regulations / Future Homes Standard.
Policy HA4: Mindenhurst, Deepcut	Comment	In summary, the site allocation as drafted does not accurately reflect the progress of the development of Mindenhurst or the requirements of the planning permission and associated Section 106 Agreement.

Policy H5 – Range and mix of housing	Comment	The requirement of M4(3) provision within the open market element, it is not clear from the supporting evidence base whether SHBC is able to justify this requirement.
Policy H7: Affordable Housing	Object	The policy wording should make reference to occasions whereby the affordable housing mix tenure has previously been agreed.
Policy DH1 – Design Principles	Comment	Emerging Policy DH1 2 c) could be interpreted to mean that all trees within a development site are to be protected for their own sake. However, the text should be clarified to refer to emerging Policy DH5 2) which allows for trees to be removed subject to justification and demonstration that other options have been considered.
Policy DH2 – Making effective use of land	Comment	It is recommended that the policy framing should be revised to outline that analysis of densities represent a starting point, with a finer subjective evaluation of local characteristics and scheme detail informing considerations on capacity and overdevelopment.
Policy E5 - Renewable and low carbon energy and heating schemes	Object	It is suggested that Part 2) of Policy E5 should be reframed to reference back to the requirements of Building Regulations / Future Home Standards. This will provide a simpler approach which will align with national planning policy as it evolves over time.
Policy E3: Biodiversity Net Gain	Object	Robust evidence is needed demonstrating that the area has significantly worse negative impacts on biodiversity from development compared to the rest of the country. Additionally, the viability evidence must consider the actual costs facing development, rather than assumed costs based on generalised national data. Bloor considers the policy is not justified on this basis.

6. Please set out what modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and sound, having regard to the matters you have identified at 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination)

You will need to say why each modification will make the Pre-Submission Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see accompanying representations

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the evidence and supporting information necessary to support/justify your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions will be only at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification to the Pre-Submission Local Plan, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

Please note - whilst this will provide an initial indication of your wish to participate in the examination, you may be asked at a later point to confirm your request to participate.

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Savills o.b.o Bloor Homes hold concerns that the Local Plan is currently not sound and modifications are required to a number of policies. Please refer to representations for full comments.

Please note - the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representation on Surrey Heath Borough Council's Local Plan 2019 – 2038 (Regulation 19)

On behalf of Bloor Homes Ltd

Representation on Surrey Heath Borough Council's Local Plan 2019 – 2038 (Regulation 19)

On behalf of Bloor Homes Ltd



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1. Introduction

- 1.1. These representations have been prepared by Savills (UK) Ltd, on behalf of Bloor Homes Limited (herein referred to as 'Bloor Homes') in response to Surrey Heath Borough Council's ('SHBC') Regulation 19 Pre-Submission Local Plan (SLP): 2019-2038.
- 1.2. The SLP sets out the policies and allocations that will guide how new development and infrastructure comes forward in the Borough up to 2038.
- 1.3. Bloor Homes is the UK's largest privately-owned housebuilder and celebrated its 50th anniversary year in 2019. It constructs homes nationally and has many site interests in the South East. Bloor Homes recognises Surrey Heath Borough as a significant market for housebuilding and wishes to contribute to addressing the housing needs of Borough.
- 1.4. Bloor Homes acquired landholdings on the strategic site at Princess Royal Deepcut Barracks, a new neighbourhood now known at Mindenhurst. The development site underpins the housing delivery planned for in the Core Strategy 2011 - 2028 and also appears as an important contributor to housing in the SLP.
- 1.5. Bloor Homes currently have applications for the approval of reserved matters in the planning system for delivery of net. 217 residential dwellings across Phase 4f, 6b and 6c of the development site (approved by hybrid planning permission LPA Ref: 12/0546). Phase 4f has recently been approved in September 2024 under LPA Ref: 24/0060/RRM for 20 homes.
- 1.6. **Phases 4f, 6b and 6c Mindenhurst (Princess Royal Deepcut Barracks)**
- 1.7. It is Bloor Homes' intention, subject to the approval of reserved matters, to commence works on three phases in 2024 / early 2025. The SLP is scheduled to be adopted in Autumn 2025, with submission to the Secretary of State in Winter 2024 / 2025¹.
- 1.8. It is anticipated that the approval of reserved matters for the Phases will be ahead of the adoption of the SLP, however SHBC may start providing weight to the emerging policies in decision -making following the submission of the SLP and so the wording of the draft policies is important.
- 1.9. Therefore, it is hoped that these representations are considered carefully by SHBC to ensure that the emerging policies do not present unreasonable challenges or complications to the planning process, particularly in relation to Bloor Homes proposals at Mindenhurst. Policies must not compromise the delivery of the site allocation or prevent the approval of reserved

¹ SHBC Local Development Scheme March 24

matters related to extant planning permissions.

- 1.10. Bloor Homes may also have interests in other sites in the Borough in the future and so the provision of reasonable, clear and specific policies to help guide applications and reduce uncertainty is very important to their business.

Structure of Representation

- 1.11. Bloor Homes have reviewed the policies in the SLP. Section 2 of this representation document provides comments and objections to relevant policies in light of the tests of soundness set out in paragraph 35 of the NPPF and as required by the Planning Inspectorate.
- 1.12. Where there are concerns or objections to the policies as drafted, alternative wording is suggested, where appropriate, to ensure the SLP is capable of being found sound during the examination process.
- 1.13. For the avoidance of doubt, it is confirmed that Bloor Homes wishes to participate in the Examination process, including the hearing sessions. Furthermore, both Bloor Homes reserves the right to comment further on the SLP should there be any further consultations or document published prior to or after the hearing sessions.

2. Representations

2.1. The SLP includes policies relating to various topics, including strategic policies on housing strategy to policies on sustainability, ecology and design. These will be the principal consideration for decision makers when determining planning applications in Surrey Heath.

2.2. The Standard Method for Housing Need for SHBC is 321 homes per year and so over the plan period (2019 – 2038), would total 6,111 new homes. The SLP plans for 5578 homes over the plan period (i.e. 293 homes per year), so a shortfall against the Standard Method. The SLP justifies this due to the planning and infrastructure constraints within the Borough.

National Planning Policy Framework (NPPF) – Consultation 2024

2.3. The draft NPPF does state that local plans that are submitted for examination under the current NPPF (December 2023) will be examined under the same version of the NPPF. Despite this, Bournemouth, Christchurch and Poole (BCP) Council have been asked by the Planning Inspectorate (PINS) to consider the proposed changes despite submitting their local plan for examination on 27th June 2024. BCP propose to meet just over half of their housing need per year (1,600 dwellings) when assessed under both the current and proposed standard method owing to constraints to development such as Green Belt.

2.4. Under proposed changes to the NPPF (2024) planning authorities would be required to undertake a review of their green belt boundaries where they cannot meet their identified housing need without doing so. The Inspectors for BCP's examination have responded to the Council requesting that they consider the implications of the proposed reforms to the NPPF and the written ministerial statement 'Building the homes we need'.

2.5. Therefore, Bloor Homes expects to see further updates from SHBC to the emerging Local Plan prior to submission to Examination.

Pre-submission Surrey heath Local Plan 2019 - 2038 (Regulation 19)

2.6. Bloor Homes has not provided comment on a number of policies, and these are listed below. However, SHBC should consider whether all the policies as drafted are useful and necessary for decision making, and do not simply repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

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On behalf of Bloor Homes Ltd



2.7. Policies which Bloor Homes has no comment:

1. SS2 – Presumption in Favour of Sustainable Development
2. HA1 – Site Allocations
3. HA2 – London Road Block Site Allocation
4. HA3 – Land east of Knoll Road Site Allocation
5. H6 – Specialist housing
6. H8 – Loss of Housing
7. H9 – Rural Exception Sites
8. H10 – First Homes Exception Sites
9. H11 – Gypsies and Travellers and Travelling Showpeople
10. H12 – Site Allocations for Gypsy and Travelling Showpeople Accommodation
11. CTC1 – Camberley Town Centre
12. CTC2 – Camberley Town Centre Primary Shopping Area
13. CTC3 – Movement and Accessibility
14. CTC4 – Land East of Park Street, North of Princess Way
15. ER1 – Economic Growth and Investment
16. ER2 – Strategic Employment Sites
17. ER3 – Locally Important Employment Sites
18. ER4 – Yorktown and Watchmoor Business Parks
19. ER5 – Rural Economy
20. ER6 – Frimley Park Hospital
21. ER7 – Edge of Centre and Out of Centre Proposals
22. ER8 – District and Local Centres
23. ER9 – Neighbourhood Parades
24. ER10 – Old Dean
25. IN1: Infrastructure Delivery
26. IN2 – Transportation
27. IN3 – Digital and Telecommunications Infrastructure
28. IN4 – Community Facilities
29. IN5 – Green Infrastructure
30. IN6 – Green Space
31. IN7 – Indoor and Built Sports and Recreation Facilities
32. E1 - Thames Basin Heaths Special Protection Area
33. E2 – Biodiversity and Geodiversity
34. E4 – Pollution and contamination
35. E6 – Flood Risk and Sustainable Drainage
36. E7 – Watercourse and Water Quality
37. E8 – Landscape Character
38. GBC1 – Development of New Buildings within the Green Belt
39. GBC2 – Development of Existing Buildings within the Green Belt
40. GBC3 – Equestrian Uses in the Green Belt and the Countryside Beyond the Green Belt
41. GBC4 – Development within the Countryside Beyond the Green Belt

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- 42. GBC5 – Gordons School West End
- 43. DH3 – Residential Space Standards
- 44. DH4 – Sustainable Water Use
- 45. DH5 – Trees and Landscaping
- 46. DH6 – Shopfronts, Signage and Advertisements
- 47. DH7 – Heritage Assets
- 48. DH8 – Building Emission Standards

2.8. Below are the policies that Bloor Homes is seeking to provide comment on or object to:

- 49. SS1 – Spatial strategy
- 50. SS3 - Climate Change
- 51. HA4 – Mindenhurst, Deepcut Site Allocation
- 52. H5 – Range and mix of housing
- 53. H7 – Affordable housing
- 54. E3 – Biodiversity net gain
- 55. E5 - Renewable and low carbon energy and heating schemes
- 56. DH1 – Design Principles
- 57. DH2 – Making effective use of land

Policy SS1 – Spatial Strategy – Comment

2.9. Bloor Homes considers Policy SS1 to be currently unsound as the spatial strategy is not considered to be consistent with national policy nor is the spatial strategy for the borough positively prepared.

2.10. The SLP is not consistent with national policy on the basis that it does not accord with paragraph 22 of the NPPF. This requires that strategic policies should look ahead over a minimum 15 year period from adoption. The Local Development Scheme states that the Local Plan is not anticipated to be adopted until Autumn 2025, which should be viewed as the earliest opportunity for adoption once further evidence gathering, submission, Examination and Main Modifications are taken into account. Due to SHBC's Local Plan period proposed to commence from 2019, SHBC's proposed approach to housing supply includes a total of 59% of housing provision that is completed or has planning permission and therefore, cannot be said to meet the future development needs of the borough. The date for adoption therefore necessitates a local plan period that should stretch to 2040 as a minimum.

2.11. **It is recommended that the plan period is changed to 2023/24 – 2040/41 to provide for a 15 year period.**

Policy SS3a /b Climate Change Mitigation and Adaption – Object

- 2.12. This strategic policy requires major applications to deliver net zero carbon development, unless it can be demonstrated with evidence that it is not feasible or viable to do so. Bloor Homes is committed to sustainable construction and its role in tackling climate change. It supports the drive for reducing carbon emissions and using materials in a sustainable way, but the trajectory to net zero must be gradual to enable the housebuilding industry to prepare and budget accordingly.
- 2.13. A simple approach would be for the policy to state that the requirement for carbon emissions reduction and efficiency of buildings should be in accordance with the latest Building Regulations and/or Future Home Standards. This is the best mechanism for securing future changes in the interest of transparency and consistency. The Government is committed to a net zero policy and so Building Regulations are likely to alter overtime, but this is subject to wide consultation and transparent lead in times. This helps the development industry in preparing and reduces uncertainty based on location in this respect.

Policy SS3a/b should be amended to remove reference to requiring development to deliver net zero, but instead refer and be led by the progress of Building Regulations.

Policy HA4: Mindenhurst, Deepcut– Comment

- 2.14. Bloor Homes supports the framing of the revised site allocation as this reflects the adopted Core Strategy and also the Outline permission (12/0546, as amended). It is noted that paragraph 3.49 of the Local Plan makes reference to the submission of reserved matters applications for the hybrid permission being submitted by April 2024.
- 2.15. It is suggested that the site allocation be altered to take account of the various phases of the development that have been delivered, or where detailed planning permission / reserved matters has been secured. The hybrid permission was for net. 1200 residential dwellings, of which 81 were secured as part of the detailed application resulting in a residual balance of 1119 dwellings to be secured at reserved matters stage.
- 2.16. As Savills understand, the following phases have been approved or submitted against the committed development:
- Phase 2a – 127 residential dwellings - LPA ref. 18/1027/RRM (Granted Permission)
 - Phase 2b - 215 residential dwellings – LPA ref. 17/0871/RRM (Granted permission)
 - Phase 4a – 21 residential dwellings – LPA ref. 20/0226/RRM (Granted permission)

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- Phase 4f – 20 residential dwellings – LPA ref. 24/0060/RRM (Granted permission)
- Phase 6b – 57 residential dwellings – LPA ref. 24/0061/RRM (Pending determination)
- Phase 6c – 140 residential dwellings – LPA ref. 24/0062/RRM (Pending determination)
- Phase 4h – 37 residential dwellings - LPA ref. 24/0213/RRM (Pending determination)
- Phase 6a – 120 residential dwellings – LPA ref. 24/0246/RRM (Pending determination)
- Phase 6d – 237 residential dwelling – LPA ref. 24/0313/RRM (Pending determination)
- Phase 3e, 4b & 6c – 123 residential dwellings – LPA ref. 24/0314/RRM (Pending determination)
- Phase 4d – 15 residential dwellings – LPA ref. 24/0330/RRM (Pending determination)
- Phase 4i – 70 care bed spaces and 20 care suites – LPA ref. 24/0312/RRM (Pending determination)

2.17. Across the wider masterplan, net. 363 residential dwellings benefit from either detailed planning permission or are currently under construction, or complete. When combined with the 81 dwellings delivered under the detailed element, this equates to 444 dwellings or 37% of the quantum of housing to be delivered on the Mindenhurst site

2.18. The site allocation as currently drafted makes no reference to the housing units which are either being constructed, or have been delivered. The site allocation should include an accurate tally reflecting the housing units that have been delivered; and residual which is presently in planning system.

2.19. Emerging Policy HA4 2 a) makes reference to “approved design codes”, however Bloor Homes notes that the design codes do not apply to many of the phases at Mindenhurst and instead the Deepcut SPD is the main document informing design, layout and principles (see Non Material Amendment LPA ref: 18/0619/1).

2.20. Bloor Homes supports emerging Policy HA4 2 b) which recognises the affordable housing position which has been secured as part of the outline planning permission, which recognised the viability challenges of delivering the new neighbourhood.

2.21. Bloor Homes suggests the Policy is amended to reflect the features and requirements which have been secured by the hybrid planning permission, associated Section 106 Agreement

and approval of reserved matters, where relevant. This will ensure that the ongoing delivery of Mindenhurst and any live applications for the approve of reserved matters are not subject to additional requirements which may delay matters or hinder delivery.

- 2.22. **In summary, the site allocation as drafted does not accurately reflect the progress of the development of Mindenhurst or the requirements of the planning permission and associated Section 106 Agreement.**

Policy H5 – Range and mix of housing – Comment

- 2.23. Bloor is broadly supportive of the approach which is advocated in emerging Policy H5 in that the current framing seeks to avoid imposition of a prescriptive housing mix to be achieved on site. In particular, whilst the draft policy makes reference to an indicative housing mix from the 2023 draft Housing Needs Assessment, it is imperative that the percentages are treated as a guide rather than a fixed percentage for compliance. This will provide sufficient flexibility and avoid imposition of obstacles that could hinder delivery of key sites across the borough.

- 2.24. With regards to Part 4 and Part 5 of Policy H5, which deals with provision of adaptable and accessible dwellings as summarised below:

- *“All dwellings will be required to be built to appropriate accessible and adaptable standards to meet Building Regulations Part M4(2)”*
- *“On sites of 20 or more net new dwellings, at least 5% (rounded to the nearest whole unit) of new homes and 10% of affordable homes will be required to meet Building Regulations Part M4(3)(2)(a) for wheelchair adaptable housing”*
- *“Development proposals for 20 or more net new dwellings will be expected to make available 5% (rounded to the nearest whole unit) of the total homes for sale as serviced plots for self-build and custom housebuilding, whilst there is an identified need”*

- 2.25. With regards to the requirement of M4(3) provision within the open market element, it is not clear from the supporting evidence base whether SHBC is able to justify this requirement. In the event the emerging Policy is pursued, it is suggested that a clause should be included making reference to provisions for the marketing of the open market wheelchair units and potential for reversion to conventional open market housing typologies, if there is a lack of demand for wheelchair user dwellings within this typology. This will remove onerous restrictions on the disposal of open market units, in the absence of identified need.

- 2.26. SHBC and Affordable Registered providers will hold evidence relating to the need and

demand for Part M4(3)(2)(a) for those on the housing register, and so, for affordable homes, this element of the policy is supported by Bloor Homes.

Policy H7: Affordable Housing– Object

2.27. Bloor Homes is supportive of the overall objectives of this policy and supports the goals within National Guidance on this topic. However, there are concerns with the policy as worded as it is not positively prepared and could be made clearer, especially relating to where a housing mix has been previously agreed.

2.28. Some outline planning permissions and/or S106 Agreements already set the tenure for affordable housing, and therefore influence future design and viability requirements for Reserved Matters Applications. As such, the policy wording should make reference to occasions whereby the affordable housing mix tenure has previously been agreed. This is particularly important as developers may have already agreed commercial terms with affordable registered providers in respect of a site that benefits from planning permission.

2.29. As such, a requirement to revisit the affordable housing requirement secured in the permission could prejudice the agreement with the registered provider and ultimately the timely delivery of much needed affordable homes.

2.30. **In order to make the policy clearer in this respect, the following additional wording is suggested:**

5) Where an affordable tenure mix has already been agreed through a Section 106 Agreement or an Outline permission, then this policy should not apply to subsequent reserved matters or amendments

2.31. Bloor objects to the current framing of Part 3 of Policy H7 which outlines that scheme viability will only be a consideration for negotiations on affordable housing contributions in exceptional circumstances. This approach does not align with the approach advocated at national level where the NPPF and Planning Practice Guidance explicitly outlines that economic viability and financial appraisals represent an appropriate mechanism for negotiations on the level of affordable housing contributions that are to be drawn from qualifying development.

2.32. **We would suggest that the current framing of Part 7, is replaced with the suggested text below:**

“In seeking affordable housing provision, the Council will have regard to scheme viability; only where robust viability evidence demonstrates that the full amount of

affordable housing cannot be delivered, the Council will negotiate a level of on-site affordable housing that can be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received”.

- 2.33. **Overall, the inclusion of the suggested wording above would help to ensure that the policy is positively prepared, and would not cause concern to developers where unique site circumstances and other financial burdens impact the quantum of affordable housing that can reasonably be delivered.**

Policy DH1 – Design Principles - Comment

- 2.34. Bloor Homes is a high quality housebuilder and good urban design is important to its brand and customers. They are committed to delivering high quality developments which are informed by pre-application engagement with Local Planning Authorities and the wider community.
- 2.35. Emerging Policy DH1 covers all the pertinent matters relating to the design of developments, including local character, residential amenity and creating healthy and sustainable places. All matters need to be balanced with the site characteristics and valid development challenges.
- 2.36. Emerging Policy DH1 2 c) could be interpreted to mean that all trees within a development site are to be protected for their own sake. However, the text should be clarified to refer to emerging Policy DH5 2) which allows for trees to be removed subject to justification and demonstration that other options have been considered.

Policy DH2 – Making effective use of land – Comment

- 2.37. Bloor Homes welcome the acknowledgement in Policy DH2 for schemes to make efficient use of land holdings to deliver the optimal quantum of housing on each site. Further, we note the application of minimum densities for key allocated sites within the borough, this is a welcome inclusion.
- 2.38. However, we note that Para 3) of the policy is framed in an onerous manner that will hinder delivery of small and medium sites across the borough through the application of fixed density parameters as outlined below.

“Proposals that do not meet these density standards will only be permitted where it has been demonstrated that development at the identified density would be inappropriate”.

- 2.39. Density is an arbitrary and superficial level mechanism for reviewing the suitability of development proposals. For example, the Greater London Authority had removed the density metrics from the London Plan on the understanding that application of a density equation in the determination of whether a scheme represents overdevelopment is a flawed, superficial analysis of the suitability of development.
- 2.40. The appropriate density of a site should be arrived at through a design-led approach, taking account of the site context and infrastructure capacity. Paragraph 123 of the NPPF (Dec 2023) requires planning policies and planning decisions to support development that makes efficient use of land, taking into account a range of contextual factors. Density figures should act as a guide for assessment of schemes, with more granular analysis of environmental affects generated by development, quality of accommodation, amenity provision and compliance with technical standards contained within the development plan forming an appropriate basis for adjudging suitable densities.
- 2.41. **It is recommended that the policy framing should be revised to outline that analysis of densities represent a starting point, with a finer subjective evaluation of local characteristics and scheme detail informing considerations on capacity and overdevelopment.**

Policy E5 - Renewable and low carbon energy and heating schemes – Object

- 2.42. Bloor Homes are broadly supportive of the approach set forth within Policy E5 of the draft Local Plan. However, we would query the provisions under Part 2) as summarised below:
- “Major development proposals will be required to incorporate measures to supply a minimum of 25% of the development’s regulated operational energy needs from on-site renewable and/or low carbon technologies, in accordance with national technical standards, unless it can be clearly demonstrated with evidence that this is not feasible and/or viable for this form of energy provision”.*
- 2.43. An alternative approach would be for the policy to state that the requirement for carbon emissions reduction and efficiency of buildings should be in accordance with the latest Building Regulations. This is the best mechanism for securing future changes in the interest of transparency and consistency. The Government is committed to a net zero policy and so Building Regulations are likely to alter overtime, but this is subject to wide consultation and transparent lead in times. This helps the development industry in preparing and reduces uncertainty based on location in this respect.
- 2.44. **It is suggested that Part 2) of Policy E5 should be reframed to reference back to the requirements of Building Regulations. This will provide a simpler approach which will**

align with national planning policy as it evolves over time.

Policy E3: Biodiversity Net Gain – Object

- 2.45. Bloor Homes are supportive of the overarching objective for delivery of tangible enhancements to biodiversity as part of new developments. Bloor Homes is a member of the Future Homes Hub – Homes for Nature Initiative which comprises 18 of the largest housebuilders, responsible for delivering net. 90,000 homes across the country annually.
- 2.46. The Homes for Nature commitment will see a bird-nesting brick or box installed for every new home built, as well as hedgehog highways created as standard on every new development taken through planning from September 2024. Implementation of this initiative represents a major step towards providing the minimum of 300,000 nesting bricks and boxes thought to be required to support swift populations and many more bird species across the country.
- 2.47. In addition to integrated nest bricks, boxes and hedgehog highways, the Initiative encourages members to incorporate additional features, such as bat roosts, insect bricks and hibernacula. The initiative will run until at least 2030, with annual reporting to track progress and to identify further suitable measures that could be introduced to support other wildlife.
- 2.48. Noting the above, Bloor Homes object to this policy as presently worded as it is not justified or consistent with national policy as per paragraph 35 of the NPPF, however they support the overall objectives of this policy. The Biodiversity Net Gain Planning Practice Guidance (PPG) states that *“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified.”*
- 2.49. The draft policy requires at least 20% BNG to be achieved for qualifying development. This is double the minimum requirement of the Environment Act 2021, which has a minimum requirement of 10%. Whilst the minimum requirement in the Act may change over time, there is no detailed justification provided by SHBC to require at least 20% BNG on qualifying development now / on its adoption.
- 2.50. SHBC's proposal to double the minimum requirement to 20% independently from legal national requirements could undermine the delivery of development sites.
- 2.51. Bloor Homes suggests that unless compelling evidence is provided to demonstrate that the Borough is in need of enhanced biodiversity gains on the scale proposed, then the policy

should be tied to the requirements of the Environment Act, or other national standard that maybe applied in the future. This would help developers plan strategically and provide certainty, which in turn facilitates the fast delivery of new homes.

2.52. Robust evidence is needed demonstrating that the area has significantly worse negative impacts on biodiversity from development compared to the rest of the country. Additionally, the viability evidence must consider the actual costs facing development, rather than assumed costs based on generalised national data. Bloor considers the policy is not justified on this basis.

2.53. In order to address the issues indicated above, Bloor Homes suggest that the policy is amended in the following way (strikethrough is suggested deletion and red indicated additional text):

“Qualifying development proposals will be permitted provided that they can demonstrate the provision of biodiversity net gains of at least ~~20~~ 10 per cent, or the advised national minimum target, whichever is greater, measured using the statutory Biodiversity metric. Any off-site habitat creation or enhancement measures must be in line with the hierarchy in this policy, within the Surrey Heath Borough Council, unless demonstrably unfeasible”.

2.54. In addition to the above, **a clause needs to be included within the supporting text to the draft policy outlining the exemptions from mandatory biodiversity net gain in line with the provisions of the planning practice guidance** as summarised below:

“While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.

Biodiversity net gain does not apply to:

- *retrospective planning permissions made under section 73A; and*
- *section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024*

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On behalf of Bloor Homes Ltd



- *The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission).*

2.55. The inclusion of this clause will provide sufficient comfort for developers that committed developments or other applications which predate mandatory net gain coming into effect, will not be retrospectively caught by the provisions of Policy E3.

2.56. **These changes would make the policy consistent with National Policy, and proportionate for developments in the Borough whilst still ensuring improvements and mitigation to biodiversity.**

3. Conclusion

- 3.1. The representations contained in this document are made on behalf of Bloor Homes. They have considered the proposed policies in the SLP against SHBC's existing development plan, national planning guidance and legislation.

- 3.2. The comments contained in this representation are made in good faith and to help SHBC produce a Local Plan which is clear and unambiguous. This will help reduce uncertainty and planning risk, which ultimately helps improve the delivery of housing and growth required and proposed by the SLP.

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Appendix 1 – Mindenhurst Delivery Record at September 2024

Phase	LPA ref.	Scheme detail	Status
4d	24/0330/RRM & 24/0227/RRM	15 residential dwellings	In planning
	24/0332/RRM	Central SANG, village green, spine road, structural landscaping, green swathe and SUD's	In planning
4i	24/0312/RRM	70 Care bed spaces and 20 care suites	In planning
3e, 4b and 4c	24/0314/RRM	123 residential dwellings and three retail units	In planning
6d	24/0313/RRM	237 residential dwellings	In planning
6a	24/0246/RRM & 24/0175/RRM	120 residential dwellings	In planning
5d	24/0212/RRM & 22/1123/RRM	Sports hub	Approved, revised scheme in planning.
4h	24/0213/RRM & 24/0333/RRM	37 residential dwellings	In planning
4f	24/0062/RRM &	20 residential dwellings	Approved
6b	24/0061/RRM &	57 residential dwellings	In planning
6c	24/0060/RRM &	140 residential dwellings	In planning
5i	23/1202/RRM	Change of use of museum building to foodstore and flexible retail /	Granted 25 TH March 2024

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		community building.	
53, 5F and 5J	22/1066/RRM	Accessible natural greenspace standard (ANGST) and allotment provision	Granted 22 nd Sept 2023
3b & 3d	23/1068/RRM	Garrison Church of St Barbara and Church Hall and the Formal Park.	Approved
4g and 5g	22/0511/FFU	Erection of a bat barn on land between the former sergeants mess and Blackdown Road playing field.	Granted 01 Nov 2022
4e	21/1327/RRM	Headquarters building amenity space	Granted 13 April 2022
5g and 5h	21/1288/RRM	Blackdown Road ANGST and sports pitches	Granted 08 August 2022
4a	20/0226/RRM	21 residential dwellings	Approved 21 st October 2020
1	19/0735/RRM & 17/0774/RRM & 15/1062/RRM	Sitewide infrastructure including Central SANG, village green, spine road, landscaping, green swathe, southern SUDS.	Revised application pending.
	19/0440/RRM	Public house	Granted 15 th January 2020
2a	18/1027/RRM	127 residential dwellings	Approved 4 th June 2020
2b	17/0871/RRM	215 residential dwellings	Granted 01 March 2018
3a	17/1141/RRM	Primary school and nursery	Granted 12 th April

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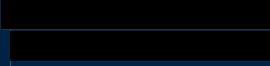
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(Regulation 19)**

On behalf of Bloor Homes Ltd



Robert Steele MRTPI
Director



Rob Allen MRTPI
Associate

