

	Surrey Heath Borough Council Pre-Submission Surrey Heath Local Plan (2019 – 2038) : (Regulation 19) Representation Form	Ref: (For official use only)
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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	Ms	
First Name	Caroline	
Last Name	Cooper	
Job Title (where relevant)	Planning Co-ordinator	
Organisation (where relevant)	Chobham Parish Council	
Address Line 1	Parish Pavilion	
Line 2	Recreation Ground, Station Road	
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Post Code	GU24 8AJ	
Telephone Number	(01276) 856633	
E-mail Address	planning@chobhamparishcouncil.org	

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 : **Chobham Parish Council**

3. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph

Policy

Other, e.g.
policies map,
table, appendix

Please see below
(Section 5)

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

No

X

4.(2) Sound (please refer to guidance notes)

Yes

No

X

4.(3) Complies with the Duty to Co-operate (please refer to guidance notes)

Yes

No

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.

Chobham Parish Council broadly supports the Pre-Submission Local Plan, with the exception of the proposal to remove the Green Belt designation from the settlement of Chobham. The parts of the Pre-Submission Local Plan to which this representation relates includes the following (as well as various supporting documents):

Pre-Submission Surrey Heath Local Plan (2019-2038): (Regulation 19):

- Section 2 policy SS1 Spatial Strategy
- Section 7 Green Belt and Countryside
- Policies map
- Mapping booklet 2024

Chobham Parish Council considers the Plan to be **not legally compliant** due to inadequate community involvement concerning the proposed removal of the Green Belt designation from the settlement of Chobham, for the following reasons:

1. Surrey Heath Borough Council's Statement of Community Involvement states as an underpinning principle: "The community and stakeholders should be involved as early as possible to provide people with a chance to discuss issues and options and the potential to make a difference". Due to the reasons described below it is felt that community involvement was not adequate on the matter of proposing to remove the Green Belt designation from the settlement of Chobham.
2. Exceptional circumstances for removing the Green Belt designation from the settlement of Chobham were not published until early September 2024, mid-way through the Regulation 19 consultation, which was too late in the process for meaningful engagement with the community to take place.
3. The circumstances were not set out (or outlined) at Regulation 18 stage in 2022. Informed comment was therefore not possible at this earlier stage in the process, as stated in the Parish Council's representation dated 6th May 2022. The Council also stated that the Chobham community should be represented in the process on this key local matter. The Council indicated that it would have welcomed the opportunity to be engaged with the boundary study, and feels it could have added value to the process.
4. The Parish Council wrote to the Borough Council on 15th January 2024 seeking an update on the plans regarding the Green Belt issue in light of December 2023 revisions to the NPPF. It specifically asked for an outline of the exceptional circumstances, and details of when the exceptional circumstances would be consulted upon through the plan-making process. Surrey Heath Borough Council's response stated only that a further update would be provided on the matter following the next stage of the Local Plan publication.
5. Despite being referenced in plan material as an accompanying document to the Regulation 19 Proposed Submission Local Plan consultation (see paragraph 4.9 of the Chobham Village Green Belt Boundaries Study Addendum and paragraph 4.4 of the Green Belt Review Addendum and Additional Assessment), the "Green Belt Exceptional Circumstances Topic Paper" was not available to view online until on or shortly after 1st September 2024, well after the start of the consultation, and after the Parish Council had queried its whereabouts on 27th August 2024.
6. Details of the exceptional circumstances for removing the Green Belt designation from the settlement of Chobham have not been made available as a hard copy for the community of Chobham to access at any point in the Local Plan consultation process, thus excluding those people who are unable, or prefer not to, engage via digital means from viewing and commenting on the full set of circumstances.
7. The "Spatial Strategy Topic Paper" supporting document was also not available to view online for a significant part of the Regulation 19 consultation period. This document was first observed to be available online on 10th September, but could have been added on or after 5th September. While it is recognised that there are reasons why some documentation may be added during the course of the consultation, confusion and questions regarding openness and transparency

could have been avoided by stating clearly from the start of the consultation which additional documents were to follow.

8. The Planning Authority has explained that Topic Papers are not required to be published at Regulation 19 stage. However in this case the papers contained long-awaited content (the exceptional circumstances) on an important local issue that had not been made available before. By not making the circumstances public until midway through a consultation stage where comments are limited to matters of soundness and legal compliance, the Chobham community has been deprived of a reasonable opportunity to have meaningful input or to make properly informed comment, while having regard to the full picture.

The Parish Council considers the Plan **does not meet the tests of soundness** for the following reasons:

1. Not justified or appropriate

A reasonable alternative would be to retain the settlement of Chobham's Green Belt status. Exceptional circumstances are considered to be not justified as set out below.

2. Not consistent with national policy

The Parish Council has reviewed the proposal to remove the Green Belt designation from the settlement of Chobham against the National Planning Policy Framework (NPPF) as published on 19 December 2023 and challenges its consistency. Relevant portions of the framework text have been quoted below for ease of reference:

NPPF Paragraph 145:

"Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified (...)"

The Parish Council considers that exceptional circumstances set out in paragraph 4.15 of the Green Belt Exceptional Circumstances Topic Paper have not been fully evidenced and justified for the following reasons:

- a. Land has been included which does display an open character and does contribute to the openness of the Green Belt, e.g. north of 81 Windsor Road, the entirety of The Avenue, Mincing Lane north of The Avenue, any row of housing with residential gardens that back onto open fields, e.g. parts of Chertsey Road west of Green Lane, parts of Windsor Road (west side) and parts of Leslie Road. Additionally, Chobham Rugby Club playing fields and fields surrounding Wishmore Cross School. Volume of development is small versus the openness in these plots/areas. Views

from public roads should form only part of the consideration on Green Belt openness.

- b. The potential for Green Belt policy to *“prohibit the delivery of a suitable development site at Chobham Rugby Club”* is not an exceptional circumstance for removing the entirety of Chobham’s settlement area from the Green Belt. The same contribution towards meeting the Borough’s housing needs could be made by removing the Green Belt designation from the Rugby Club site alone, should this step be necessary to make housing on the site deliverable.
- c. It is unclear how *“removal of the settlement from the Green Belt would enable the provision of a new, legible Green Belt boundary for the settlement that uses clear physical features that are readily recognisable and likely to be permanent, (...)”* can be considered an exceptional circumstance when it is a policy requirement. The current settlement area is already clearly defined, legible, and has equivalent physical clarity and features to that proposed.

NPPF Paragraph 146:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.”

- a. It does not appear to be clearly demonstrated that there would be a projected shortfall in meeting identified need when compared to retaining the settlement of Chobham within the Green Belt and utilising existing Green Belt policy (e.g. infill, proportionate redevelopment, very special circumstances, forms of development that are not inappropriate, etc.).
- b. In the limited time available to review the documentation, it would appear that the identified need for development may be able to be met without removing the Green Belt designation from the settlement of Chobham.

NPPF Paragraph 147:

“(...)They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”

- a. The Parish Council has not been able to identify in the Plan material any compensatory improvements set out to offset the impact to Chobham.

NPPF Paragraph 149:

The topic of openness has been covered above. To be consistent with national policy, any tests in this paragraph should not outweigh or take precedence over the requirements set out elsewhere in the NPPF.

Emerging New National Planning Policy Framework

At the time of submitting this representation, the Government is consulting on a proposed new National Planning Policy Framework, clearly signalling its intentions with regard to the future of Green Belt planning policy, which includes revised considerations concerning the alteration of Green Belt boundaries, “golden rules” for major development on released land, the introduction of a “grey belt” designation, and other changes.

If new national policy proceeds as anticipated, it would appear that there may be new provisions that would help overcome some of the potential barriers concerning development on Green Belt land. It is urged that the reasonable step of considering the opportunities of this likely new policy is considered before taking a decision to permanently remove land from the Green Belt.

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

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.

It is considered that the retention of the Green Belt designation for the settlement of Chobham would make the Pre-Submission Local Plan legally compliant and sound, as this would overcome all of the issues raised.

(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

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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:

Chobham Parish Council does not seek to participate in the oral part of the examination, and will rely on its written representation.

Should the Inspector wish to call upon the Council to supply any clarification or further information during the examination, the Council will of course be pleased to do so.

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.