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The Clerk
Chobham Parish Council
Station Road
Chobham
Woking GU24 8AJ

18 June 2024

Dear Sir/Madam,

RE: Invitation for comments on the Pre-Submission Consultation (Regulation 14) Chobham Neighbourhood Plan

I refer to the consultation sent to Surrey Heath Borough Council to invite comments on the Pre-Submission Consultation of the Chobham Neighbourhood Plan 2019-2038 which is currently at Regulation 14 stage of the Neighbourhood Development Planning Regulations 2012 (as amended). Under delegated authority, I am responding formally to this consultation on behalf of the Council.

It is noted that, quite correctly, policies, and supporting text, have been drawn from policies in the emerging local plan. An example is the reliance on the revised settlement boundary for the village drawn from the Regulation draft of this emerging local plan, which is still at a relatively early stage. The policies in the emerging local plan are subject to change and this could result in discrepancies between the neighbourhood plan and the emerging local plan which should be avoided. There are references within the comments below where this is particularly important.

Please find below provides the Council's response in relation to the Pre-Submission Consultation of the Chobham Neighbourhood Plan:

The following sections provide planning related comments on each section of the Regulation 14 draft Chobham Neighbourhood Plan where required. The comments provided reflect the order of the Plan.

Chapter 1. Introduction

The Planning Policy Context

Paragraph 1.8 lists out the policy documents comprising the Development Plan for Surrey Heath Borough Council. The Development Plan also includes the adopted Surrey Minerals Plan 2011 and Surrey Waste Local Plan 2020. To note, a Minerals and Waste Local Plan review has commenced. A second 'Call for Sites' exercise ended in 2024 and a Preferred Options consultation is anticipated for June 2025. It is therefore recommended that paragraph 1.8 is amended as follows:

Adopted Development Plan:

1.8 The adopted Development Plan for Surrey Heath borough comprises the

following:

- The Core Strategy and Development Management Policies Development Plan Document 2012 and the Policies Map 2012
- The 2000 Local Plan (extant saved policies)
- Camberley Town Centre Area Action Plan (2011-2028) and Policies Map
- Saved Policy NRM6 of the South East Plan which relates to development affecting the Thames Basin Heaths Special Protection Area;
- Surrey Minerals Plan 2011
- Surrey Waste Local Plan 2020
- 'Made' neighbourhood plans in the borough

A new Local Plan for Surrey Heath

It is recommended that paragraph 1.15 is as follows:

1.15 A new Local Plan for Surrey Heath (2019-2038) is in the process of being developed. The Draft Surrey Heath Local Plan: Preferred Options (2019 - 2038) was consulted on at Regulation 18 between March and May 2022. The Local Development Scheme suggests the Regulation 19 consultation will take place in summer 2024 with adoption proposed for Autumn 2025. Once adopted, the Local Plan will replace the Core Strategy and Development Management Policies Development Plan Document 2012 and the Policies Map 2012, the 2000 Local Plan saved policies, the Camberley Town Centre Area Action Plan (2011-2028) and Policies Map. However, saved Policy NRM6 of the South East Plan 2009, which is to remain as a part of the Development Plan.

Community Engagement

Table 1 Summary of community engagement sets out the stages of producing a neighbourhood plan. It would be helpful if the table indicated the current stage of the Neighbourhood Plan at Regulation 14 consultation and differentiated with future stages of the neighbourhood plan process. It is therefore recommended that Table 1 is amended as follows:

2023 to 2025	Pre-Submission Version (Regulation 14) Plan published <u>Publish</u> Regulation 16 Plan published Examination Referendum	• SEA/HRA Screening prepared • Pre-Submission (Regulation 14) consultation • Amend Plan appropriately into Submission Version and submitted, with supporting documents to SHBC • SHBC run Regulation 16 consultation • Independent examination of Plan and finalisation for Referendum • Plan 'made' and form part of the local development plan
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Policy CHI: Location of development

Supporting text to Policy CHI provides a clear explanation of how new development is expected to come forward in the area, and provides a summary of proposals relevant to the area within the emerging new Local Plan. The Neighbourhood Plan demonstrates a good understanding of the content of the emerging new Local Plan relating to the Parish, and includes proposals for the area relating to settlement boundary amendments and housing allocations.

Policy CHI is consistent with the emerging new Local Plan regarding proposed amendments to the settlement boundary and housing allocation, and does not seek to allocate any additional development for the area beyond that included within the emerging new Local Plan.

Policy CHI seeks to build on policy requirements for the area within the Core Strategy and emerging new Local Plan, by providing additional policy requirements relating to coalescence, character and appearance, road and pedestrian safety, and biodiversity enhancements. The Policy goes beyond requirements within the Core Strategy and emerging new Local Plan by seeking to provide additional restrictions relating to backland development, requiring consideration of impacts on the character and appearance of the area to be undertaken to determine if development would be appropriate in that backland location.

Part I of Policy CHI refers to the Chobham settlement boundary, and amendments being proposed through the emerging new Local Plan. It should be noted that the new Local Plan remains in production, and proposals it contains are subject to change. It is therefore recommended that the content of the Neighbourhood Plan, particularly relating to proposals within the emerging new Local Plan, is checked and carefully considered in collaboration with the Borough Council prior to the submission of the Neighbourhood Plan to the Council for examination.

It is recommended that the word 'must' is replaced by 'should' to allow for some flexibility and interpretation of the Policy by users. It is also recommended that part h) of Policy CHI is removed as it includes unnecessary repetition of the requirements of Policies CHI4 and CHI5.

Part i) of the Policy relates to biodiversity net gain. Policy requirements associated with biodiversity are covered in Policy CHI0. It is therefore recommended that part i) of Policy CHI is removed as the Plan should be read as a whole and it therefore includes unnecessary repetition of the requirements of Policy CHI0.

The requirement for proposals to mitigate any impacts on landscape tranquillity may be challenging to assess in planning applications and implement through the decision making process. It is therefore recommended that reference to tranquillity in 2) g is explained in more detail within the supporting text, to outline how applicants and decision makers should assess and determine tranquillity.

Policy CHI should specify the version of the NPPF to which it refers to ensure the policy requirements remain clear if a new NPPF is published after the Neighbourhood Plan is 'made'. All NPPF references should refer to the most up to date version (December 2023) of the NPPF.

Policy CHI appropriately references paragraphs within the NPPF relating to development within the Green Belt, and the overall policy approach has regard to the content of the NPPF. The Policy generally conforms with emerging and adopted local planning policy, and is therefore considered appropriate as a policy to be included within the Neighbourhood Plan.

POLICY CH1: LOCATION OF DEVELOPMENT

1) Development in the neighbourhood area will be focused within the settlement boundary as defined in Figures 3 and 4, or as shown in the Surrey Heath Local Plan 2019 - 2038 once adopted.

2) Development proposals will be supported where they are in accordance with national and local policy in respect of:

- a) within the Green Belt, proposals must meet either the exceptions to inappropriate development in the Green Belt, or demonstrate very special circumstances, as set out in paragraphs 154 and 155 of the National Planning Policy Framework (2023); or**
- b) it relates to limited infilling or the partial or complete redevelopment of previously developed land so long as it meets the criteria set out in paragraphs 154 (g) of the NPPF; or**
- c) the development brings redundant or vacant agricultural/farm buildings into use or historic buildings of heritage value back into viable use consistent with their conservation; or**
- d) it relates to necessary utilities infrastructure and where no reasonable alternative location is available; or**
- e) it is on sites allocated for in the Surrey Heath Local Plan or its successor.**

Such development ~~must~~ should:

- f) not individually or cumulatively result in physical and/or visual coalescence and loss of separate identity of Chobham and its neighbouring settlements Woking, West End, Knaphill and Windlesham; and**
- g) preserve or enhance the character or appearance of the area, with consideration given to how the proposal will mitigate any impacts on the character, or visual amenity, ~~or tranquillity impact~~ on the landscape; and**
- ~~h) not, because of traffic generation and parking, adversely affect road and pedestrian safety; and~~**
- ~~i) enhance the biodiversity of the parish, in accordance with Policy CH10 (Green and blue infrastructure and delivering biodiversity net gain).~~**

3) Proposals for development of backland sites, including residential garden land, will not be supported where it would result in harm to the character and appearance of the local area.

4) In determining development proposals, substantial weight will be given to the value of using suitable brownfield land within the settlement boundary of Chobham for either homes, employment uses or other identified needs, or to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Policy CH2: Meeting local housing needs

Policy CH2 seeks to ensure that any new housing provided in the area meets local needs in relation to house size, type, and tenure. The supporting text to Policy CH2 demonstrates a good understanding of aims and content of adopted and emerging local policies and associated evidence relating to the provision of housing types and tenures in the area.

The Neighbourhood Plan has sought to add to the adopted and emerging Local Plan policies and evidence by producing more locally specific evidence for the Parish through a Local Housing Needs Assessment. The production of this Assessment included a housing survey of the local residents. The supporting text to Policy CH2 summarises the findings and recommendations of the Housing Needs Assessment undertaken. Policy CH2 requires the mix of new housing sizes, types, and tenures proposed for the area to assist in meeting housing needs as outlined within the Housing Needs Assessment. This policy requirement provides appropriate flexibility by stating that the requirement is subject to what is reasonably practical and financially viable for the development. This approach is generally consistent with national and local policy relating to housing mix in new developments.

Paragraph 4.12 of the supporting text refers to the 2020 Surrey Heath Housing Needs Assessment. This has been superseded by the 2024 Surrey Heath Local Housing Needs Assessment which identifies a new housing mix for the Borough. It is therefore recommended that the Neighbourhood Plan refers to the 2024 Assessment and its findings.

Paragraph 4.22 of the supporting text refers to affordable rent and part 3 of Policy CH2 refers to social rent. It is therefore recommended that the Neighbourhood Plan is consistent in referencing housing types to avoid any potential confusion.

Parts 2 and 3 of Policy CH2 are more prescriptive, listing a preferred mix to be used within new developments in the area and a preferred split between social rented and intermediate housing. It is generally accepted that the conclusions of a housing needs assessment should only be used as a guide to inform development proposals, as there will often be site specific challenges and limitations which may not allow a prescribed mix to be achievable. To allow for this flexibility, policies usually require development proposals to take account of recommendations within housing needs assessments rather than setting out specific quantities within the policy text. As an example, this is the approach taken within the emerging draft Local Plan Policy H5, where new development proposals would be permitted where they 'reflect the housing need, set out in the Housing Needs Assessment (2020) or any subsequent update'.

It is therefore recommended that the Neighbourhood Plan Steering Group should remove parts 2 and 3 of Policy CH2, as these requirements are considered to be too prescriptive. Part 1 of the Policy requires development proposals to assist in meeting needs identified within the Housing Needs Assessment, and this requirement is sufficient to encourage new development to meet identified local housing needs. Policy CH2 could be improved by adding a requirement for development proposals which do not provide the preferred housing mix for the area as presented within the Housing Needs Assessment, to clearly demonstrate why the preferred housing mix has not been provided. This will assist the Parish Council to determine if an alternative mix would be acceptable when reviewing development proposals.

Part 4 seeks to increase the minimum discount being applied to first homes from 30% as presented within the emerging draft Local Plan, to 50%. While this goes beyond the minimum outlined within the draft Local Plan, the supporting text to Policy CH2 outlines the reasons why an alternative approach should be taken within Chobham Parish. We note the setting of a local approach in neighbourhood plans is supported in the Planning Practice Guidance. The Policy text within this section is however ambiguous and would benefit from the use of more clear requirements. The term 'particularly supported' is unclear, as proposals within planning are either supported or not. It is recommended that part 4 is amended to state that 'where appropriate and subject to viability, first homes proposals in the area should be sold at a minimum discount of 50% below their full market value'. Where this would not be possible, national and local policy would apply to ensure the minimum 30% discount, this therefore does not need to be stated within the Policy. Part 4 refers to the prioritisation of affordable housing to those with a local connection to Chobham Parish and key workers. It is recommended that further information is provided within either the supporting text or the glossary to outline in further detail what a local connection means. For example, if this relates to family connections or employment connections, and if both which should be prioritised where competing applications for local connections are made.

Part 5 refers to the HAPPI principles. To assist users of the Policy, it is recommended that paragraph 4.25 in the supporting text provides further detail and explanation on the HAPPI principles. In summary, the following amendments are recommended to Policy CH2.

POLICY CH2: MEETING LOCAL HOUSING NEEDS

1) Other than in development designed to meet an identified specialist housing need, the mix of housing sizes, types, tenures, and affordability in proposed development should, in so far as is reasonably practicable and subject to viability, assist in meeting needs identified in the most recently available Chobham Local Housing Needs Assessment.

~~2) Proposals which provide a mix of dwelling sizes based on the following distributions across the site, to address the needs of single people, young couples, smaller families and those wishing to downsize will be supported:~~

- ~~• Market: 1-bed (10-15%); 2-bed (25-30%); 3-bed (35-40%); 4+bed (15-20%)~~**
- ~~• Affordable intermediate: 1-bed (10-15%); 2-bed (45-50%); 3-bed (30-35%); 4+bed (10-15%)~~**
- ~~• Affordable rented: 1-bed (30-35%); 2-bed (25-30%); 3-bed (30-35%); 4+bed (10-15%)~~**
- ~~• All dwellings: 1-bed (15-25%); 2-bed (25-30%); 3-bed (30-35%); 4+bed (15-20%)~~**

~~3) Proposals will be supported that deliver an appropriate mix of affordable housing, based on a 30:70 split between social rent and affordable housing for sale (intermediate housing)~~

4) At least 25% of the affordable housing units must be delivered as First Homes. Proposals that enable an uplift of up to 50% to the discounts provided on the First Homes element of the development to assist single occupants on median and lower quartile income, will be particularly supported. Where such an uplift is demonstrated to be unviable, proposals should provide at least a 30% discount. Where appropriate and subject to viability, first homes proposals in the area should be sold at a minimum discount of 50% below their full market value. Such proposals for affordable housing should seek to prioritise those with a local connection to Chobham parish (see Glossary) and key workers.

5) Residential development that could reasonably be expected to meet the needs of older people (by virtue of its size and location) should demonstrate how it has reflected the Housing our Ageing Population Panel for Innovation (HAPPI) principles.

6) Subject to the other policies of this plan, proposals for self- and custom build housing will be supported.

Chapter 5. CHARACTER, HERITAGE, AND DESIGN

Policy CH3: Character and Design of development

Policy CH3 seeks to achieve high quality design and to ensure that new development is in keeping with local character and the historic environment. The supporting text to Policy CH3 demonstrates a good understanding of the local character of the area.

Policy CH3 seeks to build on policy requirements for the area within the Core Strategy and emerging new Local Plan, by providing additional policy requirements relating to locally specific character areas and local streets. The Neighbourhood Plan has sought to add to the adopted and emerging Local Plan policies and evidence by producing more locally specific evidence for the Parish through the Design Guidance and Codes for Chobham. Supporting text to Policy CH3 describes four local Character Areas identified in the Design Guidance and Codes for Chobham. It is considered that the proposed character areas are positive and logical.

Policies should be clear and unambiguous. As presented, part I of the Policy is hard to read and understand. It is therefore recommended that part I is presented as a list of criteria for clarity.

Part b of Policy CH3 refers to the reduction/consolidation of road signs and other street furniture. This policy requirement goes beyond the purpose of the Neighbourhood Plan. It is therefore suggested that it is moved into the supporting text to Policy CH3, potentially as an action to be discussed with the Surrey County Council as the Highway Authority.

The Plan should be read as whole, and there is therefore no need to repeat similar policy requirements within multiple policies. Part d of the Policy relates to the use of sustainable transport and parking. Policy requirements associated with sustainable transport and parking are presented respectively within Policies CH14 and CH15. It is therefore recommended that part d of Policy CH3 is removed, as it includes unnecessary repetition of the requirements of Policies CH14 and CH15.

Part e of the Policy relates to local views. Policy requirements associated with development proposals affecting local views are presented within Policy CH12. It is therefore recommended that part e of Policy CH3 is removed, as it includes unnecessary repetition of the requirements of Policy CH12.

Part f of the Policy relates to Conservation Areas and other heritage assets. Policy requirements associated with development proposals affecting Chobham Conservation Area and heritage assets are presented within Policy CH6. It is therefore recommended that part f of Policy CH7 is removed, as it includes unnecessary repetition of the requirements of Policy CH6.

References to other Neighbourhood Plan policies in Policy CH3 are incorrect. Part d refers to sustainable transport and Policy CH11. Sustainable transport is covered in Policy CH14. It is therefore recommended that part d refers to Policy CH14.

In summary, the following amendments are recommended to Policy CH3:

POLICY CH3: CHARACTER OF DEVELOPMENT

1) Development proposals should conserve and, where practicable, enhance the character of the Conservation Area or Character Area in which it is located (as shown on Figures 7 and 8, described in the Chobham Design Guidance and Codes, Appendix B).

2) Development proposals should incorporate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents and minimises the impact on the designated natural environmental attributes of the parish. The scale, character, and siting of the proposal should:

a) respect the landscape and its features, valued views into and out of the settlement, the local streetscape and heritage assets: and

b) reflect the architectural variety found locally, using materials that are in keeping with those used in existing buildings in the immediate locality.

Innovation in design will be supported where this demonstrably enhances the quality of the built form in a local character area.

3) Development proposals should demonstrate how they have sought to address the following matters as they are appropriate to their scale, nature and location:

c) the Chobham Design Guidance and Codes, the Surrey Heath Residential Design Guide, the Surrey Landscape Character Assessment (Surrey Heath Borough) and the Chobham Conservation Area Character Appraisal; and

d) make a positive contribution to the visual appearance of the main approaches into Chobham village (Bagshot Road, Station Road, Windsor Road, Chertsey Road, Windlesham Road and Castle Grove Road).

Improvements and enhancements should include, where appropriate, additional tree planting, the enhancement of roadside green spaces (for instance through planting), the reduction/consolidation of road signs and other street furniture and wider green infrastructure improvements that are identified as being necessary; and

e) incorporate soft landscaping and other boundary treatments including the retention and enhancement of established trees and hedgerows, or the replacement of these if not possible; and

f) promote the use of sustainable transport, in accordance with Policy CH11 CH14, and provide adequate vehicular access and space for cycle parking and vehicular off-road parking for residents, visitors and service vehicles, in accordance with the adopted Surrey Parking Guidance, or any more recently adopted standards; and

e) not have a significant detrimental impact on the local views as set out in Policy CH9 (Protection of locally significant views); and

f) they respect and protect the buildings and environment of the Conservation Area, listed buildings and the other heritage assets (including non-designated locally listed assets) of the parish, and

f) there is no unacceptable loss of amenity for neighbouring uses through the loss of privacy, loss of light or visual intrusion on the views and surroundings that create the backdrop to an area; and

4) Where development sites abut open countryside, development on the rural boundary edge should mitigate any detrimental visual impacts on the countryside. This should be achieved through the siting of lower density development at the rural boundary of the site in order to provide a gradual transition from the built form to open countryside, or by other means such as through a layout that clearly minimises the visual impact of any larger buildings on both the open countryside and existing village-scape.

Policy CH4: Energy efficiency and design

Policy CH4 seeks to ensure that new housing incorporates sustainable design features appropriate to their scale, nature and location, and design and environmental performance measures and standards. Supporting text to the Policy highlights relevant outputs from the Community Survey regarding sustainable design features in new development.

Policy CH4 seeks to build on policy requirements for the area within the Core Strategy and emerging new Local Plan, by providing additional policy requirements relating to achieving higher design and environmental performance measures and standards. It is noted that parts f and g go beyond the policy requirements in the Core Strategy and emerging new Local Plan. While parts f and g do not contradict strategic local planning policy, they may be challenging for the Borough Council to implement for new development to deliver.

The requirement within part h of Policy CH4 for development to avoid or mitigate all regulated emissions may not be viable for all scales and types of development. It is therefore recommended that a reference to the viability of development is added to part 2 to ensure that the policy requirements are achievable for new development. This could include the following additional text: 'Proposals should seek to incorporate the following sustainable design features as appropriate to their scale, nature and location, where financially viable, practicable, and where measures will not have a detrimental impact on character, landscape and views'.

Policy CH5: Minimising the risk of flooding

Supporting text to the Policy provides a clear summary of flood risk and surface water flooding in the area and relevant infrastructure upgrades. The supporting text also provides examples of sustainable drainage systems for new development in the area. However, the naming of flood and surface water problem areas by road name or vicinity is not considered to be appropriate and it may be better to keep more general knowledge of the sources, experiences and risks.

Policy CH5 seeks to build on policy requirements for the area within the Core Strategy and emerging new Local Plan, by including policy requirements relating to surface water flooding and the sewerage system. Planning policies should be positively worded. As currently written, part 2 of Policy CH5 is negatively worded. It is therefore recommended that part 2 is rewritten positively as follows: '2. *Where necessary, proposals should be accompanied by appropriate mitigation and improvements to wastewater infrastructure in the area*'.

It is recommended that the following text is included in Part 1 of Policy CH5 to provide appropriate flexibility for development proposals where surface water disposal options are not available: 'Where surface water disposal options are available'.

POLICY CH5: MINIMISING THE RISK OF FLOODING

1) The net increase in wastewater generation and the impact on the local sewerage and drainage network must be carefully considered in any new development proposal. Where surface water disposal options are available, development will be supported where it is demonstrated that its surface water drainage will not add to existing site runoff, enter any foul-combined sewer network, or cause any adverse impact to neighbouring properties and the surrounding environment.

2) Where necessary, proposals should be accompanied by appropriate mitigation and improvements to wastewater infrastructure in the area.
~~Planning proposals will not be supported unless there is sufficient capacity in the local sewerage system and that any new connections will not increase the risk of system back up/flooding or cause any adverse impact to the neighbourhood area environment.~~

3) All development proposals are encouraged to incorporate Sustainable Drainage Systems (SuDS), as set out in the Chobham Design Guidance and Codes, with run-off rates no greater than greenfield sites. Design should be tailored to the underlying landscape character of the parish and, where possible, contribute towards the landscaping and biodiversity of the development and with provision made for future maintenance. The hierarchy of discharge option preference is:

- a) Soakaway or other infiltration system;**
- b) Discharge into a watercourse;**
- c) Discharge to surface water sewer;**
- d) Discharge to combined sewer.**

4) Proposals which allow surface water drainage into any combined sewer system will not be supported unless the developer can robustly demonstrate that the proposal is unable to make provision for surface water drainage to ground, watercourses or surface water sewers.

Policy CH6: Conserving heritage assets

Policy CH6 seeks to protect and enhance the historic environment, supporting development proposals that will ensure Chobham retains its local character and distinctiveness by conserving and contributing to heritage assets. The policy approach and policy wording used within Policy CH6 is generally consistent with the adopted Core Strategy and emerging Local Plan.

The policy approach should have regard to the content of the NPPF. NPPF paragraph 212 refers to preserving the elements of a heritage asset's setting that make a positive contribution to the asset. The policy requirement in Part 1 of the Policy recommends development proposals should conserve and enhance the significance of heritage assets and their setting. Not all development proposals will be capable of enhancing affected heritage assets. It is therefore recommended that part 1 is reworded to state instead 'preserve or enhance'.

Part 2 seeks to ensure that development proposals demonstrate they have taken into account the potential impacts on above and below ground archaeological deposits, and this requirement is sufficient in encouraging new development to consider archaeological deposits. Policies should only include policy criteria helpful to decision makers in assessing planning applications, and some of the text within Policy CH6 is not necessary for this purpose. It is therefore recommended that the following text is moved from part 2 into the supporting text for Policy CH6: *'to ensure that evidence which could contribute to the understanding of human activity and past environments is not lost'*.

Part 2 requires all development proposals to take into account the potential for archaeological deposits, however Core Strategy Policy DM17 and emerging new Local Plan Policy DH7 only require a desk-based assessment for development sites within Areas of High Archaeological Potential or County Sites of Archaeological Importance or major development sites of 0.4ha or greater. It is therefore recommended that part 2 of Policy CH6 is reviewed to ensure consistency with the policy requirements of Core Strategy Policy DM17 and emerging new Local Plan Policy DH7.

The repetition of Local Plan policies within a Neighbourhood Plan should be discouraged. Policy requirements in Policy CH6 repeat policy requirements in emerging Local Plan Policy DH7: Heritage Assets, and could therefore be removed to reduce the length of the Policy. It is therefore recommended that repetition between the two Policies relating to archaeological remains, heritage assets at risk and development in Conservation Areas is removed.

In summary, the following amendments are recommended to Policy CH6:

POLICY CH6: CONSERVING HERITAGE ASSETS

1) Development proposals affecting designated heritage assets either directly or indirectly, should preserve or ~~conserve~~ and enhance the significance of the asset and those elements of the setting that contribute to the significance. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with particular regard given to the prevailing styles of design and use of materials in a local area. Proposals affecting non designated heritage assets will be assessed having regard to the scale of any harm or loss against the significance of the heritage asset.

~~2) Development proposals should demonstrate that they have taken into account the potential impact on above and below ground archaeological deposits to ensure that evidence which could contribute to the understanding of human activity and past environments is not lost. Where a scheme has a potential impact on archaeological remains (below or above ground) a Heritage Statement or similar should be prepared in support of planning applications.~~

~~3) A proactive stance will be taken to any heritage assets that may be at risk. This will include working with property owners to find a use that will enable them to be put back into optimum viable use consistent with their conservation.~~

~~4) Particular care should be taken in the Conservation Area to ensure that alterations and new buildings contribute to the enhancement of the historic environment, in accordance with the guidance set out in the Chobham Conservation Area Appraisal and the Chobham Design Guidance and Codes.~~

Chapter 6. THE VILLAGE CENTRE AND WIDER ECONOMY IN CHOBHAM

Policy CH7: Chobham Village Centre

Policy CH7 seeks to maintain and improve the village centre, supporting development proposals that will help to ensure the centre remains vibrant, attractive, safe and accessible. The Neighbourhood Plan is supportive of the Neighbourhood Parade designation applied to retail premises on Chertsey Road within the emerging new Local Plan, and Policy CH7 includes requirements which seek to maintain and encourage village centre uses in the area, protect existing retail premises, encourage temporary uses in vacant premises, and re-use historic buildings.

The requirement within part 2 of Policy CH7 for evidence of marketing to be provided to demonstrate that an existing use may not be viable within its current location is an approach which is consistent with the emerging draft Local Plan, and an approach commonly used within local plan and neighbourhood plan policies. Policy CH7 states that a 'full viability report' should be included within proposals relating to the loss of an existing retail premises. Further information should be provided in the supporting text to Policy CH7 on the 'full viability report' to assist future applicants and decision makers in understanding the requirements of the Policy. It is therefore recommended that the supporting text outlines what should be included within a 'full viability report'.

Part 3 of the Policy refers to change of use covered by permitted development. It is therefore recommended that part 3 refers to permitted development rights for clarity.

Part 4 of the Policy relates to the re-use of historic buildings to support the vitality and viability of the village centre. The Plan should be read as a whole, and there is therefore no need to repeat similar policy requirements within multiple policies. Policy requirements associated with development proposals affecting heritage assets are presented within Policy CH6. It is therefore recommended that part 4 of Policy CH7 is removed, as it includes unnecessary repetition of the requirements of Policy CH6.

Policy CH8: Strategic and Locally Important Employment Sites

Policy CH8 seeks to protect and enhance employment uses in the Parish, through the allocation of 3 existing sites as strategic and locally important employment sites. The allocated sites, policy approach, and policy wording used within Policy CH8 is consistent with the emerging new Local Plan Policies ER2 and ER3.

While the repetition of Local Plan policies within a Neighbourhood Plan should be discouraged, it is acknowledged that it is possible that the Neighbourhood Plan may come forward ahead of the emerging Neighbourhood Plan, and this is a locally specific policy which would not be sufficiently addressed through national planning policy. In this instance it is therefore accepted that there is likely to be some repetition between emerging new Local Plan policies and the Neighbourhood Plan policies. In addition, it should be noted that the new Local Plan remains in production, and proposals it contains are subject to change. It is therefore recommended that the content of the Neighbourhood Plan, particularly relating to proposals within the emerging new Local Plan, is checked and carefully considered in collaboration with the Borough Council prior to the submission of the Neighbourhood Plan to the Council for consultation and examination.

Policy CH8 conforms with emerging and adopted local planning policy, and is therefore considered appropriate as a policy to be included within the Neighbourhood Plan.

Policy CH9: Supporting flexible workspaces and opportunities for homeworking

Policy CH9 seeks to support and encourage opportunities for homeworking in the area. The Policy is addressing an issue which has had increased importance since working habits have changed following the Covid-19 pandemic. Policy CH9 conforms with emerging and adopted local planning policy.

The support for homeworking in part 1) b of Policy CH9 is acknowledged. It is noted however that any extensions and garden offices may have an impact on the Green Belt. It is therefore recommended that part 1) b makes reference to compliance with national Green Belt policy, by stating 'enabling extensions and garden offices to facilitate homeworking in compliance with Green Belt policy where relevant'.

Chapter 7. ENVIRONMENT AND GREEN SPACE

Policy CH10: Green and blue infrastructure and delivering biodiversity net gain

Policy CH10 seeks to maintain and enhance the natural environment, and deliver biodiversity net gain, supporting development proposals to protect the rural character and environmental assets of Chobham. Supporting text to Policy CH10 demonstrates a clear understanding of designated features in Chobham, and sets out important undesignated natural features valued by the local community.

Policy CH10 requires a minimum 20% biodiversity net gain from new development, in accordance with emerging Local Plan Policy E3: Biodiversity Net Gain. While the repetition of Local Plan policies within a Neighbourhood Plan should be discouraged, it is acknowledged that it is possible that the Neighbourhood Plan may come forward ahead of the emerging Neighbourhood Plan. In this instance it is therefore accepted that there is likely to be some repetition between emerging new Local Plan policies and the Neighbourhood Plan policies.

Policies should be unambiguous and positively worded. Part 2a) requires that there be no unacceptable loss or damage to existing trees or woodland from new development. It is unclear what would be considered unacceptable, and where relevant to trees that are not part of ancient woodland or preservation orders, the Policy requirement could be difficult to manage and deliver in practice. NPPF paragraph 186 c) only supports the loss of ancient woodland and ancient or veteran trees if there are 'wholly exceptional reasons'. To improve clarity for users of the Policy and to have regard to the NPPF, it is therefore recommended that part 2a) is rewritten as follows: 'a) Where possible, development proposals should seek to retain and avoid damage to existing trees. Ancient woodland and ancient or veteran trees must not be lost or deteriorated unless there are wholly exceptional reasons and a suitable compensation strategy exists.'

Policy CH10 refers to Biodiversity Opportunity Areas (BOA), which are also referenced in supporting text paragraph 7.16. However, it is unclear what specific sites the BOA refers to. The Neighbourhood Plan should be capable of being read and understood as a standalone document, and should therefore contain

sufficient background information to support users' understanding of the Policy. Supporting text should provide clear background information and evidence, and policies should signpost to relevant sections of the Neighbourhood Plan when necessary. It is therefore recommended that supporting text to Policy CH10 should clearly explain what Biodiversity Opportunity Areas are and where they are located, and part 4 of Policy CH10 should signpost to the relevant section on BOAs in the supporting text (these are the Bourne River corridor and Chobham South Heaths – they should be added to Figure 16).

Surrey County Council is producing a Local Nature Recovery Strategy (LNRS). The Biodiversity Opportunity Areas Policy Statements, as published by Surrey Nature Partnership, are anticipated to be superseded by content in the LNRS. It is therefore suggested that Part 4 is reworded to refer to the emerging LNRS.

To strengthen Policy CH10, it is recommended that part d refers to the justified removal of hedgerows as follows: Development that would result in the loss of, or the deterioration in the quality of, hedgerows will not be supported with the exception of the *justified* removal for vehicular access.

The Council is preparing a suite of evidence to justify the emerging Local Plan requirement of 20% biodiversity net gain. It should be noted that if the Chobham Neighbourhood Plan is examined ahead of the adoption of the emerging Local Plan, then more evidence may be required to justify the 20% BNG requirement in Policy CH10. In part 3, clarification on how “a measurable environmental net gain” can be measured and what factors would need to be taken into consideration in such an assessment would be required.

In summary, the following amendments are recommended to Policy CH10:

POLICY CH10: GREEN AND BLUE INFRASTRUCTURE AND DELIVERING BIODIVERSITY NET GAIN

1) Development proposals should maintain or enhance the natural environment, landscape features and the rural character and setting of the neighbourhood area. Where possible, development proposals should seek to incorporate natural features typical of the parish, for instance ponds and streams, wildflower verges, trees and woodland and hedgerows.

2) As appropriate to their scale, nature and location, development proposals should demonstrate that they have addressed the following matters:

Trees and woodland:

a) Where possible, development proposals should seek to retain and avoid damage to existing trees. Ancient woodland and ancient or veteran trees must not be lost or deteriorated unless there are wholly exceptional reasons and a suitable compensation strategy exists. There is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development. Ancient woodland and ancient or veteran trees must not be removed except in exceptional circumstances and in that case, they should be replaced with trees of a similar potential size and native species elsewhere on the site, unless this is clearly not possible.

b) Where trees and/or shrubs are replaced with new plantings, native or locally appropriate varieties attractive to insects, birds and other wildlife must be used.

c) The planting of additional native species trees and/ or continuous hedgerows to provide wildlife corridors and to offset the effects of air pollution and to provide cooling and shelter for people as well as a habitat for wildlife will be supported.

Hedgerows

d) Development that would result in the loss of, or the deterioration in the quality of, hedgerows will not be supported with the exception of the justified removal for vehicular access; in this case, the access should include trees at either end of the retained hedgerow to aid wildlife to cross overhead from crown to crown.

Fauna:

e) The provision of hedgehog holes in new residential fencing will be supported.

f) Development proposals which provide bird and bat nesting boxes will be supported.

g) The provision of a communal pond and wildlife friendly communal 'green spaces' within new major developments will be supported.

3) Proposals should be designed to create, conserve, enhance and manage green spaces and connect chains of green infrastructure, where relevant linking up to the natural green spaces and river corridors as identified on Figure 16, with the aim of delivering a measurable net environmental benefit (where net gain involves a post development increase in biodiversity units of a minimum of 20%) for local people and wildlife.

4) Proposals that seek to improve the connectivity between wildlife areas and green spaces will be encouraged to enhance the green infrastructure of the Neighbourhood area. Proposals that support the enhancement and management of the identified areas in the LNRS or the identified Biodiversity Opportunity areas will be supported. Conversely, proposals which threaten to damage such connectivity will be strongly resisted.

Policy CH11: Local Green Spaces

Policy CH11 designates 15 Local Green Spaces in the area in accordance with national policy. Appendix D demonstrates that the sites have been assessed against the NPPF requirements in paragraph 106. The Local Green Spaces are clearly mapped in Figure 19.

The Local Green Spaces identified within Policy CH11 include five sites identified as Green Spaces in the emerging Local Plan and 14 sites which will remain in the Green Belt following the adoption of Green Belt boundary amendments proposed in the emerging Local Plan. The Green Belt can afford the same level of protection as the Local Green Space designation and accordingly the policy is not therefore essential for the protection of 14 of the 15 identified sites. It is therefore recommended that Policy CH11 is reconsidered to take into account that where Local Plan Green Belt policy applies, the designation of a Local Green Space is not necessary.

Policy CH11 refers to national planning policy for Green Belt. The Plan should not unnecessarily repeat national policy. It is therefore suggested that the reference to national policy is removed from Policy CH11, this could instead be referenced within supporting text if considered necessary.

The Neighbourhood Plan should refer to the December 2023 version of the NPPF throughout the Plan. One example where the previous version of the NPPF is referenced is in supporting text paragraph 7.32. It is therefore recommended that paragraph 7.32 refers to paragraph 106 of the December 2023 NPPF, instead of paragraph 102. It is also recommended that all references to the NPPF are checked to ensure they are up to date.

Policy CH12: Locally significant views

Policy CH12 seeks to protect eight locally significant views identified through community engagement and the Chobham Conservation Area Character Appraisal. Appendix E provides a description, photos and details of the significance of the identified views. The locally significant views are mapped in Figures 20 and 21.

The Neighbourhood Plan has sought to add locally specific protection beyond the adopted and emerging Local Plan policies by identifying locally significant views. The Policy generally conforms with emerging and adopted local planning policy, and is therefore considered appropriate as a policy to be included within the Neighbourhood Plan.

As written, the Policy does not explicitly state that development proposals are required to demonstrate that the locally significant views have been taken into account. To strengthen Policy CH12 and to help decision makers in assessing future planning applications, it is therefore recommended that Policy CH12 is rephrased to require that development proposals should demonstrate how they are designed to take into consideration the importance of locally significant views.

Policy CH13: Dark skies

Policy CH13 seeks to regulate and limit light pollution from new development. Supporting text to the Policy set outs the impact of light pollution on the natural and built environment. The Policy refers to guidance produced by the Institution of Lighting Professionals Guidance Note GN01 for detailed policy requirements. The Neighbourhood Plan has sought to add locally specific protection beyond the adopted and emerging Local Plan policies. The Policy generally conforms with emerging and adopted local planning policy, and is therefore considered appropriate as a policy to be included within the Neighbourhood Plan.

Policies should be clear and unambiguous. As presented, the Policy is hard to read and understand. It is therefore recommended that the policy requirements in Policy CH13 are more clearly presented to assist decision makers in assessing planning applications.

In summary, the following amendments are recommended to Policy CH13:

POLICY CH13: DARK SKIES

1 Proposals for development will be supported where it is demonstrated that, if external lighting is required, it protects the night sky from light pollution, where:

- a) the lighting is necessary for operational, safety or security reasons;**
- b) any light spillage beyond the application site is eliminated, or reduced by measures such as timing and proximity controls, orientation, screening, shielding or glazing;**
- c) impact on nearby residential properties, wildlife, local heritage assets or the wider landscape is minimised; and**

2 Proposals should adhere to the guidance on lighting provided in the Institution of Lighting Professionals (ILP) Guidance Note GN01: The Reduction of Obtrusive Light (and any subsequent revisions) and should consider carefully, and provide details of:

- d) the light source and intensity being used;**
- e) the luminaire design, height, and angle, adding baffles and cut-off shields where required;**
- f) details of control mechanisms to dim or switch off lighting schemes when not required.**

3 Where appropriate, lights should be controlled by passive infrared detectors

Chapter 8. TRANSPORT AND MOVEMENT

Policy CH14: Improving walking, cycling and equestrian opportunities

Policy CH14 seeks to enhance walking, cycling and equestrian opportunities along routes which are most likely to encourage a shift away from the private car, particularly for short journeys in and around Chobham.

The term 'particularly supported' is unclear, as proposals within planning are either supported or not. It is recommended that part 2 of Policy 14 is amended to remove the word 'strongly'. Aside from this minor amendment, Policy CH14 conforms with emerging and adopted local planning policy, and is considered appropriate as a policy to be included within the Neighbourhood Plan.

The Surrey Heath Local Cycling and Walking Infrastructure Plan was endorsed by the Borough Council in March 2024 and the Parish may wish to consider referencing this in more detail including for example the identification of Chobham village as a priority core walking zone.

Policy CH15: New residential development parking space standards and design

Policy CH15 seeks to ensure that adequate off-road parking is provided within new residential developments, with appropriate dimensions suitable for modern vehicles. The supporting text provides helpful background information on existing guidance produced by Surrey County Council and recent alternative guidance included within the made Windlesham Parish Neighbourhood Plan.

The supporting text presents justification for the parking standards proposed within the Policy, and the approach generally to proposing alternative standards. While it is acknowledged that alternative standards have been included within the Windlesham Neighbourhood Plan, the Borough Council are concerned that alternative standards may not be appropriate for the area and could be difficult for decision makers to implement. It is therefore the Borough Council's preference that the Neighbourhood Plan reflects the parking standards in Surrey County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development (2021), rather than seeking to develop alternative standards for the local area. It is recommended that this approach is further reviewed with the County Council as the Highways Authority and authors of the 2021 County wide parking standards. If setting local standards, the Parish Council will need to ensure that they have taken into account the factors in paragraph 107 of the NPPF 2023 into account.

Chapter 9. COMMUNITY FACILITIES

Policy CH16: Providing a range of community facilities

Policy CH16 seeks to protect and enhance the provision of community facilities within the Parish. Part 1 of the Policy outlines support for new community facilities. Policy requirements 1a-d are included to manage any impacts of proposals on the Green Belt, residential amenity, the road network, and heritage assets. The Plan should be read as a whole, and these requirements do unnecessarily repeat requirements from other policies in the Plan. It is therefore recommended that requirement 1a-d could be removed from the Policy text.

Part 3 of Policy CH16 requires proposals that result in the loss of a facility to demonstrate there is no longer a need for such a facility. To assist future applicants and decision makers, it is recommended that the supporting text clearly outlines how proposals should evidence that there is no longer a need for such a facility.

I draw your attention to the concerns raised by emails sent to the Council relating to the accessibility of the pre-submission consultation plan by all users and the accessibility of contact details for all respondents. We are raising accessibility concerns at this stage because at the next (Regulation 16) stage the document will need to be fully accessible to be published on this Council's web-site to ensure we are meeting the requirements of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. This Council would need to take forward consultations at future stages and there is some concern that access may not be possible with respondents who have provided anonymous representations or whereby you are unable to pass on contact details. For those respondents, this Council would be unable to notify them at the Regulation 16 stage.

The Council would request that the comments provided are taken into consideration upon the review of this Plan.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alan Ashbery', with a stylized flourish at the end.

Cllr Alan Ashbery

Homes, Planning and Enforcement Portfolio Holder

