

TOWN CENTRE MASTERPLAN

Executive Summary

On 2 February 2023 the Executive received a report that set out the outcome of the statutory consultation on the draft Masterplan, highlighting over 5,000 people visiting the consultation website and over 850 formal consultation responses from almost 450 individuals and organisations, including developers with interests in the town centre. The approach to guiding future development in the town centre has been welcomed by many, and the work carried out to date in terms of overarching principles of the townscape strategy is being used by Officers in their discussions with developers on emerging schemes within the town centre, and as evidence to inform the current review of the Core Strategy.

The report advised that the Masterplan, as drafted, would need to be reviewed and elements of it reconsidered in the light of the Crown Place appeal decision, and a potential legal challenge in relation to some of the detail within the plan, including the site specific guidance. Officers have now reviewed how this work may be taken forward, making effective use of the valuable consultation feedback and have presented 3 clear options within this paper. The first option brings forward the Masterplan as Supplementary Planning Document (SPD). The second outlines undertaking further studies and evidence based work to bring forward the Masterplan as a Development Plan Document (DPD), which as a policy document, would form part of the Local Plan. And finally, incorporating the work within the new Local Plan, which the Council will be required to provide following the end of the current plan period (2027), which would be supported by a Borough-wide design code. In working towards a new Local Plan, the Council would build on the work carried out to date to adopt, in the shorter term, a Town Masterplan to set out a clear statement of the Council's aspirations and vision for the Town Centre.

Whilst there are benefits with each option, there are also challenges which are highlighted in the report. For reasons set out below, the approach recommended by Officers is the third option, to take forward the work as part of the new Local Plan.

Recommendations

The Executive is requested to:

RESOLVE That

the Masterplan work, including a townscape strategy and design code, be taken forward as part of the new Local Plan.

Reasons for Decision

Reason: This is the preferred option to bring forward robust town centre policies, alongside detailed design code to guide development over the next plan period (15 years).

The Executive has the authority to determine the recommendation(s) set out above.

Background Papers: [Report to the Executive 2 February 2023](#)

Reporting Person: Beverley Kuchar, Acting Strategic Director - Place
Email: beverley.kuchar@woking.gov.uk, Extn: 3473

Contact Person: Beverley Kuchar, Acting Strategic Director - Place
Email: beverley.kuchar@woking.gov.uk, Extn: 3473

Portfolio Holder: Councillor Liam Lyons
Email: cllrliam.lyons@woking.gov.uk

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1.0 Introduction

- 1.1 In the report to the Executive at its meeting on 2 February 2023 on the outcome of consultation on the Masterplan (attached at Appendix 1), Officers committed to bringing a report back to the Executive to set out options for taking the Masterplan work forward and to provide a clear recommendation to Members on the next steps.
- 1.2 This report sets out those options, outlines the merits and challenges of each, and recommends the preferred option to take forward. The report also notes that, whilst the Masterplan has not been adopted, the townscape work in particular continues to be used in discussions on emerging schemes within the town centre.

2.0 Options for taking the Masterplan work forward

- 2.1 It is clear from the reasons set out in the report to the Executive in February that the Masterplan in its current form cannot be adopted as a Supplementary Planning Document (SPD). However, this does not mean that the work cannot be progressed and consideration below is given to 3 options, plus some additional commentary on how the work to date is being, has been and continues to be used by Officers in their discussions with developers. Each of the options do have benefits, but there are also challenges, which the report will outline.
- 2.2 The first option is to address the concerns with the SPD, by removing all information that contains policy identifying development and use of land which the authority wishes to encourage, making site allocations or site allocation policies or setting development management to guide application decisions which all goes beyond that which is set out in the regulations, (Part 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012). In addition, amendments are needed to address the breaches of the requirement in regulation 8(3) so that it does not conflict with current adopted development plan. On a practical level Officers feel that the draft Masterplan document cannot easily be saved by a re-draft. To be clear, this would involve the removal of all the site specific guidance (the appendix in its entirety), and specific references to height in specific locations. Whilst guidance could be provided to advise how tall, or contextually tall buildings may be considered, and indicate in which areas such buildings may be appropriate, the document would not be able to set policy statements about the maximum heights which is what the document was seeking to achieve. Furthermore, there would have to be a review of the 'bell curve' to respond to the Crown Place appeal decision.
- 2.3 The benefits of this option would be that an amended guidance document could be produced in the shorter term (within the next 12 months), but it would exclude much of the detail that was supported in the public consultation. Such a document would be time limited as the government has recently consulted on phasing out SPDs, and the weight given to guidance, as noted from the Crown Place appeal decision, is also limited. An 'SPD' which is promoted as a "stop gap" in the absence of saved policies, by definition cannot be supplementary (and is itself a primary policy assuming DPD status). Finally, there would also be additional short term budget pressures to deliver this work. In the light of the above, Officers advise against pursuing this option.
- 2.4 The second option would be to use the work and valuable data obtained to date to bring forward a Development Plan Document (DPD), and updating it to take into account the Crown Place appeal. The benefit of this approach would be that much of the current document could be carried forward, and site specific guidance could be provided. It would provide a clear statement of policy and would therefore be a more robust document, and given much greater weight in the determination of planning applications. The focus of this work on townscape and tall buildings strategy.

- 2.5 However, significant additional evidence would be needed to support this. This would include (but not be limited to) viability, sustainability appraisal, Townscape and Visual impact assessments. As a statutory Local Development Plan Document, the process would include 3 statutory consultations and submission to the Planning Inspectorate for an Examination in Public, all of which mean that this would require a longer period of time to bring to adoption, and would only come forward in the medium term, (within 2-3 years). There would also be significant additional budget pressure to take this option forward.
- 2.6 The third option would be to bring forward townscape policies as part of a new Local Plan, which the Council is already statutorily obliged to bring forward following the end of the current plan period in 2027. The plan could include a comprehensive design element, including townscape guidance and tall buildings strategy. This would be supported by bringing forward a Borough-wide design code (a National Planning Policy Framework requirement) which would consider heights across the Borough, not just the town centre, and would provide a clear position on where tall, or contextually tall buildings, would be appropriate. Unlike an SPD, this document may contain policy identifying development and use of land which the Council wishes to encourage, making site allocations or site allocation policies or setting development management to guide application decisions. Given the ongoing need to consider how and where new (and affordable) homes can be delivered, not just in the town centre, this approach is supported by Officers. The timeframe here would be up to 4 years. However, it is a statutory requirement to have an up to date Local Plan, so this work must be done in any event. Moreover, whilst there are significant costs associated with the Local Plan, unlike the first 2 options, these are not additional or new budget pressures.

3.0 How the work to date is being used

- 3.1 It is important to note that, whilst the Masterplan as drafted cannot be adopted as SPD, the work and principles are being used by Officers in discussing schemes with developers, and this is being reflected in emerging town centre schemes. The work to date, including feedback from the public consultation exercise, is also being used as an evidence base to feed into the Core Strategy review that the Council is currently undertaking, to be completed by end of October 2023. The evidence can be adopted, published on the website and used as a material consideration in planning decisions, and in that regard would continue to carry some limited weight in planning discussions and decisions.
- 3.2 There is also a considerable amount of work on townscape, design, energy, businesses, housing need, housing development, heritage and green infrastructure in particular, which will be used to support an overarching Town Centre Masterplan/Strategy for the Council, which would not be a planning document, but could set a clear vision for the future of the Town Centre over the next few years.

4.0 Corporate Strategy

- 4.1 The Masterplan work to date supports the following objectives of the Woking for All Strategy 2022 - 2027:

Engaged Communities – A healthy, inclusive and engaged community-

- Reducing social inequality – guide the delivery of new housing and affordable housing developments and support both the Homelessness and Housing Strategy.
- Engaging our communities – engagement has been central to the preparation of the Masterplan work to date.

Healthier Communities – An enterprising, vibrant and sustainable borough-

- Promoting a strong economy – setting a vision for the town centre will promote investment, support business retention and promote Woking as a destination for business to relocate to.
- Improving the health and wellbeing of all residents – set out areas of open space, health and leisure provision and support the town centre as a cultural hub, as well as support the Health and Wellbeing Strategy.
- Improving the Borough's biodiversity and green infrastructure – set out the quality and quantity of open space.
- Sustainable development – highlight the vision of a sustainable and inclusive town centre and identify opportunities for energy efficiency and generation.
- Strengthening partnerships – the Masterplan work to date has been developed following engagement with a diverse range of stakeholders and the wider community.
- Effective use of resources – setting a clear vision of the town centre would support the effective use of limited resources, in particular, the reuse of previously developed land.

5.0 Implications

Finance and Risk

- 5.1 The costs to pursue the recommended option (option 3) would be incorporated within the budget for the statutory Local Plan work.
- 5.2 Option 1 and 2 would be in addition to the Local Plan work and would result in additional budget pressures.

Equalities and Human Resources

- 5.3 The report does not have any direct equalities implications.
- 5.4 There are no HR issues arising from this report.

Legal

- 5.5 This report confirms that the draft Masterplan cannot be safely adopted as an SPD and that there would be grounds for Judicial Review if it were so adopted.

6.0 Engagement and Consultation

- 6.1 Extensive consultation on the draft Masterplan was undertaken in 2022 and is detailed in the report to the Executive at its meeting on 2 February 2023. Further consultation, including statutory consultation would need to be carried out for each of the options detailed above.

REPORT ENDS