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Legal and Democratic Services



LICENSING AND PLANNING POLICY COMMITTEE

Thursday 24 January 2019 at 7.30 pm

Council Chamber - Epsom Town Hall

The members listed below are summoned to attend the Licensing and Planning Policy Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Graham Dudley (Chairman)
Councillor David Reeve (Vice-Chairman)
Councillor Michael Arthur MBE
Councillor Steve Bridger
Councillor Robert Foote

Councillor Chris Frost
Councillor Rob Geleit
Councillor Tina Mountain
Councillor Martin Olney
Councillor Humphrey Reynolds

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Beldan'.

Chief Executive

For further information, please contact Sandra Dessent, tel: 01372 732121 or email: sdessent@epsom-ewell.gov.uk

AGENDA

1. QUESTION TIME

To take any questions from members of the the Public

Please note: Members of the Public are requested to inform the Democratic Services Officer before the meeting begins if they wish to ask a verbal question to the Committee.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 8)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 15 November 2018 (attached) and to authorise the Chairman to sign them.

4. ANIMAL WELFARE REGULATIONS 2018 (Pages 9 - 12)

A report to inform the Committee of the Animal Welfare Regulations and process for appeals under the Animal Welfare Act 2006.

5. EPSOM & EWELL LOCAL PLAN: URBAN CAPACITY STUDY (Pages 13 - 42)

The Committee is asked to note the contents of the Urban Housing Capacity Study as a technical study and part of the Council's evidence base, which informs the preparation of the new Local Plan.

6. PROGRESS ON THE LOCAL PLAN (Pages 43 - 48)

This report provides Members with an update on the progress being made on the review of the Local Plan.

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held on 15 November 2018**

PRESENT -

Councillor Graham Dudley (Chairman); Councillor David Reeve (Vice-Chairman);
Councillors Michael Arthur MBE, Steve Bridger, Robert Foote, Chris Frost, Rob Geleit,
Tina Mountain, Martin Olney and Humphrey Reynolds

In Attendance:

Absent:

Officers present: Damian Roberts (Chief Operating Officer), Amardip Healy (Chief Legal Officer), Ruth Ormella (Head of Planning), Karol Jakubczyk (Planning Policy Manager), Susie Legg (Policy Planner) and Sandra Dessent (Democratic Services Officer)

28 QUESTION TIME

No written questions were submitted or were asked by members of the public.

29 DECLARATIONS OF INTEREST

No declarations of interest were made by Councillors regarding items on the agenda.

30 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Licensing and Planning Policy Committee held on 27 September 2018 were agreed and signed by the Chairman as a true record.

31 CIL ANNUAL REPORT REGULATION 62 STATEMENT

The Committee received the Regulation 62 report for 2017/2018, prior to publication on the Council's website. The report set out how much CIL had been spent, allocated or still available to allocate.

Whilst individual sums collected were not allocated to specific infrastructure projects, it was explained that all CIL monies collected were combined into one fund and split as follows:

- 80% to main infrastructure projects

- 15% to local schemes
- 5% for administration

It was noted that CIL receipts were recorded in line with the Council's financial regulations and receipts were defined as monies that had been invoiced but not necessarily received. It was further noted that the CIL regulations allow phased payments for larger development proposals. This could result in invoices being paid in stages, which may extend over a nine month period, and could lead to some CIL liable developments being reported across two reporting years.

Accordingly, the Committee noted the contents of the Regulation 62 Report for the year April 2017/2018.

32 DRAFT INFRASTRUCTURE DELIVERY PLAN 2018

The Committee was informed that the Draft Infrastructure Delivery Plan (IDP) provided an assessment of the additional provision and improvements in infrastructure required to support future planned-for growth across the Borough. It was emphasized that in its current format the IDP was a live document. In that role it sought to identify rather than prioritize potential infrastructure schemes. It provided a snapshot (as of late 2018) that would require modification as the Local Plan progressed – specifically once the Borough Council had confirmed the scale of growth that the Local Plan would deliver and the sites that needed to come forward to enable that development.

It was confirmed that the plan was based on the latest population census figure of 75,102 and the projected infrastructure requirements were founded on the estimated population increase from delivering an objectively assessed housing need of 579 homes per annum.

The IDP takes account of supporting evidence. This includes a Borough-wide assessment of existing transport infrastructure capacity. The study has highlighted that some highway junctions within the borough were operating at above their designed capacity. It was noted that whilst alternative modes of transport would be investigated as part of the infrastructure plan, constrained capacity on the roads would not be a factor that could be used to influence the scale of the Borough's future housing requirement.

The Committee was informed that the Kiln Lane link highway improvement scheme had not been included in the plan as it was no longer considered deliverable. This was in part due to the considerable cost of the scheme outweighing the anticipated benefits. However it was pointed out that whilst accessible sources of funding were not currently available to progress the project, there was a possibility that alternative sources could be secured in the future. Subsequently the Committee voted to delete recommendation 2 in the report *'Recommendation to the Strategy and Resources Committee that the Kiln Lane Link be removed from the Infrastructure Delivery plan.*

Having deliberated the plan, the Committee approved the Draft Infrastructure Delivery plan subject to the reinstatement of the Kiln Lane Link.

33 DUTY TO CO-OPERATE ENGAGEMENT PLAN

The Committee was informed that the duty to co-operate was a key requirement of national planning policy indicating the increasing emphasis on local authorities working together to address planning issues such as delivering future growth and the infrastructure required to support it.

The purpose of the report was to set out a framework for further developing strategic relationships with neighbouring boroughs.

The importance of being able to demonstrate to the Planning Inspectorate that the Council had communicated with neighbouring boroughs to assess their potential to fulfil unmet housing need was highlighted. In particular the process of securing statements of common ground, as a means of demonstrating that strategic issues were being given full collective consideration by the planning authorities.

It was recognised that none of our neighbouring boroughs have sought to accommodate a greater amount of growth than the target objectively assessed housing need identified for them through the government's standard method. It was also noted that some had indicated insufficient capacity to meet their own needs. It was suggested that the Council could take an approach to actively seek to identify sites outside of the Borough in order to meet Epsom & Ewell's objectively assessed housing need in full. Should the Council decide to take this approach it would support the case of strong intent to meet its housing requirement in full, which could secure a sound Local Plan.

Having considered the proposed engagement plan the Committee agreed to its implementation.

34 EPSOM & EWELL LOCAL PLAN: LONGMEAD & NONSUCH INDUSTRIAL ESTATES CAPACITY STUDY

The purpose of the Longmead and Nonsuch Industrial Estates study was to explore and assess the possibility of these areas being sources of housing land supply.

The study examined the landownership parcels within these sites and evaluated the likelihood of them becoming available, deliverable and developable sources of housing land supply during the new Local Plan period. The assessment also included a comparison with other mixed use developments, although it was commented that finding like for like sites was challenging as all redevelopment sites had their own individual qualities.

Having discussed the evaluation the Committee noted that there was no evidence that the two industrial estates could provide available, viable,

deliverable and developable sources of housing land supply to meet the Borough’s objectively assessed housing need during the local plan period.

The following clarification/amendments were agreed:

Page/Paragraph	Comments
Page 12, Fig 3, Ownership map	Boundary markings and ownership to be confirmed (Fairview Road to opposite Windmill Lane) and reported back to Members of the Committee
Page 15, para 2.5.3, last sentence	Delete: ‘the delivery of which is unlikely’

Subject to a minor amendment agreed above, the Committee noted the contents of the Study and agreed to it being used to inform the preparation and production of the new Local Plan and the associated Transformation Masterplan.

35 PROGRESS ON THE LOCAL PLAN

The Committee received a report updating members on the progress of the Local Plan, and it was noted that this would be a regular report to the Licensing and Planning Policy Committee.

In September 2108 the government’s Office for National Statistics had published projections relating to future population changes (mid 2016 – mid 2041). As the government used household growth projections as a baseline for its standard method calculations it was anticipated that objectively assessed housing needs would be adjusted accordingly. Initial calculations indicated that the housing projections for Epsom & Ewell could result in a reduction in the Borough’s objectively assessed housing need from 579 new homes per annum to 372 new homes per annum. However, it was noted that the government remained committed to significantly boosting the supply of new homes (in order to deliver their target of 300,000 new homes per annum) and as a consequence had indicated that the standard method would not, in the short to medium term be adjusted to reflect the latest household growth projections.

The Committee noted that the implementation of the new Housing Delivery Test could also see the introduction of additional measures to address a potential shortfall in delivery.

The report also included a technical consultation published in October 2018 requesting views on the updates to the National Planning Policy. The Committee reviewed the responses.

Subsequently, the Committee:

- (1) Noted the overview of the Office for National Statistics new household growth projections;
- (2) Noted the recently published consultation 'Technical consultation on updates to national planning policy and guidance' and agreed the Council's draft responses to the consultation as set out in Annex 1.

The meeting began at 7.30 pm and ended at 9.15 pm

COUNCILLOR GRAHAM DUDLEY (CHAIRMAN)

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Animal Welfare Regulations 2018

Head of Service/Contact:	Rod Brown, Head of Housing & Community
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Annexes/Appendices (attached):	None
Other available papers (not attached):	Animal Welfare (Licensing of activities involving animals) Regulations and guidance notes

Report summary

To inform the Committee of the new Animal Welfare Regulations and appeals channels under the Animal Welfare Act 2006.

Recommendation

That the Committee

- (1) note the introduction of new regulations and appeals channels;**
- (2) agree the process of delegating appeal processes to the Head of Service (or such other officer as necessary).**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

1.1 None.

2 Background

2.1 From 1 October 2018 changes came into effect under the Animal Welfare Act 2006 which amended the way animal licensing is administered and regulated.

2.2 The regulations are aimed at strengthening animal welfare, particularly around puppy sales. They:

- Ensure that breeders must show puppies alongside their mother before a sale is made.

- Tighten regulations so that puppy sales are completed in the presence of the new owner – preventing online sales where prospective buyers have not seen the animal first.
- Ban licensed sellers from dealing in puppies and kittens under the age of eight weeks.
- Regulate adverts, including on the internet, by ensuring licensed sellers of all pets include the seller's licence number, country of origin and country of residence of the pet in any advert for sale.
- Introduce a new "star rating" for dog breeders, pet shops and others to help people rate them on their animal welfare standards.

2.3 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 under section 13 of the Animal Welfare Act 2006 replace some existing licensing regimes and to put in place a new licensing regime to control the following "licensable activities";

- Selling animals as pets
- Providing or arranging for the provision of boarding for cats or dogs
- Hiring out horses
- Breeding of dogs
- Keeping or training animals for exhibition

2.4 The regulations introduced a new licensing regime to replace the licensing and registration regimes under the following legislation:

- Pet Animals Act 1951
- Animal Boarding Establishments Act 1963
- Riding Establishments Act 1970
- Breeding of Dogs Act 1973 and Breeding and Sale of Dogs (Welfare) Act 1999
- Animals Boarding Establishments Act 1963
- Performing Animals (Regulations) Act 1925

- 2.5 The Department for Food, Environment and Rural Affairs (DEFRA) has now published procedural guidance for local authorities in relation to the new regulations, along with guidance notes on the conditions that will apply to licences issued to authorise the different licensable activities.
- 2.6 Guidance notes for each activity are at Canine and Feline Sector Group's website:
http://www.cfsg.org.uk/_layouts/15/start.aspx#/SitePages/Legislation%20and%20Guidance.aspx.
- 2.7 Members of the Committee will receive training on the licensing regime in the new municipal year.
- 2.8 Animal licensing fees and charges will be reviewed annually in line with the Council's fees and charges.
- 2.9 Alongside the new licensing regime is the introduction of a risk rating scheme and scoring matrix which assesses the minimum and higher standards met by the business. The scoring matrix will then determine the star rating of the business, with the maximum star rating being 5 stars. The higher the star rating, the longer the duration of the licence and lesser the inspection frequency will be.
- 2.10 Under the regulations, if a business is aggrieved by the star rating they first have the right of appeal, which must be in writing. If the operator is aggrieved by the outcome of the appeal, they have a right to challenge the decision by way of judicial review.
- 2.11 If an application for a licence is refused, then the business has a right of appeal. This appeal will be to the Magistrates Court.
- 2.12 If during the course of a licence validity, the licence is suspended or varied, the applicant has a right of appeal, this will be in the first instance to the Licensing (General) Sub Committee, and then to the Magistrates Court (if applicable).
- 2.13 If during the course of validity of the licence, the licence is revoked, the applicant has a right of appeal, this will be the Magistrates Court.

3 Proposals

- 3.1 That the Committee note the implementation of the regulations and the appropriate appeals channels.
- 3.2 It is proposed that the first stage appeal for a star rating will be considered by officers. In this instance it is proposed the Head of Service will delegate decision making on appeals to the head of the department, namely the Licensing, Grants and Home Improvement Agency Manager.

4 Financial and Manpower Implications

4.1 The implementation of, administration and enforcement of the new regime will be undertaken using existing resources.

4.2 **Chief Finance Officer's comments** None for the purposes of this report

5 Legal Implications (including implications for matters relating to equality)

5.1 These are set out within the report.

5.2 **Monitoring Officer's comments:** None arising from the contents of this report.

6 Sustainability Policy and Community Safety Implications

6.1 None for the purpose of this report.

7 Partnerships

7.1 None for the purpose of this report.

8 Risk Assessment

8.1 As with any licensing regime, the Officers will ensure that the regulations and respective procedural guidelines will be fully adhered to.

9 Conclusion and Recommendations

9.1 That the Committee note the implementation of the regulations and the appropriate appeals channels.

Ward(s) affected: (All Wards);

Epsom & Ewell Local Plan: Urban Capacity Study

Head of Service/Contact:	Ruth Ormella, Head of Planning
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Epsom & Ewell Urban Housing Capacity Study 2018
Other available papers (not attached):	Strategic Housing Land Availability Assessment (June 2017) Strategic Housing Land Availability Assessment (March 2009) The Longmead & Nonsuch Industrial Estates Capacity Study

Report summary

The Urban Housing Capacity Study (UHCS) has been prepared to assess the potential optimal capacity of the Borough's land supply within the urban area and how this can contribute towards meeting the Council's challenging objectively assessed housing need (OAHN).

The conclusion of this study is that the Borough Council is unlikely to deliver the housing need within the urban area during the new Local Plan period.

Recommendation (s)

- (1) The Committee notes the contents of the Urban Housing Capacity Study as a technical study and part of the Council's evidence base, which informs the preparation of the new Local Plan.**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The delivery and implementation of the Epsom and Ewell Local Plan contributes towards all of the Council's Key Priorities identified in the Corporate Plan.

- 1.2 The emerging Local Plan will set out the spatial strategy for the borough and will, amongst other things, outline how the Council will address its objectively assessed housing need (OAHN) through sustainable growth up to 2032. The Urban Housing Capacity Study (UHCS) is an important piece of evidence that will sit alongside other documents that inform the preparation and production of the emerging Local Plan.

2 Background

- 2.1 The National Planning Policy Framework (NPPF) requires local planning authorities to identify land capable of meeting future development needs within the Borough. We are required to identify a sufficient supply of land to meet the OAHN for the Borough, which currently equates to about 579 dwellings per annum based on the government's standard method.
- 2.2 The NPPF requires that the Council have a clear understanding of the land available in the authority area through the preparation of a strategic housing land availability assessment (SHLAA). In the course of identifying sites to meet the housing need, the Council has prepared two SHLAAs, the most recent dated 2017. These have sought to identify potential sources of housing land supply that are genuinely available, deliverable and developable; namely, those most likely to come forward to meet the housing need. As part of this endeavour the Council has prepared the Longmead and Nonsuch Industrial Estates Capacity Study, which came before the Licensing and Planning Policy Committee on 15 November 2018. The UHCS considers the remaining sites in the urban area, and how the redevelopment of these might contribute to the Council's OAHN.

3 The Urban Housing Capacity Study (UHCS)

- 3.1 The UHCS considers the potential developable land supply within the urban area and how this might meet the Council's challenging OAHN. A copy of the UHCS is included under Annex 1.
- 3.2 The UHCS does not duplicate work in the most recent SHLAA, but uses the sites identified in that assessment as a starting point. Additional sites were identified from various sources have also been included in this study.
- 3.3 It is important to note that the UHCS does not replace the SHLAA but is a technical exercise that assesses the potential optimal capacity that can be achieved on sites within the urban area. It is intended to help inform whether the Council needs to consider other options for meeting its OAHN.
- 3.4 In order to assess the optimal capacity that could be achieved on the identified urban sites the UHCS divides the Borough into areas. These are defined on the basis of their accessibility to local services or major transport nodes or corridors and applies density multipliers to obtain initial yields.

- 3.5 The density multipliers were derived from extensive published research, these are referenced in the study. The multipliers used are considered to be a reasonable starting point whereby further assessments were undertaken. The precise methodology has been set out in the study.
- 3.6 Once the density multipliers had been applied, broad assessments were carried out based on the constraints identified on the individual sites and the initial yields were adjusted to reflect these considerations.
- 3.7 The results of the study conclude that the Council is likely to achieve 49% of its OAHN within its urban area at its optimal level. This suggests that roughly half of OAHN still needs to be met elsewhere. Whilst the capacity figure is not definitive, it is an indicator of the level of new housing that can be met within the urban area. Fundamentally, it demonstrates the Council will need to consider other options to meet its OAHN during the plan period.
- 3.8 The study highlights the various options that the Council can explore in seeking to meet its OAHN. This includes:
- Considering sites currently in alternate uses being utilised or combined with residential use
 - Considering whether lower impact uses currently within the urban area can be relocated into the Green Belt, so that the existing sites in the urban area can be redeveloped.
 - Considering releasing sites from the Green Belt contribute towards the OAHN
 - Working closely with neighbouring authorities to agree a strategy for meeting the need

It is important to highlight that the Council has a duty to ensure it delivers a spatial strategy that meets the future development needs of the Borough, including housing, economic, infrastructure, and recreational needs. In order to achieve this objective it will have to identify a strategy that strikes a fine balance of all these needs which may include an element of all of the identified options above.

- 3.9 The Council has commissioned a 'Transformation Masterplan' that will explore some of these approaches in considering how Epsom and Ewell might 'transform' in the future to meet its needs. The outcome of the 'Transformation Masterplan' will also inform the approach the Council takes to meet its development needs in its Local Plan review.

4 Financial and Manpower Implications

- 4.1 The preparation, publication, examination and implementation of our new Local Plan is a high priority which is being resourced through the Planning Policy Team and separate commissions that are required relating to evidence base and technical reports.

- 4.2 The increasing level of complexity to the local plan process (introduced through the revised NPPF), particularly in relation to the housing delivery test, review of the CIL schedule and strategic viability mean that further resources may be required. Approval from the Strategy & Resources Committee will be sought for the work that needs to be commissioned.
- 4.3 **Chief Finance Officer's comments:** *Additional funding from the 5 percent admin fee element of Community Infrastructure Levy receipts was agreed to fund up to £80,000 in total over two years to support the delivery of the Local Plan. Any request for the use of any additional funding will need to be agreed by the Strategy and Resources Committee.*

5 Legal Implications (including implications for matters relating to equality)

- 5.1 The emerging Local Plan will need to demonstrate that it meets tests of soundness set out in national planning policy, the tests require that plans are a) positively prepared, b) justified, c) effective and d) consistent with national policy. The UHCS forms part of the Council's evidence base that will demonstrate that it meets these tests and is therefore a 'sound' Plan that can be adopted by the Council.
- 5.2 **Monitoring Officer's comments:** *none arising from the contents of this report.*

6 Sustainability Policy and Community Safety Implications

- 6.1 The emerging Local Plan will contribute to towards the delivery of the Council's key priorities to accommodate sustainable development.
- 6.2 The new Local Plan will be subject to a Sustainability Appraisal which will be prepared and published at the appropriate time in the process.

7 Partnerships

- 7.1 The Duty to Cooperate requires Local Planning Authorities to engage with partners and neighbouring authorities on strategic issues, including joint working to determine whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.
- 7.2 The Council is engaging with its neighbours as it seeks to meet its duty and identify whether an appropriate strategy to meet its need can be agreed.

8 Risk Assessment

- 8.1 The Council's adopted Core Strategy is out of date. It is currently working on a review of the Local Plan in line with the recently updated national planning policy. The revised National Planning Policy Framework NPPF and Planning Practice Guidance PPG, sets out a standard method for calculating the minimum housing need for the Borough and introduces a new Housing Delivery Test (HDT) to encourage delivery. The current OAHN for Epsom and Ewell is 579 dwelling per annum. The Housing Delivery Test will measure the Council's progress on meeting this need, where under- delivery will result in measures being imposed, including the preparation of an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.
- 8.2 The revised NPPF retains the 'presumption in favour of sustainable development'. This means that for the purposes of decision-taking where local planning authorities cannot demonstrate a five year supply sites or where the Housing Delivery Test indicates that delivery is substantially below (less than 75% but with transition arrangements in place) planning permission for proposals for new housing should be granted unless proposals are for protected areas or assets of particular importance provides a clear reason for refusal (defined in footnote 6 of paragraph 11 d) of the NPPF¹ or where adverse impacts of permitting the proposal would significantly and demonstrably outweigh the benefits of doing so.
- 8.3 By proactively planning for future growth, the Council will be in a stronger position to resist unplanned development proposals that may come forward before the adoption of a new Local Plan.

9 Conclusion and Recommendations

- 9.1 The Committee are asked to note the contents of the UHCS as a technical study that will form part of the Council's evidence base and will inform the Council's emerging Local Plan.

Ward(s) affected: (All Wards);

¹ ...habitats sites (and those sites listed in paragraph 176:Special Protection Areas) [Special Areas of Conservation; listed or proposed Ramsar sites; sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation]. and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

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Urban Housing Capacity Study 2018



Contents

Introduction and purpose of the document.....	2
Structure of the report	2
National context.....	3
National Planning Policy Framework.....	3
Epsom and Ewell Local Plan	4
The geography of Epsom and Ewell.....	5
Methodology	7
Site Search.....	7
Density Multipliers	7
Establishing and applying density multipliers	7
Assessments/Discounting	12
Disclaimer	12
Findings	13
Future Supply	13
Development in the pipeline	14
Conclusions and further actions.....	17
Appendix A Residential Permissions Under Construction.....	19
Appendix B Outstanding Residential Permissions	21

Introduction and purpose of the document

- 1.1 Epsom and Ewell Borough Council are in the process of preparing a new Local Plan. The Urban Housing Capacity Study (UHCS) has been prepared in order to inform this process. This study sits alongside the Longmead and Nonsuch Industrial Estates Capacity Study to inform the Council of the potential capacity of the Borough's urban area to meet further housing need.
- 1.2 In July 2018, The Ministry of Housing Communities and Local Government (MHCLG) published a [revised National Planning Policy Framework \(NPPF\)](#) and subsequent revisions to [Planning Practice Guidance \(PPG\)](#). The revised NPPF and PPG introduced a 'standard method' to calculate the minimum number of new homes will need to be delivered to meet the national housing requirement¹.
- 1.3 The figure calculated for Epsom and Ewell is 579² (based on the 2014 Household Projections). The Council is therefore under pressure to facilitate the delivery of a significantly high number of houses in order to meet the existing and future housing needs of the area. The revised NPPF also introduced a Housing Delivery Test (HDT) to monitor the performance of local authorities in meeting the need. Underperforming authorities will be held accountable for failing to deliver the identified need.
- 1.4 The UHCS is a technical piece of work assessing the borough's potential to accommodate future development within the built up limits. The purpose of the study is to assess how much development can be realistically accommodated within the urban area.
- 1.5 The UHCS explores how the Council can meet the Borough's housing need (in full) within the urban area through the application of various density scenarios. Ultimately, the study will inform whether the Council needs to consider alternative options in meeting the identified need.

Structure of the report

- 1.6 The study takes the following structure:
 - i) Policy background- national and local context
 - ii) Overview of the geographic makeup of the borough and the challenges in meeting its future development needs
 - iii) The methodology for identifying urban sites and undertaking broad assessments to provide a systematic approach to assessing optimal yields that can be achieved on sites.

¹ This is taken to be the government's target of delivering 300,000 new additional homes per annum.

² Draft OAHN were published in Sept 2017 as part of the public consultation on 'Planning for the right homes in the right places' <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

- iv) The conclusions of the study and any further actions that may need to be undertaken
- 1.7 The appendices included at the end of the UHCS provide a breakdown of outstanding residential permissions and residential schemes that are currently under construction.

National context

- 1.8 The shortfall in housing delivery required to accommodate the nation's growing population is a long established problem, which is at the heart of what the government has coined the "national housing crisis". At present, housing provision and delivery remains a national priority. This is evident in the publication of ['The Housing White Paper-Fixing our broken housing market'](#) published in 2017 and the review of the [National Planning Policy Framework](#) (NPPF) published July 2018.
- 1.9 The White Paper set out the government's priority to tackle the '*broken*' housing market. The Paper makes it clear that it is the government's commitment to encourage more house building and outlines a number of proposals to tackle the problem, including proposed changes to the planning system and the strengthening of the role of local authorities to build more homes. This includes the proposal for a standard method to calculate the objectively assessed housing need in each local authority area.
- 1.10 The White Paper identifies three main problems to delivery as:
- not enough local authorities planning for the homes they need
 - slow house building
 - the reliance on a small number of large volume house builders within the construction industry.
- 1.11 Although the Council has little influence on the latter two, it is directly responsible for ensuring that there is a comprehensive strategy in place so that enough housing is being planned and delivered. Therefore it is fundamental that local planning authorities are publishing and delivering up-to-date local plans.

National Planning Policy Framework

- 1.12 The revised NPPF 2018 is the most significant change to the planning system in recent times, with a greater emphasis on a planning system that increases housing supply and delivers high quality well designed homes. It introduces a 'standard method' to calculate the minimum local housing need and requires this is used to inform strategic policies for an area. The revised NPPF also introduces a new Housing Delivery Test (HDT) which monitors local authorities' performance in delivering new homes and maintaining a rolling five year housing land supply. The HDT also introduces measures directed at local planning authorities that fail to demonstrate a five year housing land supply. These measures seek to address underperformance through a supply

and demand approach – by adding buffers onto the underperforming areas objectively assessed housing need requirement.

- 1.13 The housing need figure (based on the standard method) for Epsom and Ewell is calculated to be 579 new additional homes per annum (based on 2014 household projections). This is more than treble the existing housing requirement of at least 181 per annum set out in the adopted Core Strategy 2007. As such, the Council has a challenging exercise to identify sufficient sites to meet this need in full.
- 1.14 One of the main options open to the Council is that all potential development sites make efficient use of land - particularly all potential housing land supply located within the urban area. This is important because Paragraph 136 and 137 of the NPPF emphasis the need to fully demonstrate that exceptional circumstances exist to justify changes to the Green Belt boundary. The NPPF states that in order to demonstrate this, planning authorities should have 'examined fully all other reasonable options for meeting its need for development' including on brownfield sites and optimising development in areas including city centres and other locations served by public transport.

Epsom and Ewell Local Plan

- 1.15 The Development Plan for Epsom and Ewell Local Plan currently comprises of:
- Surrey Minerals Plan
 - Surrey Waste Plan
 - Core Strategy, 2007- Contains strategic policies for the Borough including the Council's housing requirement of 181 per annum
 - Plan E, 2011- sets out growth strategy for the Town Centre
 - Proposals Map (Interactive Map)
 - Development Management Policies Document 2015- detailed policies for determining planning applications
- 1.16 The Council is in the process of preparing a new Local Plan, which will positively respond to the significant increase in housing need identified for the Borough. The new Local Plan will include updated housing policies and site allocations that will respond to the Borough's future development needs. The Council has already made progress on this through the publication of an issues and options consultation between September-November 2017 and an on-going 'call-for-sites' request that remains open in order to allow for all potential sites to be submitted to the process.
- 1.17 The Council has also prepared and commissioned additional technical studies that contribute to the evidence base in order to inform the preparation of the Council's Development Plan Documents.

The geography of Epsom and Ewell

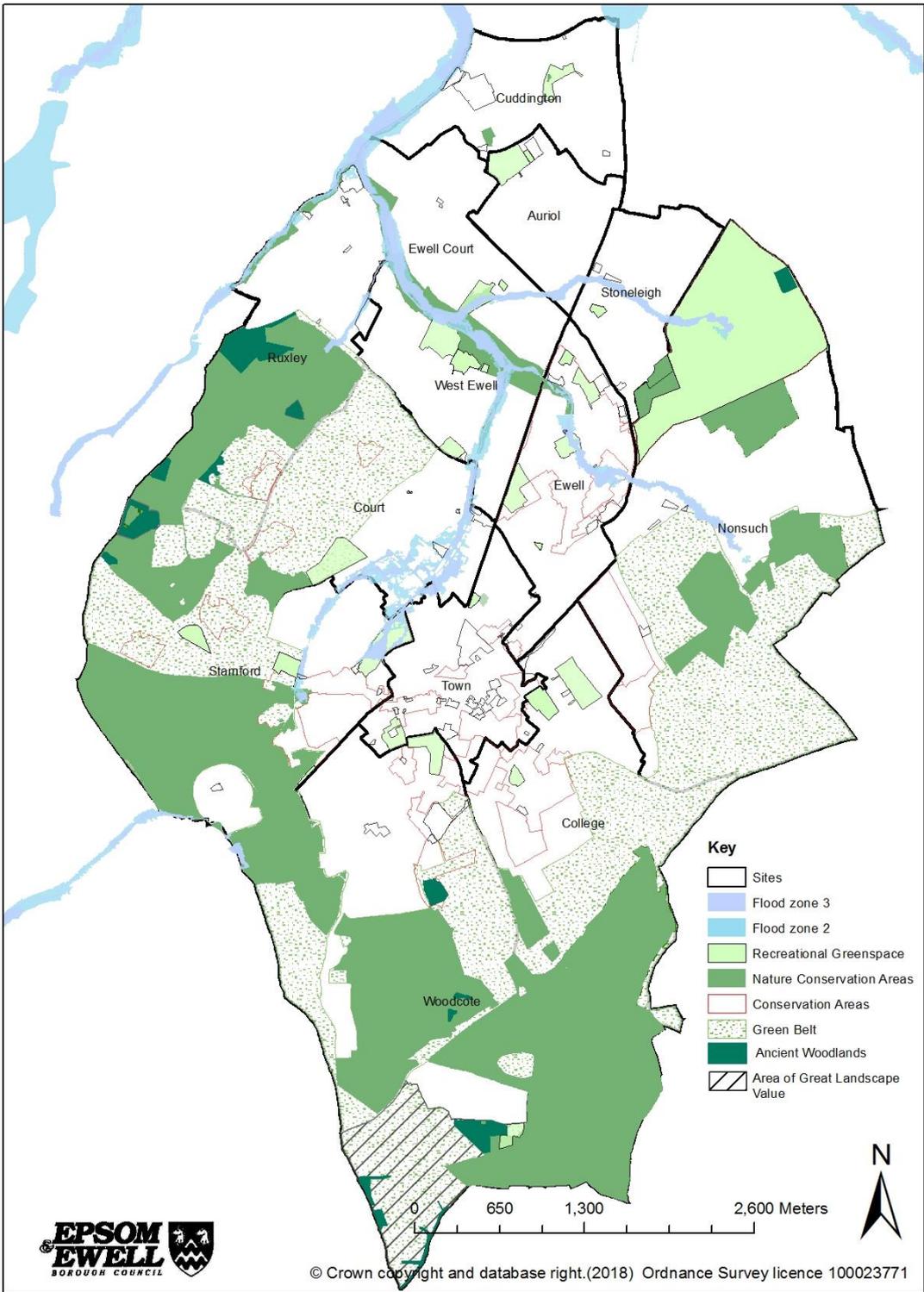
- 1.18 The existing built-up areas of Epsom and Ewell are mainly located at the northern and central portions of the Borough. The southern, eastern and western edges of the Borough are predominantly areas of open green space, comprising largely of Green Belt land.
- 1.19 The Borough natural assets make a positive contribution to the character and nature conservation interests of Borough. These include a number of environmental designations including Sites of Special Scientific Interest (SSSI), Local Nature Reserves (LNR), Sites of Nature Conservation Importance (SNCI) and Ancient Woodlands. These natural assets restrict where future development could be located. In addition to this, parts of the Borough are at risk of Flooding and there are also significant infrastructure issues within of the Borough which will influence where future development can be accommodated.
- 1.20 The Council has already undertaken a significant amount of background technical work³ in order to inform the preparation of the new Local Plan. This includes an updated SHLAA, Green Belt Boundary Review (part one and two), Traveller assessment, and a Constraints Study.
- 1.21 The evidence coming out of these studies is that the Borough is unlikely to have a sufficient supply of developable land to meet the identified housing need. As a consequence the Council has limited options on the strategy it takes. The preferred approach is to deliver as much of the Borough's housing need on previously developed land within the existing built-up area. With a limited supply these sites will need to be optimised where appropriate. This approach is in accordance with National Policy on achieving sustainable development and efficient use of land⁴.

³ The Council's Evidence Base: <https://www.epsom-ewell.gov.uk/residents/planning/planning-policy/planning-and-supplementary-planning-documents/evidence-base>

⁴ NPPF 2018, See chapters 2 and 11

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

Map 1: Constraints map of the Borough



Methodology

Site Search

- 2.1 The Council has recently undertaken a thorough search of potential development sites within the existing urban area as part of the new SHLAA (2017). This exercise examined various sources; these included review of historic site allocations; sites with planning permission; refused permissions or where pre-application advice has been sought; call for sites; vacant sites; surplus public sector land; car parks; empty property register; and sites in other uses, e.g. employment land. The UHCS updates this site search but has not sought to duplicate this process. Additional sites have been considered that have been brought to our attention through the brownfield land register, open call for sites process, sites coming forward in planning applications, pre-application enquiries in the last year.
- 2.2 To provide consistency with the data from the SHLAA, the study has only reviewed sites that meet a 5 or more dwellings threshold. In order to take account of possible sources of windfall supply the Council will factor in an allowance into the final calculations. This equates to a windfall ratio (of 27 units per annum as used in the SHLAA), which will be applied in the calculations at the end.
- 2.3 The purpose of the study is focussed on capacity and whilst many of the sites were considered by the 2017 SHLAA, other additional sites, from other sources, were also considered. However, the study does not make an assessment on whether the additional sites are *available, deliverable and developable*. The study assumes that these factors will be assessed if the sites are taken forward in the plan process.

Density Multipliers

- 2.4 These have been applied by the study in order to determine how sites in the urban area could accommodate higher densities. It is not considered helpful or realistic to apply the single density multiplier to all sites regardless of their location or suitability to accommodate a particular density. The Council has sought to identify areas where higher density schemes could be realistically accommodated, an explanation of this is set out below.

Establishing and applying density multipliers?

- 2.5 The Council's existing policies do not specify indicative or specific densities that should be applied to development proposals that come through in the planning system. It is accepted that these will vary on a site by site basis depending on the constraints that exist on or in vicinity of the site. Nevertheless, there are existing policies that affect what densities can be achieved.
- Core Strategy Policy CS5 require proposals to '*make efficient use of land and have regard to the need to develop land in a comprehensive way*'. Additionally, Core Strategy Policy CS8

promotes the principle of directing higher density developments towards central locations including commercial centres, close to services and facilities and accessible by public transport, walking and cycling.

- The Council's other policies from its Development Management Policies Document and Plan E: Epsom Town Centre Area Action Plan. Policies E7 and DM11 and DM13 provide additional guidance, in most cases restricting development densities to 40 dwellings per ha; and limiting building heights to a maximum of 16m within Epsom Town Centre and 12m for the rest of the Borough.

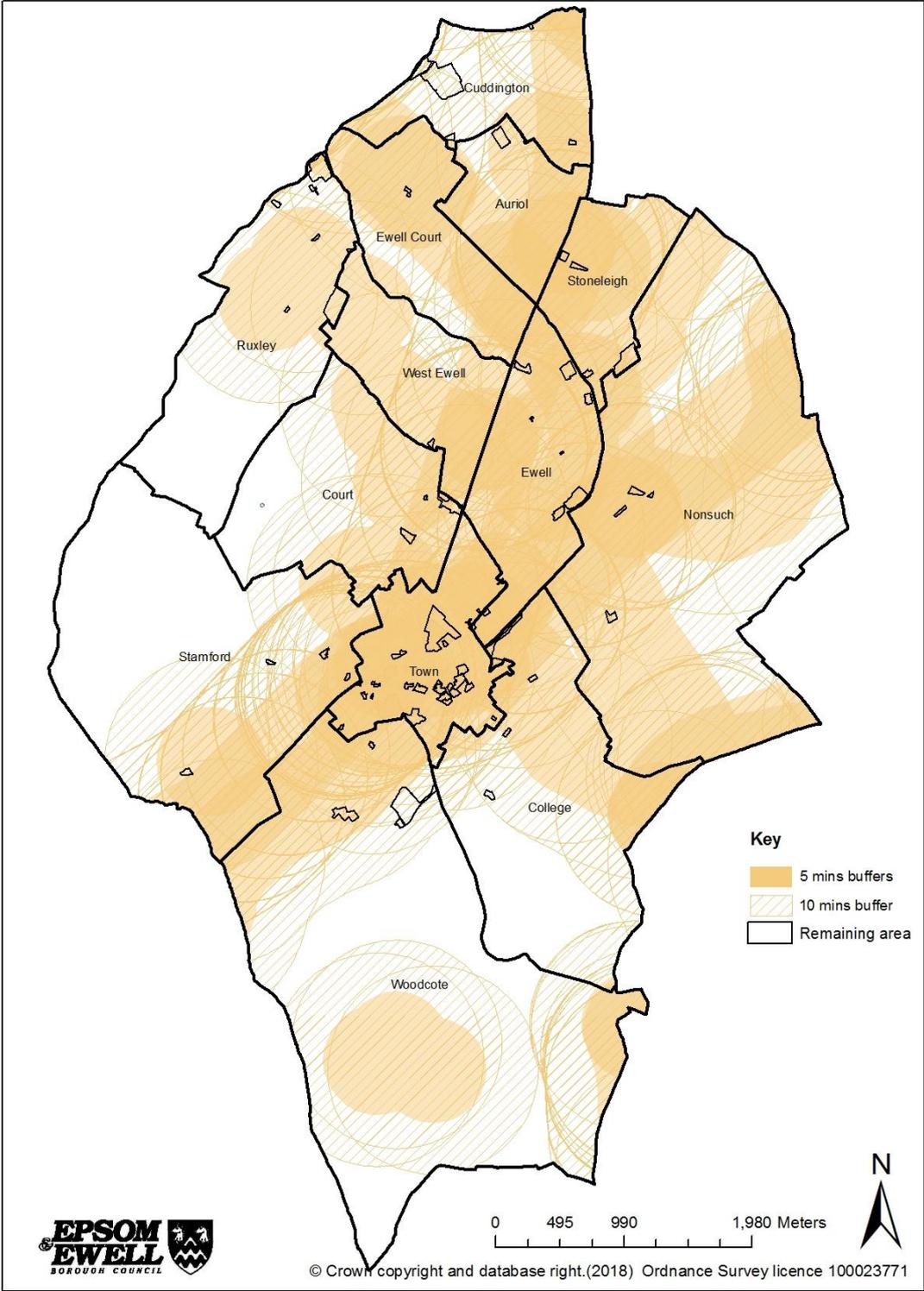
- 2.6 In response to changes in national planning policy, the Council has been proactive in taking measures⁵ to ensure development sites that come forward prior to the adoption of its updated Local Plan, be fully optimised to positively respond to the objectively assessed housing need. The report recommended that planning applications be assessed on their own merits and that decision makers carefully balance the current policy requirements (i.e. height and density restrictions) and with those requirements emerging in the NPPF⁶.
- 2.7 The Council undertook an Issues and Options Consultation between September and November 2017. The consultation asked for views on where higher density development or taller buildings should be directed. There was general support for areas close to commercial centres and near major transport nodes and corridors. This is consistent with the NPPF (paragraph 102, 123, 137) and the overarching principles of creating sustainable communities. Based on this information and for the purpose of this study, areas within walking distances of commercial areas and main rail and road corridors were identified and mapped.
- 2.8 Using 'walking distances' as parameters, the borough has been divided into;
- Areas within 5 minutes' walk from local railway stations and main transport corridors
 - Areas within 10 minutes' walk from local railway stations and main transport corridors.
 - Remaining areas outside of these.
- 2.9 In addition to these, Epsom Town Centre and the two larger local centres Ewell Village and Stoneleigh Broadway have been treated as separate areas where it is reasonable to consider a different density range.

⁵ See report to LPPG [8 May 2018](#)

⁶ The revised NPPF was still draft at the time of the LPPG report.

- 2.10 Density multipliers have been applied according to the areas that they fall within. This will allow a consistent baseline whereby initial assessments can be undertaken.
- 2.11 There has been significant amount of published research on the topic of *density* and *building height* available, these include the publications: [Superdensity \(2007\)](#), [Superdensity The Sequel \(2015\)](#), [London's Local Character and Density \(2016\)](#) and [Lessons from higher density development \(2016\)](#). Most of this research has been carried out in the context of the London Plan, nevertheless the conclusions and principles established are relevant and can be applied elsewhere. All of the studies have picked up on the negative connotations linked to 'high density', they challenge the stereotype that high density means high rise or poor quality housing. Whilst higher density development can raise issues such as amenity space come under increasing pressure, high quality schemes can be achieved through good design.

Map 2: Map of Density Areas-Buffers



- 2.12 It is a common misconception that higher density equates to taller buildings. However, previous research has shown that similar densities can be achieved and have very different results visually. This can be down to a variety of factors including unit size, amenity space, car parking etc. It has been concluded that, whilst there is a very broad relationship between density and building heights, there is definitely not a direct link. The relationship between density and height is far more complex and therefore data linking the two should be treated with caution⁷.
- 2.13 Policies on density are almost always indicative, this is because there are many different factors to take into account in determining a suitable number of units achievable on the site, for example the surrounding building form and character as well as the location in relation to services and the physical constraints of the individual sites themselves. Densities multipliers should never be mechanically applied without any further qualified judgement being made.
- 2.14 The density multipliers that have been applied by the study are based on research from existing literature and take account of the general character of the area. These provide the basis by which site assessment has been undertaken. From these initial figures, other considerations relating to the constraints of the site and the character of the area have been taken into account before a potential yield is determined.
- 2.15 As this is a capacity study, seeking to assess the potential capacity of the urban area, a minimum density of 40 dwellings per ha will be applied. Taking into account the findings of previous density studies (see paragraph 2.11) and the density ranges contained in the London Plan's [Density Matrix](#), the following table sets out the density multipliers that will be applied for this study.

Area	Density multiplier.
(A) Epsom Town Centre	130 dph
(B) Ewell Village	95 dph
(C) Stoneleigh Broadway	95 dph
(D) Areas within 5 mins walking distances from services/facilities	80 dph
(E) Areas within 10 mins walking distances from services/facilities	65 dph
(F) Remaining Areas	40 dph

Table 1: Density multiplier table:

⁷ 'Lessons from higher density'

Assessments/Discounting

- 2.16 The density multipliers will be the starting point for assessing the potential capacity of each site. Each site has been assessed and reasoned adjustments made to the yield where appropriate. For example, this may be where environmental constraints exist or where higher density schemes would have an impact on the character of the surrounding area. The findings of this assessment are summarised under Table 2.

Disclaimer

- 2.17 It is important to note that this is a technical study that forms part of the Council's evidence base for its emerging Local Plan. The UHCS does not identify sites for allocation and the individual assessments do not substitute any advice provided as part of a detailed planning application stage. The UHCS contains broad level assessments, and whilst it will inform the preparation of future planning policies, the study itself is not policy. The UHCS provides a broad indication of the potential optimal capacity that can be achieved within the Borough's urban sites to meet the housing need.

Findings

Future Supply

- 3.1 The new Local Plan covers the period between 2015-2032. The revised NPPF and PPG published a 'standard method' for establishing the minimum number of homes needed for an area. The calculated need for Epsom and Ewell is **579** dwellings per annum. This works out to be **9843** dwellings up the year 2032.
- 3.2 The Council has considered all the potential supply of urban sites that can deliver housing and applied density multipliers to these based on their location with respect to services, facilities and main transport corridors/ interchanges. Further adjustments were made to the capacity figures based on broad/high level assessments factoring in the character and constraints on sites. The ultimate aim of the exercise was to understand realistic but optimal yields that could be achieved on these sites.

Ward	Capacity
Auriol	100
College	181
Court	115
Cuddington	97
Ewell Village	424
Nonsuch	60
Ruxley	363
Stamford	37
Stoneleigh	70
Town	1346
West Ewell	110
Woodcote	221
Total	3124

Table 2 Summary of the potential housing capacity of urban area by ward

- 3.3 If potential yields are considered against the calculated housing need for the Borough up to 2032 there is potential for the urban area to deliver approximately **31.7%** of the identified housing need.

Windfall allowance	27 per annum
Remaining plan period	14 years
Calculated windfall allowance	378

Table 3 Calculated windfall allowance of the remaining plan period

- 3.4 The application of a windfall allowance of 27 dwellings per annum (as identified in the SHLAA 2017) could enhance housing supply and raise the potential supply to **35%**.

Development in the pipeline

- 3.5 In terms of the Council's delivery so far, Table 4 below sets out its completions since 2015. The completions since 2015 total 667. This works out to be **6.7%** of the Council's overall OAHN (9843). Factoring in the Council's surplus to delivery at the time, which equates to 768 dwellings, the study notes that the Council has met **14.6%** of its overall OAHN to date.

Year	Housing Requirement	Net completions	Cumulative Surplus/Deficit
2006-7	181 per annum (Core Strategy CS7)	308	127
2007-8		281	227
2008-9		221	267
2009-10		103	189
2010-11		251	259
2011-12		289	367
2012-13		517	703
2013-14		234	756
2014-15		193	768
2015-16	579 per annum (Local Plan review, standard method)	199	388
2016-17		308	117
2017-18		160	-302

Table 4: Completions since 2006

3.6 Housing development in the pipeline includes the following outstanding permissions and sites under construction, as summarised under Tables 5 and 6. This equates to **4.2%** of the overall OAHN.

Ward	Under construction
Auriol	1
College	17
Court	37
Cuddington	2
Ewell Court	4
Ewell Village	16
Nonsuch	18
Ruxley	18
Stamford	36
Stoneleigh	9
Town	40
West Ewell	2
Woodcote	9
Total	209

Table 5: Residential schemes under construction as of Oct 2018

Ward	Number of residential units with planning permission
Auriol	1
College	23
Court	5
Cuddington	2
Ewell Court	5
Ewell Village	27
Nonsuch	3
Ruxley	4
Stamford	5
Stoneleigh	10
Town	89
West Ewell	3
Woodcote	30
Total	207

Table 6: Outstanding permissions for residential development

3.7 The overview of housing delivery and estimated future supply are summarised under Table 7. The numbers suggest that the Council could potentially meet approximately 49% of its overall housing need, upon sites located within the existing urban area. This is based on (an unlikely) scenario whereby all outstanding permissions are delivered and that all potential sources of supply urban (housing) land deliver optimal yields as calculated in this study.

- 3.8 The study provides a broad indication of the level of housing that can be met within the urban area. What is clear from the assessment (without focussing too much on the precise numbers) is that the Council, even working on the basis of optimal densities, is not likely to achieve the full OAHN within the urban area and therefore it will have to consider alternative strategies to try to meet the need.

Source of Housing Supply	Number of residential units
Delivery so far	
Surplus to delivery (based on previous housing requirement 181 p.a)	768
Completion since 2015	667
In the pipeline	
Under Construction	209
Outstanding permissions	207
Future supply (urban area)	
Calculated potential supply based on optimal yields in UHCS (excluding sites with permission)	3018
Total	4869

Table 7 Housing Delivery and future supply (based on assessments in UHCS)

Conclusions and further actions

- 4.1 The evidence set out within the study suggests that it is unlikely that the level of housing need can be accommodated within the existing urban area in its entirety. It is clear that there is insufficient supply of land within the existing urban area and the Council is likely to require an alternative strategy to meeting its housing need.
- 4.2 Alternative strategies may include reconsidering the housing potential offered by operational employment sites; or sites in alternative uses generally.
- 4.3 The Council has already considered the potential offered by some operational employment sites within this study. It has also undertaken a separate capacity study for the main industrial estates within the borough (the Longmead and Nonsuch Industrial Estates Capacity Study). However it is important to note the consequential impacts of redeveloping sites in employment uses into residential use, for example, where will existing floorspace be relocated? Would the Council inadvertently be undermining the delivery of future employment/economic needs in order to achieve its future housing need?
- 4.4 In a similar vein, the Council may need to reconsider whether existing car parks, open space, retail areas are being used efficiently and whether these uses can be rationalised, combined or swapped. For example by relocating low impact uses to the edge of settlements or within the Green Belt and redeveloping existing sites within the urban area, e.g. allotments or outdoor sports facilities.
- 4.5 It is important to note that the Council has an equal duty to deliver future employment, open space and other infrastructure needs within the Borough. It will be a challenging exercise to finely balance all of these needs without inadvertently undermining one need over another, this is made even more challenging by the lack of land supply available in the borough.
- 4.6 The Council may also wish to consider to what extent multiple uses could be combined to make more efficient use of brownfield land. Indeed, this approach is explored in The Longmead and Nonsuch Capacity Study.

- 4.7 It is also important to keep in mind the number of additional dwellings that come through via permitted development. During October 2018, MHCLG published a consultation '*Planning Reform: Supporting the high street and increasing the delivery of new homes*', this suggests that PD rights enabled the creation of 18,900 new homes nationally in 2016/17. Whilst changes to PD rights have secured additional residential units, this has been at the expense of the loss of employment floorspace. In response to these changes, the Council has adopted Article 4 Directions on some of the borough's offices, in order to manage these proposals. MHCLG are proposing additional permitted development rights to support the delivery of additional housing including new permitted development rights for the upward extensions on certain buildings in order to achieve additional housing. The Council will closely monitor these proposed changes and how they affect the land supply situation to meet future development needs.
- 4.8 The Council has commissioned a further study to explore the possible opportunities for housing land supply/ delivery within the Borough, taking a design led masterplan approach to delivering the identified need. The study, known as the 'Transformation Masterplan', assesses how Epsom and Ewell might 'transform' in the future to meet its needs, including an element of regeneration. The outcome of the 'Transformation Masterplan' will inform what approach the Council takes to meet its needs in its Local Plan review.
- 4.9 Whilst the Council is keen to deliver its housing need within the existing built up area, the scale of new housing that needs to be accommodated remains significant. It is unlikely that all of the need will be met within the urban area. It is therefore likely that the Council will need to investigate whether some of the need can be met outside the built up limits within the Green Belt. Whatever the approach the Council takes, it will need to work closely with neighbouring authorities to agree how the need will be met in its entirety.

Appendix A

Housing developments under construction.

Application No	Address	Net Change
Auriol		
14/00952	5A Stoneleigh Park Road, Stoneleigh	1
Total		1

College		
17/00256/FUL	5 Alexandra Road Epsom	10
17/00896/FUL	Development Site Rear Of Greenways And The Garth Windmill End Ewell Surrey	4
14/01855	Priam Lodge Stables, 83 Burgh Heath Road, Epsom	3
Total		17

Court		
13/01718/FUL	Meadowcroft, 56 Longmead Road	2
15/01497/FUL	101 to 111 Hollymoor Lane	24
15/01395/FUL	Garages 23 to 42 Teddington Close	6
16/01379/FUL + 17/00446/REM	Land To The Rear Of 35 The Avenue Worcester Park	5
Total		37

Cuddington		
16/01693/RES 16/00193/ OUT	Land Adjacent Riverside Cottage Old Malden Lane Worcester Park	1
17/00461/FUL	Mill House, Old Malden Lane, Worcester Park	1
Total		2

Ewell		
16/00378/PDCOU	Bank House, 42 High Street, Ewell	4
17/00616/PDCOU	Ram Security 27 - 29 High Street Ewell	5
17/00515/FUL	The Star 2 Cheam Road, Ewell	3
15/01133 (also 15/01574/REM)	4-6 Chuters Grove, Epsom	2
15/01548/FUL	6 to 8 Chuters Grove	2
Total		16

Ewell Court		
14/00077	287 Kingston Road	1
16/01753/FUL	317 Kingston Road	1
17/01370/FUL	407A Kingston Road	1
14/00646	69 Meadow Walk, Ewell	1
Total		4

Nonsuch		
17/00686/FUL	86 Reigate Road Ewell	3
16/00166/FUL	37 & 37a Cheam Road, Ewell	15
Total		18

Ruxley		
17/00121/FUL	5 Cox Lane West Ewell Surrey	8
16/00296/FUL	The Roveries, 59-63 Cox Lane	9
16/00380/FLH	97 Ruxley Lane West Ewell	0
11/00366	117 Ruxley Lane, West Ewell	1
Total		18

Stamford		
16/00096/FUL	Epsom Social Club, Horton Lane, Epsom	1
16/01145/FUL	Birchcroft & Hollydene Court Lane Epsom	11
16/00585/FUL	45 Manor Green Road, Epsom	0
14/01750/RES	57 Woodlands Road, Epsom	5
15/00492	Court Lodge, Court Lane, Epsom	9
14/00032	Pine Lodge, Horton Lane	10
Total		36

Stoneleigh		
15/01899/FUL	1 Clandon Close, Stoneleigh	1
14/00795	Rear of 72 Stoneleigh Broadway	6
10/00366	18 Stoneleigh Broadway, Stoneleigh	2
Total		9

Town		
14/00736	122 Hook Road, Epsom, KT19 8TX	2
17/00385/FUL	Chinese Acupuncture Centre Epsom House 10 East Street Epsom	4
15/01530/FUL & 18/00139/NMA	1 Chase Road, Epsom	13
13/00530 and 14/00205/COND	31 High Street Epsom	1
17/00020/FUL	6A Upper High Street Epsom	1
16/00215/FUL and 16/01624/COND	93 - 95 High Street, Epsom	3
15/01532/FUL + 17/00547/REM	Ashley House, Ashley Road	12
14/01920	24-28 West Street, Epsom	3
10/00709	68 High Street, Epsom	1
17/01755/FUL	Sunnybank House 39A East Street Epsom	Student Halls C1
Total		40

West Ewell		
10/00641	Land adj 41 Plough Road, West Ewell	1
08/00429	50 Gadesden Road, West Ewell	1
Total		2

Woodcote		
17/00308/FUL	The White Horse Public House	0
14/01442	54 Rosebery Road, Epsom	3
15/00228	Land At Lord Rosebery Lodge, 6 Elm Grove, Epsom	2
16/01581/FUL	The Gold Peak, Wilmerhatch Lane	0
16/00608/FUL	15 Pine Hill, Epsom	0
16/00055/FUL	85 Rosebery Road, Epsom	1
10/00653	Caithness Cottage, 60 Worples Road, Epsom	2
12/00148	11 Warren Hill, Epsom	1
Total		9
Overall Total		209

Appendix B

Outstanding permissions for housing.

Application No	Address	Net Change
Auriol		
15/01870/FUL	16 Kirby Close, Ewell	1
Total		1

College		
16/00489/OUT	32 Downs Road, Epsom	1
16/00653/OUT	25 Alexandra Road	13
17/01853/FUL	101 College Road Epsom	8
18/00494/FUL	18 Mill Road	1
Total		23

Court		
14/00167	Garages 1-9 Ormonde Avenue	2
17/00272/FUL	Central Lodge St Ebbas Hospital Hook Road Epsom	0
17/01398/FUL	329 Hook Road Epsom	1
17/01863/FUL	22 Hyperion Place Epsom	1
18/00183/FUL	Land Rear Of 36 Horton Hill Epsom	1
Total		5

Cuddington		
17/00833/FUL	16 Cleveland Gardens Worcester Park	1
18/00396/FUL	19 Woodlands Avenue Worcester Park	1
Total		2

Ewell		
15/00548	Brookland House, 2B West Street, Ewell	1
15/01388	Grange Mansions, Kingston Road	4
17/00530/FUL	Wychwood Epsom Road Ewell	3
17/00932/FUL	4-5 Market Parade High Street Ewell	4
17/01101/PDCOU	1st and 2nd floor offices 1 - 3 Cheam Road Ewell	2
18/00537/FUL	27 -29 High Street Ewell	3
17/01797/FUL	Freedman Alexander Solicitors First Floor Offices 57 - 61 High Street Ewell	3
18/00529/FUL	22 The Headway Ewell	1
17/00784/PDCOU	100 East Street Epsom	6
Total		27

Ewell Court		
16/00311/FUL	1 Chestnut Avenue, Ewell	1
18/00185/FUL	6 Plantagenet Close Worcester Park	0
18/00297/FUL	78 Riverview Road	3
18/00168/FUL	2A River Way Ewell	1
Total		5

Nonsuch		
16/01068/FUL	57 Longdown Lane North Ewell	1
18/00801/FUL	86 Reigate Road Ewell	2
Total		3

Ruxley		
17/01490/OUT	29 Cox Lane West Ewell	1
18/00084/FUL	490 Chessington Road West Ewell	3
Total		4

Stamford		
15/00766/FUL	83 Manor Green Road Epsom	1
17/00353/FLH	6 Lindsay Close Epsom	1
17/01722/FUL	2 Hunters Close Epsom	1
17/01392/FUL	Land Adjoining 50 Woodlands Road Epsom	1
17/00469/FUL	41 Kendor Avenue	1
Total		5

Stoneleigh		
14/01857/FUL	London Road Lodge Nonsuch Park	0
15/00336	Land Rear 44-48 Stoneleigh Broadway, Stoneleigh	6
17/00549/FUL	32A Stoneleigh Broadway Stoneleigh	1
17/01583/FUL	Darbys Newsagents 50 Stoneleigh Broadway	2
17/01306/REM	Rear Of 72 Stoneleigh Broadway	1
Total		10

Town		
14/00724	19 Church Road, Epsom	1
15/01021	69-71 High Street, Epsom	1
16/01407/FUL	69-71 High Street Epsom	3
17/00188/FUL	Bar XLR 79 East Street Epsom	6
16/01902/OUT	Land To The Rear Of 41 To 67 Hook Road	4
17/00244/FUL	111 East Street Epsom	3
16/01325/FUL	13 Ashley Road Epsom	3
17/00387/FUL	YoYo DropIn Centre 24 South Street Epsom	2
17/01242/FUL	31 Prospect Place	1
17/00001/FUL	Development Site At Upper High Street Epsom	30
17/01395/RES	Haddad House 91 East Street Epsom	5
17/01085/OUT	8 Andrews Close Epsom	7
17/01601/PDCOU	Ground Floor 82 East Street Epsom	3
17/01758/PDCOU	Aviary Court 138 Miles Road Epsom	8
17/01579/FUL	Stan James Adair House 4- 6 High Street	2
18/00483/FUL	Chinese Acupuncture Centre Epsom House 10 East Street Epsom	2
18/00487/FUL	82 East Street Epsom	1
18/00721/FUL	Land To The Rear Of 41 To 67 Hook Road Epsom	4
18/00153/FUL	54 High Street Epsom	2
18/00653/PDCOU	82 East Street Epsom	1
Total		89

West Ewell		
15/00932	171 Chessington Road West Ewell	1
16/00712/FUL	1 Gadesden Road West Ewell	1
17/00132/CLP	171 Chessington Road	1
Total		3

Woodcote		
16/01919/FUL	70 Worple Road Epsom	1
16/01564/FUL	80 Rosebery Road Epsom	1
17/01321/FUL	Ebbisham Court 34 Dorking Road Epsom	1
17/01574/RES	12 - 14 Grosvenor Road Epsom	1
17/01275/FUL	Chalk Lane Hotel Chalk Lane Epsom	21
18/00030/FLH	98 Beaconsfield Road Epsom	0
18/00117/FUL	The Durdans Stables Chalk Lane Epsom	1
18/00233/REM	54 Rosebery Road Epsom	3
18/00432/OUT	74 Ebbisham Road Epsom	1
17/01256/FUL	34 Woodcote Park Road Epsom	0
Total		30
Overall Total		207

Progress on the Local Plan

Head of Service/Contact:	Ruth Ormella, Head of Planning
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Annexes/Appendices (attached):	None stated
Other available papers (not attached):	Epsom & Ewell Local Plan Programme July 2018

Report summary

Progress against the new Local Plan's project milestones continues to be maintained. The focus is currently upon completing a robust and proportionate evidence base that will support the new Local Plan through the forthcoming submission and examination stages. In parallel, the Borough Council continues to engage with its partners to identify including stakeholder engagement on future community infrastructure improvements.

The revised National Planning Policy Framework introduces a Housing Delivery Test that assesses the performance of local planning authorities in meeting the government's objective to significantly boost housing delivery. The first assessment under this new regime took place at the end of 2018. This report provides an overview of the Delivery Test, the Borough's performance and the implications for our plan and decision making.

Recommendation (s)

The Committee

- (1) notes the good progress being made in preparing the new Local Plan;
- (2) notes the government's Housing Delivery Test and the implications that will follow; and
- (3) advises the Planning Committee that planning applications should be determined with the knowledge that there is not a demonstrable five year housing land supply.

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The delivery and implementation of the Epsom & Ewell Local Plan contributes towards all of the Council's Key Priorities. The new Epsom & Ewell Local Plan is critical as it will set out how sustainable growth, particularly in relation to new housing, will be delivered during the plan period.

2 Progress on our Local Plan

- 2.1 At the November 2018 Licensing & Planning Policy Committee, Members agreed to receive a regular report that provides an update on the progress being made on the preparation of the new Local Plan against the milestones identified by the Local Plan Programme (July 2018). This is the second Local Plan Progress report to the Licensing & Planning Policy Committee.

- 2.2 The Borough Council continues to make good progress against the timetable and milestones set out in the Local Plan Programme. The current focus is on preparing a robust evidence base to ensure the new Local Plan meets the tests of soundness by being "justified"¹. Work on the evidence base is already advanced. During November 2018 the Committee approved the Longmead and Nonsuch Industrial Estates Capacity Study, and the current agenda includes a report on the Borough-wide Urban Capacity. In the build-up to public consultation on the Pre-Submission Draft of the new Local Plan, the evidence base will be expanded to include the following studies –

- Revised Strategic Housing Market Assessment
- Strategic (Development) Viability Assessment
- Green Infrastructure/ Open Space Study (Update)
- Employment Land Assessment (update)
- Borough-wide Food Retail Impact Assessment
- Strategic Flood Risk Assessment Level 2²
- Self-Build and Custom Housing Need Study

- 2.3 The above studies will be reported to the Committee as appropriate and will help inform the development of the emerging policy and new Local Plan.

¹ This is set out under NPPF Paragraph 35.

² As required – the requirement for this additional work will only be triggered should any of the site allocation options be subject to flood risk.

3 Progress on the Infrastructure Delivery Plan

- 3.1 At the 15th November 2018 Licensing & Planning Policy Committee, Members agreed to the publication of a new Infrastructure Delivery Plan (IDP) that replaces the original version adopted by the Borough Council during 2013. The new IDP is a live document that serves as an interim plan that bridges the gap between the historic levels of growth (outlined in our Core Strategy) and future growth (as suggested by the government's standard method for calculating housing need).
- 3.2 Work has already started on preparing the next version of the IDP, which will seek to identify specific infrastructure improvements. This emerging work will take account of the anticipated scale of growth that the Borough can sustainably accommodate and the specific sites that will need to come forward in order to deliver it.

4 The Housing Delivery Test

- 4.1 The revised National Planning Policy Framework (NPPF) makes it clear that the delivery of new homes is a key component of sustainable growth³. In order to meet this objective the NPPF continues to require that local plans identify a sufficient supply of specific deliverable sites to meet need during the first five years of a plan period; and specific developable sites to provide a supply of new homes for years six through until ten of the local plan period⁴. Local planning authorities continue to be assessed on this requirement by demonstrating a "five-year housing land supply trajectory"⁵.
- 4.2 In order to encourage local planning authorities to maintain a continuous supply of sites to meet their objectively assessed housing need (OAHN), the revised NPPF continues to set a series of buffers when a five year housing supply is not demonstrable⁶. These buffers add between 5% and 20% additional housing onto the OAHN requirement. The government's intention is to create a supply and demand solution to under-delivery. This works on the assumption that the delivery of more new housing (above their OAHN) will raise housing land supply and improve affordability. The buffers remain in place until the Council can demonstrate it can deliver a sufficient supply in accordance to the requirements, and then the buffers reduce back to the base level of the OAHN.

³ This is set out under NPPF Paragraph 59.

⁴ This is set out under NPPF Paragraph 67 a) and b).

⁵ Given the time-lag associated with the preparation of new or revised Local Plan, the trajectory will in reality need to demonstrate a seven to eight year supply of available and deliverable sites in order to satisfy a Planning Inspector.

⁶ This is set out under NPPF Paragraph 73.

- 4.3 The Housing Delivery Test is an annual assessment of the performance of local planning authorities in delivering their identified need over the previous three years. This is an annual Test that uses existing data, submitted as part of the Housing Delivery return. The Borough Council made its first return to this Test during the final quarter of 2018. The results of the Test were anticipated in November but have yet to be published.
- 4.4 If the results of the Housing Delivery test demonstrate that there has been significant under delivery then an additional 20% buffer will be applied to the OAHN. Footnote 39 of the NPPF clarifies that significant under delivery (paragraph 73 (C)) applies when the Housing Delivery Test indicates that delivery was below 85% of the housing requirement. For clarification the Ministry has stated to the Borough Council that the application of the buffers is not cumulative. Namely, should a local planning authority fail the Test over consecutive reporting periods they will not accumulate additional buffers
- 4.5 Initial calculations carried out by the Borough Council indicate that housing delivery in Epsom & Ewell over the previous three years is below 85% housing requirement (when applying the OAHN as calculated by the standard method) and the Council's five year housing land supply situation is likely to demonstrate just over a single year supply of deliverable sites. This is a significant shortfall from the five year supply position required by national planning policy. The lack of availability of housing land is one reason for this outcome, in addition to the need to rapidly respond to a greater level of housing need than its previous modest target.
- 4.6 It is anticipated that the government will conclude that there is a significant shortfall in housing land supply and apply the 20% buffer onto the Borough's existing OAHN. This is likely to result in a new housing need figure in the order of 695 homes per annum, until such time that it can demonstrate increased delivery in accordance to the requirements set out in the NPPF. There is no mechanism to appeal or challenge the outcomes of the Test.
- 4.7 So as to address the shortfall in housing land supply the Borough Council will also be required to prepare a Housing Delivery Action Plan that will set out how it will address the shortfall and secure a five year housing land supply. The Borough Council will have six months in which to prepare the Housing Delivery Action Plan.
- 4.8 It is anticipated that the Borough Council's Housing Delivery Action Plan will function as a precursor to the Housing Strategy that will form a key part of the new Local Plan. The Committee will receive a full report on this matter once the government's decision on the outcomes of the Test have been published. It is important to note that the Council is not alone with many neighbouring planning authorities being in the same position.

5 Financial and Manpower Implications

- 5.1 The preparation, publication, examination and implementation of our new Local Plan is a high priority which is being resourced through the Planning Policy Team and separate commissions that are required relating to evidence base and technical reports.
- 5.2 The increasing level of complexity to the local plan process (introduced through the revised NPPF), particularly in relation to the housing delivery test, review of the CIL schedule and strategic viability mean that further resources may be required. Approval from the Strategy & Resources Committee will be sought identifying the estimated budget for the work that needs to be commissioned.
- 5.3 **Chief Finance Officer's comments:** *Additional funding from the 5 percent admin fee element of Community Infrastructure Levy receipts was agreed to fund up to £80,000 in total over two years to support the delivery of the Local Plan. Any request for the use of any additional funding will need to be agreed by the Strategy and Resources Committee.*

6 Legal Implications (including implications for matters relating to equality)

- 6.1 The new Local Plan will need to demonstrate that it meets the four tests of soundness set out in national planning policy. By providing evidence that we have considered all reasonable and available sources of housing land supply, and the factors and constraints that impact upon supply, we will be able demonstrate that our new Local Plan has been positively prepared and is justified.
- 6.2 **Monitoring Officer's comments:** *none arising from the contents of this report.*

7 Sustainability Policy and Community Safety Implications

- 7.1 None for the purposes of this report.

8 Partnerships

- 8.1 None for the purposes of this report.

9 Risk Assessment

- 9.1 Having an up-to-date Local Plan Programme is a key measure in mitigating possible risk of direct intervention by the government. Ensuring that our agreed milestones towards Submission and examination are met is important. Should we fail to meet our targets we are likely to face criticism and the possibility of intervention. This regular item provides the Committee with a mechanism to monitor and engage in the process progressing towards the Submission stage. In particular it provides an early warning system in identifying possible areas of risk – including delay – and the mitigation measures that could be deployed in response.

- 9.2 National planning policy requires that we maintain a rolling supply of available, deliverable and developable sites that provide at least a five year supply for additional new housing. The Housing Delivery Test is the mechanism that government uses to monitor and intervene in this process. It is anticipated that the Borough Council will be unable to demonstrate a five year housing land supply trajectory, as a consequence our housing requirement will be subjected to additional buffers. An Action Plan, setting out how the Borough Council will re-establish a five year housing land trajectory will be taken before the Committee once the government's assessment of the Test has been published.
- 9.3 The implication of the absence of a five year housing land supply is significant when considering planning applications. It is therefore appropriate that the Licencing & Planning Policy Committee bring to the attention of the Planning Committee that at this point in the review of the housing trajectory, planning applications should be determined in the knowledge that there is not a demonstrable five your housing land supply.

10 Conclusion and Recommendations

- 10.1 The Committee are requested to take note of the progress being made in preparing the new Local Plan.
- 10.2 The Committee notes the forthcoming outputs from the government's Housing Delivery Test and the implications that will follow.
- 10.3 Finally, that given the Committee advises the Planning Committee that planning applications should be determined in the knowledge of there being an absence of a five year housing land supply.

Ward(s) affected: (All Wards);