



LICENSING AND PLANNING POLICY COMMITTEE

Tuesday 10 July 2018 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 Wood (Vice-Chairman)
Councillor Michael Arthur MBE
Councillor Steve Bridger
Councillor Chris Frost

Councillor Rob Geleit
Councillor Tina Mountain
Councillor Martin Olney
Councillor David Reeve
Councillor Humphrey Reynolds

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Beldan". The signature is fluid and cursive, with a long, sweeping underline.

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 - 6)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 7 June 2018(attached) and to authorise the Chairman to sign them.

4. EPSOM & EWELL GREEN BELT STUDY STAGE 2 (Pages 7 - 96)

The Council published a Green Belt Study during April 2017 (study dated February 2017). In September 2017, a Part Two Study was commissioned to provide a more detailed assessment of sites being promoted for development. The Part Two Study will form part of our Local Plan's technical evidence base and will inform the preparation of new policy.

The Committee is asked to consider the Green Belt Study and agree to its publication.

5. LOCAL PLAN PROGRAMME (Pages 97 - 116)

A new Local Plan Programme has been prepared to set the process and timetable for the new Epsom & Ewell Local Plan. The Committee is asked to consider and agree to adopt the new timetable with immediate effect.

6. STATEMENT OF POLICY - LICENSING ACT 2003 (Pages 117 - 144)

This report requests the Committee to recommend to Council the adoption of a revised Statement of Licensing Policy.

7. FILM CLASSIFICATION POLICY (Pages 145 - 156)

The Committee is asked to consider a draft Policy for adoption regarding the classification of films by the Council and agree to recommend to Council adoption of the policy.

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held on 7 June 2018**

PRESENT -

Councillor Graham Dudley (Chairman); Councillor David Wood (Vice-Chairman); Councillors Michael Arthur MBE, Rob Geleit, Tina Mountain, Martin Olney, David Reeve, Humphrey Reynolds, Clive Woodbridge (as nominated substitute for Councillor Steve Bridger) and Tella Wormington (as nominated substitute for Councillor Chris Frost)

In Attendance:

Absent: Councillor Steve Bridger and Councillor Chris Frost

Officers present: Damian Roberts (Chief Operating Officer), Amardip Healy (Chief Legal Officer), Rachel Jackson (Licensing, Grants and HIA Manager), Karol Jakubczyk (Planning Policy Manager) and Sandra Dessent (Democratic Services Officer)

7 QUESTION TIME

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

8 DECLARATIONS OF INTEREST

In the interests of openness and transparency Councillor Michael Arthur declared that his home was located on the boundary of a flood zone as identified in the Epsom & Ewell Strategic Flood Risk Assessment 2018 (SFRA 2018), item 7 on the agenda, but it was not considered that it would affect his consideration of the item.

9 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Licensing and Planning Policy Committee held on 8 May 2018 were agreed as a true record and signed by the Chairman.

10 APPOINTMENT OF LICENSING PANEL CHAIRMAN

This item was deferred to the next meeting.

11 GAMBLING ACT POLICY REVIEW

Under the Gambling Act 2005, the Council had a statutory requirement to review its policy and advertise their intention to publish the revision at least four weeks prior to the publication date.

The Committee was informed that one consultee had responded during the consultation period, namely the Association of British Bookmakers, and as a result minor amendments were made to the policy as follows:

Paragraph 1.10 Assessing local risk	First sentence to read: 'The Social Responsibility code provision 10.1.1 came into effect in April 2016...'
Paragraph 2.2 Location	Removal of first paragraph which is no longer relevant
Paragraph 2.4 Conditions	Add to first paragraph as follows: <i>'The Authority recognises that the mandatory and default conditions are usually sufficient and would only consider the imposition of specific conditions where there is evidence of a risk to the licensing objectives. Where conditions are imposed by the Council, they will...'</i>
Paragraph 2.5 Door Supervisors	First paragraph, second sentence to read: 'However if the Council find it necessary to impose a condition on a premises licence requiring the presence of door supervisors, such persons <i>shall</i> hold a licence...'

Having considered the reviewed policy, the Committee agreed to further amendments as follows:

Paragraph 1.2 Consultation	Change date in last sentence to 27 December 2018
Paragraph 3.4 Club gaming and club machine permits	Clarity required that 3 machines in total can be provided not 3 in each category

Officers confirmed that there were no licensed family entertainment centres in Epsom but agreed to investigate if there was a minimum age for children to use gaming machines in family centres.

Having considered the renewed statement of policy for the Gambling Act 2005, the Committee agreed to recommend the adoption of the policy to Council, subject to minor amendments agreed at the meeting.

12 CORPORATE PLAN: KEY PRIORITY TARGETS FOR 2018 TO 2019

The Committee received the Corporate Plan Key Priority Targets for 2018/19 which are linked to the Council's Annual Service Delivery Plans and had been developed in consultation with the Council's officer Leadership Team and Committee Chairmen.

Having reviewed the targets it was agreed under the section 'Supporting businesses and our local economy to add *'against officer recommendation'* to 'the numbers of officer recommendations overturned by the Planning Committee.

It was acknowledged that some of the targets were challenging and not entirely within the control of officers. However in such cases they were expected to influence the outcome.

Accordingly the Committee agreed the corporate plan Key Priority targets for 2018 to 2019 subject to the minor amendment above.

13 EPSOM & EWELL STRATEGIC FLOOD RISK ASSESSMENT UPDATE 2018

The Committee received a report providing an overview of the Epsom & Ewell Strategic Flood Risk Assessment Update 2018 (SFRA 2018), and noted its importance as an evidence base document that informed the allocation of sites in the Local Plan as well as future policy formation and planning applications/decisions.

It was acknowledged that the SFRA outcomes could inform the preparation of future site allocations and their associated policies. However it was noted that SFRA updated conclusions had not altered significantly since the previous assessment, and would not therefore extensively change the Council's plans for future growth in the borough.

Officers agreed to investigate an area on the map (adjacent to South Hatch) which members noted had previously experienced a flood event but which had not been identified as a flood risk area in the SFRA update.

Accordingly the Committee noted the Strategic Flood Risk Assessment update 2018 (SFRA2108), and the summary report.

14 MASTERPLAN FOR EPSOM & EWELL

Work on a Masterplan for the borough commenced in February 2018 and the Committee received a report outlining the preparation process and scope of the Masterplan. Members were informed that the document would run alongside the new Local Plan and could subsequently be further developed and adopted (following the adoption of the new local plan) as a supplementary planning policy framework to facilitate the transformation of Epsom & Ewell into the 2040's.

It was agreed that the views of local residents in relation to design were important. However alongside their views the Council needed to be mindful of the government's objectively assessed housing figure for the borough which could only be met by increasing density and height of future developments. The Committee was assured that as these matters progressed there would be opportunities for Members to comment.

The considerations that would need to be taken in account in preparing the Masterplan specification were discussed and it was agreed that as well as good quality design and visually pleasing architecture, the Council's approach to the preservation of conservation areas and heritage were also essential requirements.

It was envisaged that the preparation and production of the Masterplan would take 12 months, and following the commissioning of consultants a timetable with more precise timescales could be produced. It would also provide more detail on how and when the consultations would take place.

The complimentary link between the Masterplan and proposed 'Visioning' exercise was highlighted although it was pointed out that visioning looks beyond Town Planning issues that are the focus of the Masterplan.

The Committee noted that the Council had previously implemented a successful masterplan for the development of the hospital cluster and whilst that piece of work was similar, the new Masterplan would be on a much larger scale. It will also have the objective of transforming the borough in much the same way as the post war housing developments did.

It was emphasized and noted that the Masterplan should also reflect the need for young people accommodation with associated infrastructure i.e. recreational areas, open space and schools.

Accordingly the Committee:

- (1) Agreed to the preparation of a Masterplan that would contribute to the transformation of the borough and the preparation of the new Local Plan
- (2) Agreed that a request for funding of the Masterplan be brought before the Council's Strategy and Resources committee.

The meeting began at 7.30 pm and ended at 8.45 pm

COUNCILLOR GRAHAM DUDLEY (CHAIRMAN)

EPSOM & EWELL GREEN BELT STUDY STAGE 2

<u>Report of the:</u>	Viv Evans, Interim Head of Planning
<u>Contact:</u>	Karol Jakubczyk
<u>Urgent Decision?(yes/no)</u>	No
<u>If yes, reason urgent decision required:</u>	
<u>Annexes/Appendices (attached):</u>	Annexe 1: Epsom & Ewell Green Belt Study Stage Two
<u>Other available papers (not attached):</u>	L&PPC Committee Report April 2017; Epsom & Ewell Green Belt Study (February 2017); National Planning Policy Framework Draft National Planning Policy Framework

Report summary

National planning policy sets out how the Government attaches great importance to Green Belts. It also states that local planning authorities should use the opportunity provided by a review of a local plan to reconsider Green Belt boundaries. Emerging national planning policy states that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or updating of plans. Before concluding that exceptional circumstances exist we need to examine fully all other reasonable options for meeting the Borough's identified need for development (including housing need).

Recommendation (s)

The Committee considers the Green Belt Study Stage 2 and agrees to its publication.

Notes

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 partial review of the Core Strategy is a critical part of the Local Plan review process as it will set out how sustainable growth will be delivered during the plan period.

2 Background

2.1 The National Planning Policy Framework (NPPF) demands that local planning authorities plan positively for growth, specifically housing, and 'leave no stone unturned' when considering options. In order to respond to this we commissioned W S Atkins Ltd to carry out a Green Belt Study, which provides an objective assessment of our Green Belt's performance against the five purposes as set out in the NPPF. The five purposes¹ are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.2 During September 2017, the Borough Council commissioned a further Green Belt Study to provide a more detailed assessment of the Green Belt. The production and preparation of an additional Green Belt Study (Stage Two) is a normal approach for local planning authorities to take when creating their local plan evidence base. A copy is included under Annexe 1.

3 Epsom & Ewell Green Belt Study Stage 2

3.1 The Green Belt Study Stage Two provides a more detailed review of the lower scoring areas of Green Belt as well as those sites which have been promoted through the Local Plan call for sites process. This more detailed review process comprised a desk-top policy focused assessment of the existing constraints including land use, ecological designations, flood risk, heritage designations, agricultural land classification, pedestrian and cycle routes and any other relevant local designations. A limited review of the accessibility and connectivity was also carried out at this stage.

3.2 Following the desk-top stage, site visits were made to establish the setting and context of each site. This included an assessment of physical features in and around each in addition to a landscape and visual sensitivity assessment.

3.3 The Green Belt Study Stage Two report does not make recommendations as to which land should or should not be released from the Green Belt.

¹ These are set out under NPPF Paragraph 80.

- 3.4 The Green Belt Study Stage Two is a purely technical assessment that forms part of a comprehensive suite of evidence base documents supporting the Local Plan update. The findings of this study should not be read or considered in isolation but in parallel with the complete series of evidence base documents.
- 3.5 The outcomes of the Local Plan evidence will require the careful balancing of the social, environmental and economic advantages and disadvantages to bring forward a sustainable growth strategy to underpin the Local Plan. This process will be undertaken through the Sustainability Appraisal Report.
- 3.6 Existing and emerging national planning policy states that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or updating of plans. Before concluding that exceptional circumstances exist the Council will need to examine fully all other reasonable options for meeting the Borough's identified need for development, including the objectively assessed housing need.
- 3.7 The findings of the Green Belt Study Stage 2 along with the wider evidence base will inform the Council's consideration to whether exceptional circumstances to amend the Green Belt boundary in Epsom & Ewell exist.

4 Financial and Manpower Implications

- 4.1 There continues to be a requirement to prepare a sound local plan that is positively prepared, justified, effective and consistent with national planning policy². Maintaining a robust and up-to-date evidence base is a key response to meeting that requirement.
- 4.2 Forthcoming changes to national planning policy indicate that the Borough Council will need to make a long term commitment to resourcing the regular review of the Local Plan (every five years). The Planning Policy Manager continues to seek that sufficient resources remain in place to ensure that this requirement is met.
- 4.3 **Chief Finance Officer's comments:** Any request for additional financial resources needs to be agreed by Strategy and Resources Committee

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

² This is set out under NPPF Paragraph 182.

- 5.1 There is a statutory framework for Local Planning Authorities to follow in relation to the preparation and adoption of local plans. The Town and Country Planning (Local Planning) (England) Regulations set out the procedure to be followed by local planning authorities in relation to the preparation of local plan, including the consultation with interested persons and bodies and the documents that must be made available at each stage. Publication of the Green Belt Study Part 2 will form part of this statutory requirement.

- 5.2 ***Monitoring Officer's comments: The Local Planning Authority are required to follow the statutory framework to ensure their local plans are adopted.***

6 Sustainability Policy and Community Safety Implications

- 6.1 The partial review of the Core Strategy contributes towards delivering the Borough Council's objectives for maintaining and enhancing the Borough as a sustainable place to live, work and visit by putting in place strategies and policies to facilitate growth.

7 Partnerships

- 7.1 The Duty to Co-operate requires the Borough Council to engage with our partners on strategic issues such as the Green Belt. Officers continue to engage with neighbouring authorities and continue to provide opportunities for them to engage with the partial review process through stakeholder engagement. We intend to prepare and publish an Engagement Plan that will set out how we will discharge our Duty to Co-operate.
- 7.2 Officers will continue to work with our neighbours to ensure that the strategic purpose and performance of the wider Green Belt is not degraded. Prior to the publication of our Local Plan Pre-submission draft we will produce a statement of how we have sought to meet our duty to co-operate with our strategic partners.

8 Risk Assessment

- 8.1 Failure to provide a robust assessment of the purpose and performance of the Green Belt could leave the Borough Council open to challenge, with the associated threat of growth being directed onto sites not considered appropriate by the Council.
- 8.2 Whilst this area of risk has yet to manifest itself in Epsom & Ewell, the higher levels of housing growth anticipated for Greater London and the wider South East of England places additional pressure upon the Borough.
- 8.3 By proactively planning for future growth, identifying where it should and should not go, we will place ourselves in a stronger position to resist unsustainable levels of growth in the wrong locations.

9 Conclusion and Recommendations

- 9.1 The Committee are asked to consider the Green Belt Study Stage Two and agree to its publication as part of the Local Plan evidence base.

Ward(s) affected: (All Wards);

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Epsom and Ewell

Green Belt Study Stage Two

Epsom and Ewell Borough Council

May 2018



Chapter

1. Introduction	1	3. Scope and Methodology	7
1.1. Background	1	3.1. Methodology	7
1.2. Requirement for the Green Belt Study Stage Two	1	4. Sites	9
2. Policy Context	3	4.1. Assessed Parcels	10
2.1. National Planning Policy Framework	3	5. Assessment	13
2.2. Draft Revised National Planning Policy Framework	3	6. Conclusions	73
2.3. Epsom and Ewell Local Plan	4	7. Next Steps	74
		Appendix A. Workshop Invitees	77
		Appendix B. Definitions	79

1 Introduction

Atkins Limited has been commissioned by Epsom and Ewell Borough Council (EEBC) to carry out a Green Belt Study Stage Two. This Stage Two Study (GBS Stage Two) assesses the promoted or lower performing Green Belt parcels, considers constraints and identifies parcels which are potentially suitable for release from the Green Belt which could potentially contribute to EEBC's housing land supply as part of the current Core Strategy Review. This Study will be used to inform decisions relating to identified long term growth requirements for the borough and discussions with neighbouring authorities under the Duty to Co-operate relating to the accommodation of wider growth pressures from beyond the authority boundary.

1.1 Background

In 2016, Atkins Limited was commissioned by EEBC to carry out a strategic assessment of the Metropolitan Green Belt within the borough (the Green Belt Stage One Study). This comprehensive assessment used a 'policy off' approach in assessing the performance of the land within the Green Belt against the five purposes as set out in paragraphs 79 and 80 of the National Planning Policy Framework 2012 (NPPF).

The GBS Stage One sub-divided the borough's Green Belt land in to a total of 53 separate parcels and then assessed their performance against the five purposes using a scoring system of 0-3 with the higher performing parcels scoring 3 for each purpose. The GBS Stage One found that the performance and character of the Green Belt land varies across the borough with some parcels performing highly for some purposes and not performing for others. The Study concluded that overall the area of designated Metropolitan Green Belt within the borough performs highly.

Following consideration of the findings of the GBS Stage One assessment, in September 2017 EEBC commissioned Atkins Limited to carry out a more detailed 'policy on' Green Belt Study Stage Two ('GBS Stage Two') (which forms the subject of this report). The agreed basis of the Stage Two Study was to assess those areas of Green Belt that did not perform highly against the five purposes and which could potentially be released to contribute to meeting the Council's identified housing land supply. Whilst it is not the purpose of this GBS Stage Two to make recommendations as to which areas of land should be released from the Green Belt, it does set out clearly those areas which are less constrained and therefore considered potentially suitable for release when considered against national Green Belt policy at this stage.

1.2 Requirement for the Study Stage Two

The key driver for this GBS Stage Two is EEBC's need to adopt a partial review of its Core Strategy taking account of the requirements of the National Planning Policy Framework (NPPF) and up to date Planning Practice Guidance (PPG) whilst demonstrating how the borough's identified growth requirements, including their Objectively Assessed Need (OAN) for housing, will be accommodated.

The 2016 Strategic Housing Market Assessment (SHMA), commissioned by Elmbridge Borough Council, EEBC, Mole Valley District Council and the Royal Borough of Kingston Upon Thames identifies the OAN for housing for EEBC as 8,352 over the period 2015-2035 (418 per annum). This figure is significantly higher than the planned provision set out in the Core Strategy of 2,715 new homes over the plan period 2007-2022, with an average delivery of 181 homes per annum.

EEBC's Strategic Housing Land Availability Assessment (SHLAA) 2017 reviewed the potential housing land supply for the current Core Strategy period 2007-2026 as well as the forthcoming Local Plan period 2015-2032. The SHLAA identifies sufficient housing land to meet the currently adopted housing target of 2,715 new homes of the current plan period. However, there is a significant shortfall in available land to respond to the OAN figure for housing for the forthcoming plan period. EEBC's current 5 year housing land supply figure is 1.3 years based on the OAN of 418 homes per annum. There is therefore, a need for EEBC to review the options available to increase the housing land supply in the immediate and longer term.

In seeking to increase its housing land supply and meet the OAN for housing for the borough, EEBC must consider all reasonable options available, including whether there are exceptional circumstances to justify the release of designated Green Belt land. This GBS Stage Two assesses those areas of designated Green Belt land that have been identified within the GBS Stage One or put forward by site promoters as having the potential to contribute to EEBC's housing land supply without compromising the overall performance of the Green Belt both within and beyond the borough boundary.

This GBS Stage Two is part of a wider evidence base that will inform the review of the Core Strategy. The findings of this study, alongside the findings of the GBS Stage One, should not be read in isolation but considered in parallel with the complete series of evidence base documents published by the Council.

This GBS Stage Two will be used alongside other evidence base documents to assist the Council in considering its approach to the accommodation of the OAN for housing for the borough and whether exceptional circumstances exist to justify the release of designated Green Belt land in line with national planning policy.

2 Policy Context

2.1. National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 and replaced the former Planning Policy Statements and Planning Policy Guidance Notes. The NPPF sets out the national planning policies for England with the presumption in favour of sustainable development at its core. The NPPF supports the Government's sustainable growth agenda and sets out economic, social and environmental policies to guide development.

Paragraph 79 of the NPPF makes it clear that the Government 'attaches great importance to Green Belts', setting out that the 'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open'. Paragraph 80 sets out the five purposes of Green Belt:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The GBS Stage One sub-divided and assessed all designated Green Belt land within the borough against the five purposes identified in paragraph 80 which provided an assessment of the performance of the Green Belt within EEBC.

Paragraph 83 sets out that Green Belt boundaries should be fixed and only altered in exceptional circumstances through the Local Plan preparation or review process. In addition, paragraph 85 sets out a number of factors that should be given due consideration when defining Green Belt boundaries:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;

- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

Paragraph 84 requires authorities to consider the requirement to promote sustainable patterns of development when reviewing Green Belt boundaries. Specifically, authorities should 'consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary'.

2.2. Draft Revised National Planning Policy Framework

On 5th March 2018 the Government published the Draft Revised NPPF for consultation. The Draft Revised NPPF seeks to incorporate the proposals previously set out in the 'Housing White Paper' and 'Planning for the right homes in the right places consultation' into national planning policy. Some of these proposed revisions include policies relating to Green Belt land and housing delivery.

Paragraph 136 of the Draft Revised NPPF requires Local Planning Authorities to thoroughly assess all reasonable options for the accommodation of their identified needs before concluding that exceptional circumstances have been established to justify the release of Green Belt land. Consideration must be given to:

- the availability of suitable brownfield sites and underutilised land;
- optimising the density of development; and
- the potential for neighbouring authorities to accommodate some of the identified need.

Paragraph 137 seeks to add to paragraph 84 of the NPPF by setting out the requirement for first consideration to be given to previously developed land and/or land which is well served by public transport where Green Belt release is deemed necessary to meet identified needs.

These proposed changes, alongside the forthcoming Housing Delivery Test, will change the policy framework for delivering housing and should be given due regard by EEBC when considering its options for meeting the OAN for housing.

2.3. Epsom and Ewell Local Plan

The Epsom and Ewell Local Plan will update the adopted Core Strategy 2007 taking account of up to date national policy and local evidence base. The Council consulted on the Local Plan Issues and Options report from September to November 2017. The report makes it clear that the current evidence base shows that there is insufficient land available to meet the identified housing needs of the borough over the next 15 years. Therefore, as part of this consultation a number of options for the accommodation of growth were presented for consideration. Three of these options included for the release of Green Belt land.

The Issues and Options report identifies that under Option 2 (Release some Green Belt land for new homes) and Option 4 (Finding the balance) any Green Belt release should be from within 'Broad Areas of Search' as a starting point. These Broad Areas are to be free from primary constraints. This created an initial area of search that is immediately adjacent to the existing built up area.

The requirements of the NPPF, the options identified in the Epsom and Ewell Issues and Options report alongside the findings of the GBS Stage One, form the basis for this Study. Whilst still in draft, the outlined proposed changes to the NPPF have also been given due regard in this Study.

1. As set out in the Epsom and Ewell Constraints Report 2017



3 Scope and Methodology

The core purpose of this GBS Stage Two is to identify those areas of the Metropolitan Green Belt within the borough that are the least constrained and therefore may be suitable, in Green Belt terms, for release in order to contribute to accommodating development and future growth in the borough. The scope and basis of this Study is set out in the table below.

This Study:	This Study DOES NOT:
Assesses the lower scoring areas of Green Belt identified in the GBS Stage One	Determine whether or not Green Belt land should be released
Assesses promoted Green Belt sites submitted to the Call for Sites exercise	Recommend the quantum of land that should be released from the Green Belt
Uses a 'policy on' approach to assessing parcels	Recommend the release of any specific area of land from the Green Belt
Identifies those parcels which are considered to be the least constrained in policy terms	Calculate the potential yield from any assessed sites

This Study builds upon the findings of the GBS Stage One. It further assesses those lower scoring parcels alongside those sites which have been promoted through EEBC's Local Plan Call for Sites exercise. This Study and the GBS Stage One should not be read in isolation, but considered as part of the wider Core Strategy Review evidence base.

The GBS Stage One identified a small number of sites that, at that stage, could have been considered suitable for adding land to the Green Belt. This Study does not consider these sites any further. The areas were identified during the 'policy off' stage and therefore consideration was not given to their existing protection under other extant policies.

3.1 Methodology

In order to ensure a robust and comprehensive approach, this study methodology has been informed by the key relevant requirements of the NPPF. This GBS Stage Two has been undertaken in eight key stages. The work undertaken through this staged process is outlined in further detail below:

Stage One: Establishing the scope of the assessment

Stage Two: Establishing the methodology

Stage Three: Identifying the lower scoring parcels from the Green Belt Study Stage One and promoted sites from the Local Plan call for sites

Stage Four: Detailed desk-based assessment of sites

Stage Five: Site visits

Stage Six: Draft reporting

Stage Seven: Stakeholder workshop

Stage Eight: Final reporting

The findings of the GBS Stage One provided the basis for establishing the scope of the assessment. The assessment methodology was then established and agreed with EEBC, including a review of the constraints and policies which were to be considered as part of the assessment. The lower scoring parcels established within the GBS Stage One were identified alongside those sites promoted as part of the Local Plan Call for Sites exercise before a desk-top, largely policy focused, assessment of the existing site constraints was undertaken. Consideration was also given to the accessibility and connectivity of each site.

Following the initial desk-based review of sites, site visits were undertaken to establish the setting and context of each site. An assessment of the key physical features within and adjacent to each site was carried out as well as a landscape and visual sensitivity assessment. Site visits also confirmed current land use as well as an assessment of those features which could be deemed suitable for the definition of a new defensible Green Belt boundary should the site be released. Findings from the desk based studies and site visits were used to inform the drafting of the report. A key stakeholder workshop was held in December 2017 to discuss the basis of the GBS Stage Two and the initial key findings. A list of those stakeholders invited to this workshop is included in Appendix A of this report. The full findings of this staged approach are contained in this report.



4 Sites

This GBS Stage Two assessment seeks to identify those areas of designated Green Belt land that would be most suitable for release through the Local Plan process and therefore those which are most likely to be considered acceptable at Examination. Such sites have been identified on the basis of the following:

Lower Scoring Parcels

The GBS Stage One subdivided the Metropolitan Green Belt within the borough up into discrete parcels, delineated using strong permanent boundaries which are easily identifiable, in line with the requirements of paragraph 85 of the NPPF for defining Green Belt boundaries. Their performance as Green Belt land was assessed against a set of 'policy off' criteria and a final score out of a possible 12 provided. Lower scoring parcels are considered to not perform well as Green Belt land and have therefore been carried forward for consideration in this GBS Stage Two Study. A score threshold of 4 has been used to classify parcels as lower performing.

Two parcels which scored a total of 4 in the GBS Stage One have not been carried forward for further consideration in this GBS Stage Two. Parcel 18 (Land at Bracken Path and Church Side) is entirely developed and therefore has been excluded from this Study. Parcel 27 (Land at Clarendon Park) is also mostly developed at the Long Grove former hospital site. The remaining undeveloped area of the parcel is constrained by a primary constraint by virtue of its designation as a Site of Nature Conservation Importance.

Promoted Sites

EEBC have carried out a Local Plan call for sites exercise in order to gain a thorough understanding of the land available for development over the Plan period. A number of sites within the Green Belt were submitted during this exercise and as such have been included in this Study and assessed against the same criteria as the lower scoring parcels.

One very small site (Clear Heights) was promoted through EEBC's Call for Sites exercise but has not been assessed as part of this Study. This small site falls within parcel 7 which scored more moderately in the Green Belt Study 2017 with a score of 7 out of a possible 12 for its performance as Green Belt land. The northern extent of parcel 7 includes Epsom Cemetery which directly adjoins the built-up edge of the borough with the promoted site isolated to the south. As such this site/parcel has not been considered any further as part of this GBS Stage Two.

4.1 Assessed Sites

From this process, a total of 16 parcels were identified and assessed through this GBS Stage Two as set out in the table below and shown on the map overleaf.

Table 1. GBS Stage Two Assessed Parcels

GBS 2017 Parcel ID	Address	Alternative Site Name	GBS Stage One Score	Promoted Site
3	Land to the south west of Langley Vale	Land at Langley Bottom Farm	5	Yes (part of parcel)
8	Land to the east of Downs Road	Land east of Downs Road	8	Yes (part of parcel)
20	Land at and immediately surrounding West Park former hospital site	Remaining West Park sites	5	Yes
21	Land to the east of West Park former hospital site	Hollywood Lodge	11	Yes
22	Land at and immediately surrounding Horton former hospital site	Old cricket pitch Manor; land at Helm Close/Devon Close and Land to SE of Oak Glade	4	Yes (parts of parcel)
23	Land at Horton Country Park and Horton Park Golf Club	Horton Park Country Club	11	Yes (part of parcel)
25	Land at The Manor former hospital site	Horton Haven	4	Yes (part of parcel)
28	Land to the north of Chantilly Way east of Horton Lane	Greater Horton Farm	10	Yes (part of parcel)
29	Land to the east of Chantilly Way	Land at Chantilly Way	2	Yes
30	Land at St Ebba's former hospital site		4	
31	Land to the north west of St Ebba's former hospital site	Hook Road Arena	9	Council owned land
32	Land to the west of Burgh Heath Road east of Rifle Butts Alley	Land west of BHR and South Hatch Stables	7	Yes (part of parcel)
33	Land to the east of Burgh Heath Road south of Beech Way	Land east of BHR	7	Yes (part of parcel)
37	Land north of College Road west of Reigate Road	Downs Farm, Reigate Road	9	Yes
43	Land to the east of NESCOL College	Priest Hill (NESCOL land) and Priest Hill Sports Centre site	8	Yes
52	Land to the east of Reigate Road	North of Reigate Road and Mid Surrey Farm	1	Yes
37	Land north of College Road west of Reigate Road	Downs Farm, Reigate Road	9	Yes
43	Land to the east of NESCOL College	Priest Hill (NESCOL land) and Priest Hill Sports Centre site	8	Yes
52	Land to the east of Reigate Road	North of Reigate Road and Mid Surrey Farm	1	Yes

Parcel ID 31 is Council owned land that is free from primary constraints and is contiguous with the existing urban area and has therefore been carried forward for assessment at this GBS Stage Two

All of the above listed sites have been assessed using the same methodology. There have been a number of sites promoted through the Local Plan Call for Sites exercise which form only part of the land parcels identified in the GBS Stage One. The boundaries of the land parcels established as part of that process were delineated using strong permanent physical boundaries which are easily identifiable in line with the requirements of paragraph 85 of the NPPF. As such, the parcels have not been subdivided further to match the submitted sites and have been assessed based on their originally defined boundaries.

Parcel Pro-formas

Parcel pro-formas have been completed for each site and are included in Chapter 5 of this Study report. These pro-formas set out the findings of the initial desk based assessments and site visits which provide the context for the recommendations and findings set out in Chapter 6 of this report.



5 Assessment Findings

An initial ‘policy on’ desk-based review of existing primary site constraints was carried out at the first stage of the assessment for each of the parcels. Primary constraints have been defined in EEBC’s Constraints Study 2017 as those designations which would prevent development of a site taking place and include the following:

- Flood Zone 3b;
- Site of Special Scientific Interest (SSSI);
- Local Nature Reserve (LNR);
- Sites of Nature Conservation Importance (SNCI);
- Ancient Woodland;
- Registered Parks and Gardens; and
- Registered Common Land.

Table 1 provides a matrix of primary constraints and indicates whether a parcel is subject to any of these listed constraints. For some parcels these designations only cover a portion of the site (as detailed in the parcel pro-formas). However, in line with the recommendations relating to sub-division set out in Chapter 4, the presence of these constraints have been recorded even where the designation only covers a small part of the parcel.

Those parcels which are identified as being constrained by the presence of a primary constraint in Table 2 are not considered to be potentially suitable for release at this stage. A complete and thorough assessment has however been undertaken and a parcel pro-forma included for each parcel for completeness.

All of the parcels have been assessed giving consideration to land use policies and professional judgement used to identify those parcels which are the least constrained and therefore considered to be potentially suitable for release from the Green Belt at this stage. Where parcels have been identified as potentially suitable for release, further work will be required to assess potential yields, infrastructure capacity and connectivity.

Table 1. GBS Stage Two Assessed Parcels

GBS Stage One Parcel ID	Address	Alternative Site Name	Flood Zone 3b	SSSI	LNR	SNCI	Ancient Woodland	Registered Park and Garden	Registered Common Land
3	Land to the south west of Langley Vale	Land at Langley Bottom Farm	No	No	No	No	No	No	No
8	Land to the east of Downs Road	Land east of Downs Road	No	No	No	No	No	No	No
20	Land at and immediately surrounding West Park former hospital site	Remaining West Park sites	No	No	No	No	No	No	No
21	Land to the east of West Park former hospital site	Hollywood Lodge	No	No	No	No	No	No	No
22	Land at and immediately surrounding Horton former hospital site	Old cricket pitch Manor; land at Helm Close/Devon Close and Land to SE of Oak Glade	No	No	No	No	No	No	No
23	Land at Horton Country Park and Horton Park Golf Club	Horton Park Country Club	Yes	No	Yes	Yes	Yes	No	No
25	Land at The Manor former hospital site	Horton Haven	No	No	No	Yes	No	No	No
28	Land to the north of Chantilly Way east of Horton Lane	Greater Horton Farm	No	No	No	No	No	No	No
29	Land to the east of Chantilly Way	Land at Chantilly Way	No	No	No	No	No	No	No
30	Land at St Ebba's former hospital site		No	No	No	No	No	No	No
31	Land to the north west of St Ebba's former hospital site	Hook Road Arena	No	No	No	No	No	No	No
32	Land to the west of Burgh Heath Road east of Rifle Butts Alley	Land west of BHR and South Hatch Stables	No	No	No	No	No	No	No
33	Land to the east of Burgh Heath Road south of Beech Way	Land east of BHR	No	No	No	No	No	No	No
37	Land north of College Road west of Reigate Road	Downs Farm, Reigate Road	No	No	No	No	No	No	No
43	Land to the east of NESCOL College	Priest Hill (NESCOL land) and Priest Hill Sports Centre site	No	No	No	No	No	No	No
52	Land to the east of Reigate Road	North of Reigate Road and Mid Surrey Farm	No	No	No	No	No	No	No

Agenda Item 4

Annex 1

Parcel ID:	Name:	Stage One results:				
3	Land to the south west of Langley Vale (Land at Langley Bottom Farm, Langley Vale Road.)	P1	P2	P3	P4	Overall
		2	1	2	0	5

Current land use:

- Agricultural.
- Employment uses within farm buildings cluster.
- Utilities (pumping station located close to the access road at Langley Vale Road).

Primary Constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- Parcel 3 falls within an Area of Great Landscape Value (AGLV) which includes the entire parcel up to the settlement edge of Langley Vale and the nearby Warren.
- The Ancient Woodland at 'The Warren' is also designated with a 'blanket' Tree Preservation Order.
- There are two listed buildings which border the northern and southern parcel boundaries.

PRoW: Including informal footpaths:

- Bridleway BW127 known as 'Sheep Walk' is located on the southern site boundary.
- Bridleway BW146 is located to the north of the site (Langley Vale Road).
- Bridleway Tracks, earth trodden routes which run around the southern and western parcel edges include: BW33, BW47 and BW127.

Containment and boundaries:

Boundaries to the parcel include:

- The northern boundary defined by Langley Vale Road and beyond by a tree belt.
- The southern boundary delineated by the farm track, BW33 and well-maintained hedgerows which form one of the enclosing edges to the UE4, Epsom Downs character area.
- The Eastern boundary is defined by 'Sheep Walk, BW127 and a mature hedgerow with a gap at the top of the ascending route.
- The north-eastern boundary is contained by ancient woodland, 'The Warren' and the settlement edge of Langley Vale, comprising of mixed property boundaries.

Baseline landscape character:

Parcel 3 is located within the National Character Area 129, Thames Basin Heaths and due to the county-wide significance of its location, it is described under the county-wide character assessment as one of the 'Distinct Areas on the edge of Urban Areas' coinciding with Character Area UE3: Epsom Downs.

This parcel falls within an Area of Great Landscape Value (AGLV), forming the northern dip slopes within the area known as Walton Heath/Walton Downs. The designation extends south beyond the borough boundary.

Land use is agricultural, a transition to the wider countryside. It also adjoins the southern settlement edge of Langley Vale. The landform forms one side of a valley, descending from 125m to 85m AOD, the lowest part occupied by a cluster of buildings, associated with Langley Bottom Farm and access track which runs along the southern boundary from Langley Vale Road. It is defined by tracks and walking routes and only differs in terms of its land use with an agricultural use within the main field. However, there is a practice race track running along the south-eastern parcel boundary. The area is well used for recreational purposes, forming routes which traverse to/from and connect Headley / Walton-on-the-Hill / Epsom.

The eastern edge adjoins ancient woodland, 'The Warren' largely unmanaged, and designated as a group TPO, with a significant property boundary wall running along the edge of the parcel.

Typical viewpoints (Examples included on viewpoint map):

There are views from the southern edge of the Langley Vale Village settlement, specifically views from the curtilage of Grosvenor Road, Millers Close and Langley Close. These viewpoints are elevated, looking over the northern portion of the parcel.

There are views of the valley side and bottom from bridleways and footpaths that form the edge to this parcel and the character area described below, some of these are elevated viewpoints across the Langley Bottom Farm stead towards the countryside beyond. There is an isolated dwelling, part of the Langley Bottom Farm.

Landscape sensitivity (Sensitivity to change):

Parcel 3 has a High sensitivity to change due to its location and the setting it provides to both the Epsom Downs Race Course and Langley Vale settlement. It also forms part of a transitional landscape, one side of a valley which leads into the wider countryside beyond. The site is rare and quite tranquil in the context of the wider borough as part of the Epsom Downs area, it is therefore not readily substitutable, as it forms part of the Epsom Downs.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The receptors of greatest visual sensitivity include the residential views described above and the extensive views from the bridleways and the elevated view from 'Sheep Walk' along the south-eastern corner of the parcel. Views extend along the valley. There would be elevated views from Langley Vale residential area to the immediate north of the parcel. The land increases in elevation and forms part of the views from residential properties over countryside.

There are longer distance views of this parcel from the Epsom Downs Race course and from a bridleway on elevated ground to the north and south of the site, an example being BW146 which runs along the agricultural margin adjacent to Langley Vale Road and FP32 which crosses diagonally to meet the access to Langley Vale Farm, as a continuation of Chalk Pit Road.

Visual Sensitivity: The sensitivity for visual receptors would be High due to the residential edge and recreational receptors associated with the walking and bridleway routes, which are heavily used.

Agenda Item 4 Annex 1

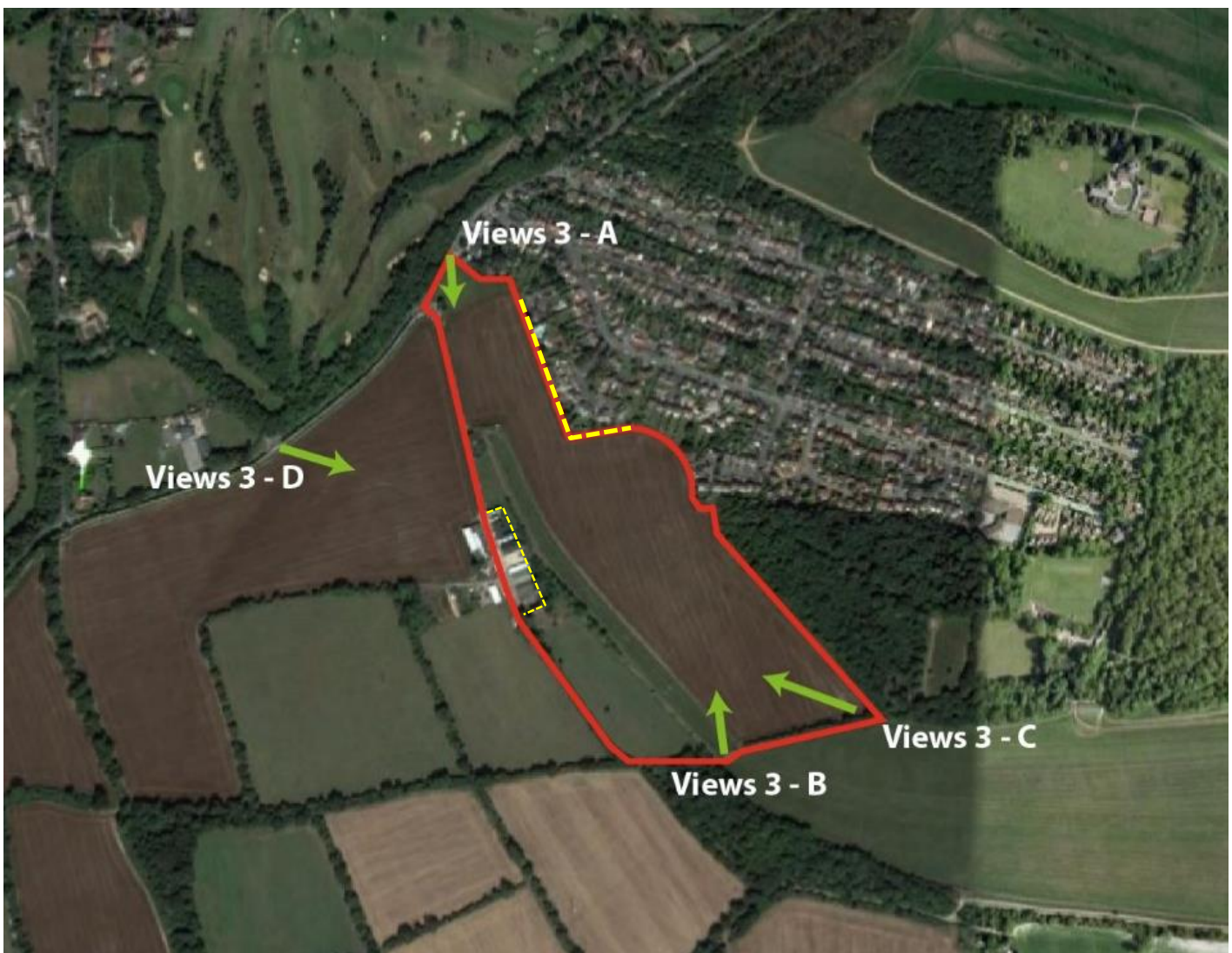
Overall Sensitivity to Development:

Parcel 3 has an overall High Sensitivity to development, combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the combined effects of this transitional landscape the amenity and sensitive nature of the viewpoints, some of which are medium to longer distance and parcel 3 forms a significant attractive element to these views. The site is rare in the context of the wider borough as part of the Epsom Downs area and would not be readily substitutable.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are high and there is a high overall sensitivity to development in landscape terms. Therefore, impact on openness would be high. In addition, the parcel boundaries are weak (as identified in the GBS Stage One) and therefore the overall integrity of the Green Belt in this location would be considered compromised should the site be released from the Green Belt.

Parcel 3 Viewpoint Location Plan



View 3-A View from Langley Vale Road (BW146)



View 3-B View along the valley floor from the eastern junction between BW33 and BW 127



View 3-C View from the eastern elevated gap in boundary vegetation from 'Sheep Walk' (BW127)



View 3-D View from the crossing point at the junction of Chalk Pit Lane and Langley Vale Road, BW146 with signposting to FP32, visible and extending across the field to Langley Bottom Farm.



Agenda Item 4

Annex 1

Parcel ID:	Name:	Stage One results:				
8	Land East of Downs Road, (Land Adjacent to Epsom Cemetery), Downs Road.	P1	P2	P3	P4	Overall
		3	2	3	0	8

Current land use:

- Agricultural
- Pasture, paddocks and stabling

Primary Constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations
- There is a TPO within the western boundary of the parcel adjoining Downs Road.
- There is a Site of Nature Conservation Interest (SNCI) to the west within Epsom Cemetery to the west.
- Epsom Golf Course is a Site of Nature Conservation Interest (SNCI) with calcareous grasslands to the south.

PRoW: Including informal footpaths:

Bridleway BW44, known as 'Rifle Butts Way' located along the eastern boundary of Parcel 8.

Containment and boundaries:

Boundaries to the parcel include:

- Downs Road to the west which is well defined by a mature hedgerow and providing containment;
- Rifle Butts Alley, encloses the east side of the parcel, a PROW which connects Epsom Golf course to the residential street of Beech Road and Treadwell Road within Epsom's southern settlement edge.
- The northern boundary of this parcel is defined by residential boundaries and some limited vegetated cover; and
- The southern boundary is well defined with Epsom Golf course to the south, beyond a well contained paddock which occupies the southern portion of this parcel.

Baseline landscape character:

Parcel 8 is located within the National Character Area 129, Thames Basin Heaths and Surrey County Landscape Character Area CD1 - Ashted and Woodcote Parks Chalk Down with Woodland. The character of the parcel reflects aspects of the CD1: the proximity to golf courses, Epsom Downs golf course and the context and setting that this parcel contributes to The Downs and higher ground as well as the settlement edge of Epsom with properties adjoining the site as part of Epsom's southern settlement edge. This series of fields form part of the small-scale transition between the Epsom settlement edge and the larger-scale uses on the upper slopes of Epsom Downs and the golf course use to the immediate south of the land parcel. Land to the west includes Epsom Cemetery, a formal, walled enclosure which also occupies a plot extending south on the edge of The Downs.

The land uses are pastoral, typical of settlement edge land and includes a paddock at the southern end. The aspect of the site is north-east facing and there is a significant change in level from south to north, between 125m and 95m AOD. There are limited urbanising features within these small-scale fields, which are well managed with tight, well-defined hedgerows. The eastern side of the parcel forms one side of a minor gently sloping valley with Rifle Butts Way located within it.

The elevated Downs to the south affords long views across Epsom towards London, within which the site forms the foreground. Additionally, due to the elevation, there is a high visibility with the surrounding areas.

Typical viewpoints (Examples included on viewpoint map):

Typical viewpoints include the following:

- Residential properties which are strung along Burgh Heath Road and in some instance, include stables or employment;
- Residential properties which form the southern settlement edge to Epsom, located on Downs Road, Downs Way and Aston Way. These properties have views looking up hill towards Epsom Downs and Parcel 8 which forms a transition of smaller-scale fields in the foreground of the views and part of the setting the Downs and Race Course Grand Stand.
- Views from PROW Rifle Butts Alley which is located to the east of the site.
- Views from several elevated and popular panoramic viewing points, which look towards London.

Landscape sensitivity (Sensitivity to change):

Parcel 8 has a High sensitivity to change due to its location and transitional landscape character, It forms a zone of small-scale fields which give setting to the Downs when viewed from the settlement edge as well as marrying the settlement edge of Epsom with the wider, larger-scale landscape of Epsom Downs, especially in views from the elevated edges and viewpoints on Grand Stand Road.

Visual Sensitivity (Sensitive receptors on viewpoint map):

The receptors of greatest visual sensitivity include the residential views described above and that of the PROW, Rifle Butts Alley. There would be elevated views from Epsom Downs/Golf course to the immediate south of the site. The land increases in elevation and forms part of the views from residential properties along the Epsom settlement edge.

Visual Sensitivity: The sensitivity for visual receptors would be High due to the residential receptors associated with the walking routes, Epsom Downs and golf course user's wide visual influence of the parcel.

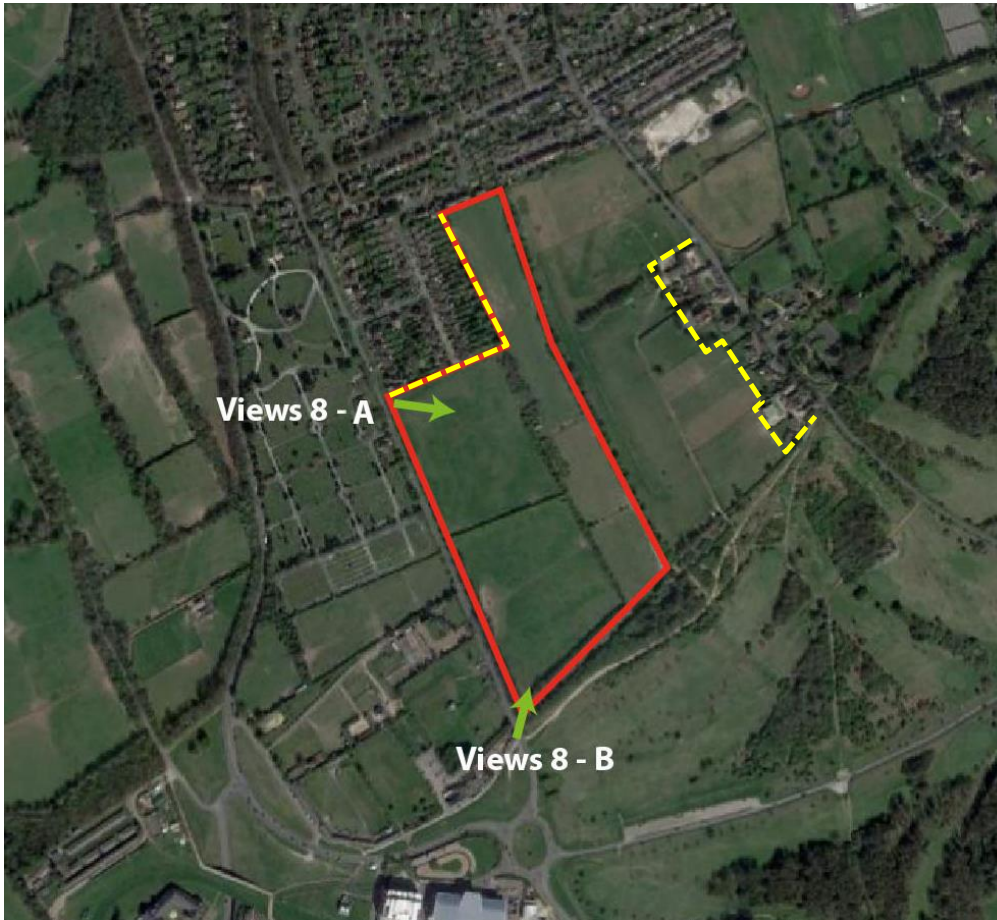
Overall Sensitivity to Development:

Parcel 8 has an overall High Sensitivity to development, combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the combined effects of this portion of transitional landscape, the amenity it affords the settlement edge of Epsom and the extensive inter-visibility. This site is close to a SSSI and significant elevated portion of land, with long distance viewing points towards West London from the viewing area at Grand Stand Road, although these are more distant.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are high and there is a high overall sensitivity to development in landscape terms. Therefore, impact on openness would be high. The parcel also forms part of the gap between the built-up edge of Epsom and Great Burgh to the south east which, if released would undermine the integrity of the wider Green Belt in this area.

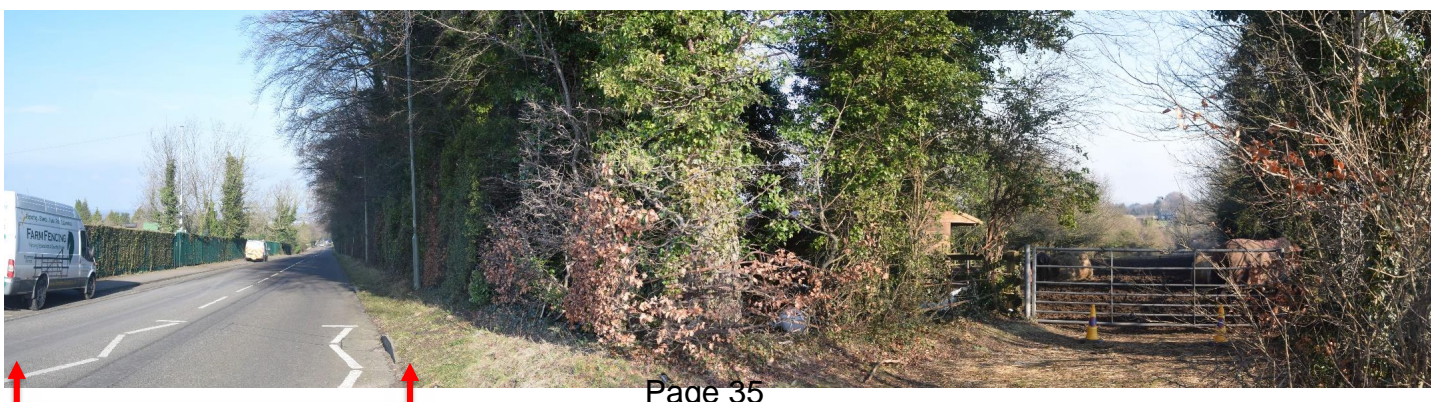
Parcel 8 Viewpoint Location Plan



View 8-A View from the western elevated entrance of Long Grove Park



View 8-B View from the eastern entrance of Long Grove Park



Parcel ID:	Name:	Stage One results:				
20	Land at and immediately surrounding Horton former hospital site (Old cricket pitch Manor; land at Helm Close/Devon Close and Land to SE of Oak Glade)	P1	P2	P3	P4	Overall
		1	0	1	3	5

Current land use:

- The Cottage Hospital and 'The Poplars Physiotherapy Centre'.
- Clinical hospital uses including the 'Community Team for People with Learning Disabilities'.
- Residential area of 'West Park'.

Primary Constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no Landscape designations
- There is a Listed building within the centre of Parcel 20, a visually prominent tower visible from the surrounding landscape.
- There is TPO protection for individual trees throughout the site and group TPO protection for sections of tree belt located along the southern and northern parcel boundaries.
- Part of Parcel 20 is designated as a Conservation Area (West Park, part of the Epsom Hospitals Cluster Conservation Areas).

PRoW: Including informal footpaths:

- Bridleway BW27, a route located along the eastern parcel boundary.
- Footpath FP26, a route located along the northern boundary of Parcel 20.

Containment and boundaries:

The parcel boundaries include the following:

- The eastern boundary is defined by tree belts and a PROW runs along the edge, there are significant evergreen 'Pines' within the existing landscape structure.
- The northern boundary is defined by the avenue tree planting along the main access to the West Park development and by hedgerows.
- The western boundary is an agricultural field boundary with a substantial line of mature hedgerow trees.
- The south-western boundary is formed by a tree belt along the B280, which is read as the edge of the Epsom and Ashted Commons to the immediate south.

Baseline landscape character:

Parcel 20 comprising the West Park residential area and remaining clinical uses, noted above are located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming part of the north-western edge to the settlement of Epsom.

LF4, titled Horton Rolling Clay Farmland excludes the majority of the built-up central part of this parcel as an urban area, this central part of Parcel 20 has been intensively redeveloped within the footprint of the former hospital buildings, retaining the strong and well-maintained landscape structure including parkland at the western end of the parcel to the rear of the Cottage Hospital site and adjacent clinical uses. The site is also influenced by the adjoining Surrey Landscape character area, LW3 - Ashted and Epsom Commons Clay Woodland to the immediate south.

The topography is generally flat for the majority of the site 60-70m AOD, increasing in elevation to the west where the land becomes more pronounced in its undulations, as it rises and transitions towards the agricultural land to the north and west of the parcel, partly through the deposition of earthworks to create a designed parkland to the west of the Cottage Hospital, which also forms a transition.

The overall landscape structure is still of relevance to the setting of Parcel 20, as the western end with extensive parkland forms a transition to the agricultural fields beyond. It is underlain by clay, wet in places and gently undulates increasingly westwards.

The land use is split 70:30 between the newer residential development and the remaining hospital uses, the hospital uses are within a clearly defined landscape setting as they are located to the edges of the parcel. Overall, the landscape is a designed or intensive landscape, with built form of the hospital buildings and residential blocks set within a parkland.

Parcel 20 is not influenced by the nearby settlement edge of Epsom and is contained by the landscape and boundaries on all sides. There is limited sense of remoteness or tranquillity, but there is the visual connection to the wider landscape from the edges of the West Park grounds and from residential dwellings with views out, possibly more from upper storeys in the more intensively developed or higher density parts of the development.

The Landscape Condition is a well-managed landscape with a considered layout of built-form, contemporary design of new residential buildings set within an existing mature and attractive landscape structure, with defined uses and considered planting design and function. For the majority of the redeveloped parts of the site, the townscape character, comprising built-form with good quality and integrity of design finish, make it difficult to substitute or re-provide elsewhere. The parts of the site with clinical buildings, The Cottage Hospital, 'The Poplars Physiotherapy Centre' is of lower built or townscape quality and could be substituted elsewhere. The 'Community Team for People with Learning Disabilities' group of buildings are protected by 'West Park Conservation Area, noted above as part of the Epsom Hospitals Cluster Conservation Areas, this part of the site is of higher townscape quality.

The western edge of the site, beyond the Cottage Hospital is more open in character, and does not have areas of significant landscape around the boundaries, however, it provides a buffer or transition between West Park as a whole and the agricultural land beyond.

Typical viewpoints (Examples included on viewpoint map):

Viewpoints of Parcel 20 include:

- Views from B280, Christ Church Road, glimpses through a significant tree belt into the residential parts of the site.
- Views from the adjacent countryside to the north west of the parcel, including views from the adjacent borough.
- Views from dwellings and from within the Park View residential area;
- More distant views from viewpoints such as roads and routes in the wider area such as PROW BW27 and FP26 and roads such as West Park Road and Horton Lane which form major connecting routes through the wider area to the hospitals cluster developments.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape of this site is of Medium to High sensitivity as it could not be easily replicated due to its intrinsic role in the character of West Park and the value of the setting it provides the residential area. The clinical uses are located at the edges of the site and are less sensitive to change, however, further assessment would be required to evaluate each area further.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

There are numerous residential receptors and two PROW which would be highly sensitive to new development. The clinical uses are less sensitive, as are longer distance views from outside the West Park which currently look onto the edge of the site, for example, the more elevated section at the western end of the site with the Cottage Hospital cluster of clinical buildings/uses.

Visual Sensitivity: The site is of High sensitivity due to the high proportion of existing residential development and the design, which given it is a series of buildings set within the landscape, is intended to have views to/from the surrounding area. Residential Receptors (the remaining clinical uses) closest to the areas of West Park and which may change in the future, are the most sensitive to visual change.

Overall Sensitivity to Development:

Overall the parcel is of High Sensitivity to development, combining the Landscape and Visual values noted above. Landscape and Visual changes associated with development would additionally extend the settlement edge within West Park. Any further built-form beyond the built-envelope (including both residential and clinical buildings), would adversely impact the landscape setting of the site, particularly the western parkland area adjoining the agricultural edge.

The residential portion of the parcel has limited opportunity for new inserted development without impacting the existing considered layout, which was designed to be within the limits of historic building footprints. There may be potential to review the remaining built-envelope of the clinical building following a detailed Landscape and Visual Impact Assessment of the site to achieve optimal future change in landscape and visual effects.

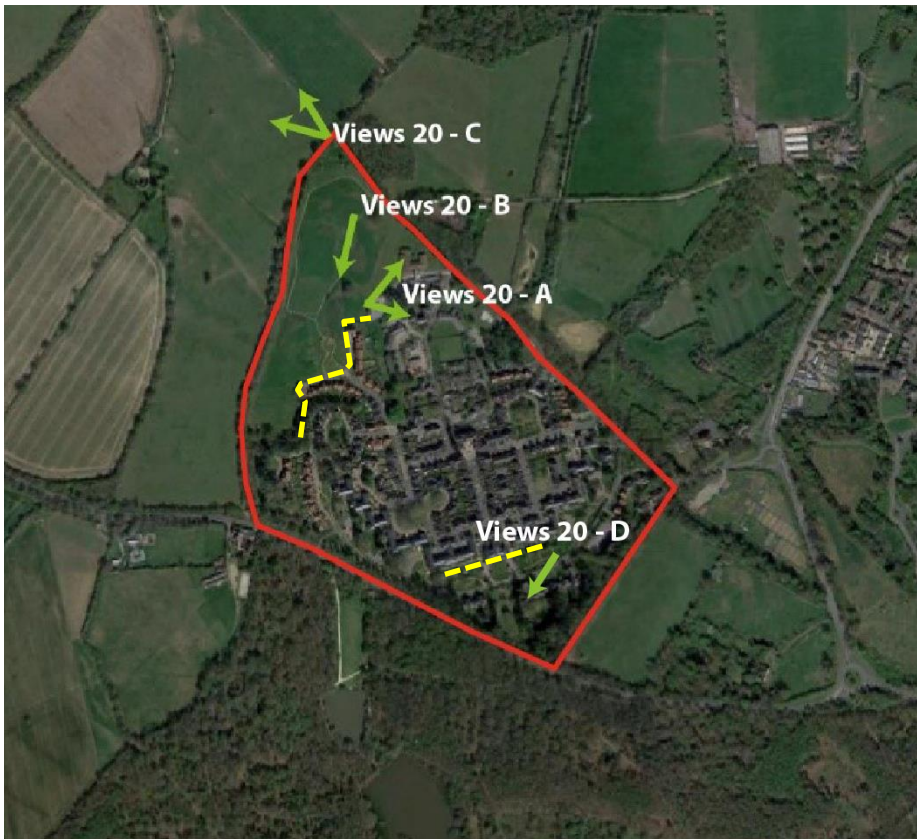
The relationship of this parcel to the surrounding landscape is the important feature to consider.

Parcel 20 does not form a significant gap between either neighbourhoods, nor does it form part of a wider series of parcels that contribute to a gap between settlements.

Potentially suitable for release at this stage?

No. Landscape sensitivity are medium to high and visual sensitivity is high, impact on openness would also be considered high. There is also a high overall sensitivity to development in landscape terms. The parcels designation as Green Belt land assists in the preservation of the setting of the Conservation Area (West Park, part of the Epsom Hospitals Cluster Conservation Areas), performing highly against purpose 4 in the GBS Stage One. If this parcel was to be released and developed it would have the potential to impact on the integrity of the Green Belt in the wider area including immediately beyond the borough boundary.

Viewpoint Location Plan



View 20-A View from the car park looking back at the Cottage Hospital and other clinical buildings.



View 20-B View of the parkland between the housing and the western boundary.



View 20-C View of the landscape beyond the parcel towards Horton Country Park.



View 20-D View of the landscape to the southern part of the site, looking towards the clinical buildings.



Agenda Item 4 Annex 1

Parcel ID:	Name:	Stage One results:				
21	Land to the east of West Park former hospital site (Hollywood Lodge)	P1	P2	P3	P4	Overall
		3	3	2	3	11

Current land use:

- Allotments accessed via Horton Lane/West Park Road in the northern portion of the parcel.
- Derelict land associated with Hollywood Lodge to the south.
- An isolated agricultural field, also to the south and west of the parcel.

Primary Constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no designations.
- Land to the south of Parcel 21 is designated as a Local Nature Reserve and Site of Special Scientific interest (SSSI) and forms part of Epsom and Ashted Common.
- Within Parcel 21 there are some significant tree belts with TPOs.

PRoW: Including informal footpaths:

- Bridleway BW27 a route located along the western boundary of Parcel 21.
- Bridleway BW29 located to the south of Parcel 21 on the opposite side of Christ Church Road.
- Footpath FP27, which bisects the site, connecting West Park Road and Horton Lane.

Containment and boundaries:

The arched boundary of the allotment site is defined by Horton Lane/West Park Road and the edge of the parcel has mature lines of trees which relate to former agricultural boundaries.

The south-western boundary is formed by a screening tree belt along the B280, which is read as the edge of the Epsom and Ashted Commons to the immediate south.

Baseline landscape character:

Parcel 21 is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area - LF4, forming part of the north-western edge to the settlement of Epsom. LF4, titled Horton Rolling Clay Farmland includes this parcel, this borough character area is still of relevance to the setting of Parcel 21 and the remaining agricultural field. Beyond this, it does not wholly reflect LF4, as the uses now comprise allotments and a degraded landscape associated with the derelict Hollywood Lodge.

The land use is noted above, with the Hollywood Lodge building visible above the hoardings to the edge of Parcel 21. The land is generally flat at approximately 70m AOD. Existing vegetation requires review, the whole parcel has a neglected appearance and the derelict land has evidence of a former mansion, with 'Palladian English Architectural style' frontage, walled garden and parkland trees of significant stature. The southern boundary includes significant tree belts with TPOs and there are TPOs along the PROW footpath that bisects the parcel and along the eastern boundary.

Parcel 21 is not influenced by the nearby former settlement edge of Epsom, however does relate to the wider cluster developments of the Epsom hospitals cluster sites, with connection to the green infrastructure. West Park is located to the west and is the nearest cluster development, connected via FP27.

The Landscape Condition is poor, with derelict buildings and existing trees and roadside vegetation requiring management. The Hollywood Lodge is located such that it forms a visually prominent landmark despite its derelict condition. The landscape is not rare in the context of the wider landscape structure of the hospitals clusters, all of which are set within designed or mature parkland settings, which together give the area an overall landscape framework of trees, parkland, play area and routes. There is no sense of remoteness or tranquillity and limited visual connection to the wider landscape from the parcel itself.

Typical viewpoints (Examples included on viewpoint map):

Typical viewpoints include:

- The viewpoints from PROW FP 27, which bisects the parcel, between West Park Road and Horton Lane.
- The users of the allotment grounds.
- Receptors using West Park Road and Horton Lane.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: Parcel 21 is of Low sensitivity as it could be easily replicated by better examples of the same parkland character in other parts of the wider character area LF4 and the hospitals clusters.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

There are several views into the different sub-areas of Parcel 21 from FP27, which are through the tree-belt that lines this route. There are also views from the allotments and the roads surrounding this parcel, however, these are towards parts of the site which are fenced and are neglected in appearance.

Visual Sensitivity: Parcel 21 is of Low sensitivity due to the contained nature of the parcel combined with the lack of residential receptors with views of the parcel.

Overall Sensitivity to Development:

Overall the parcel is of Low Sensitivity to development, combining the Landscape and Visual values noted above. Landscape and Visual changes associated with development could improve the landscape condition.

There is significant potential to improve the character retaining the elements of landscape structure of value, this would require further study of site opportunities and constraints to demonstrate how it would relate to the wider area.

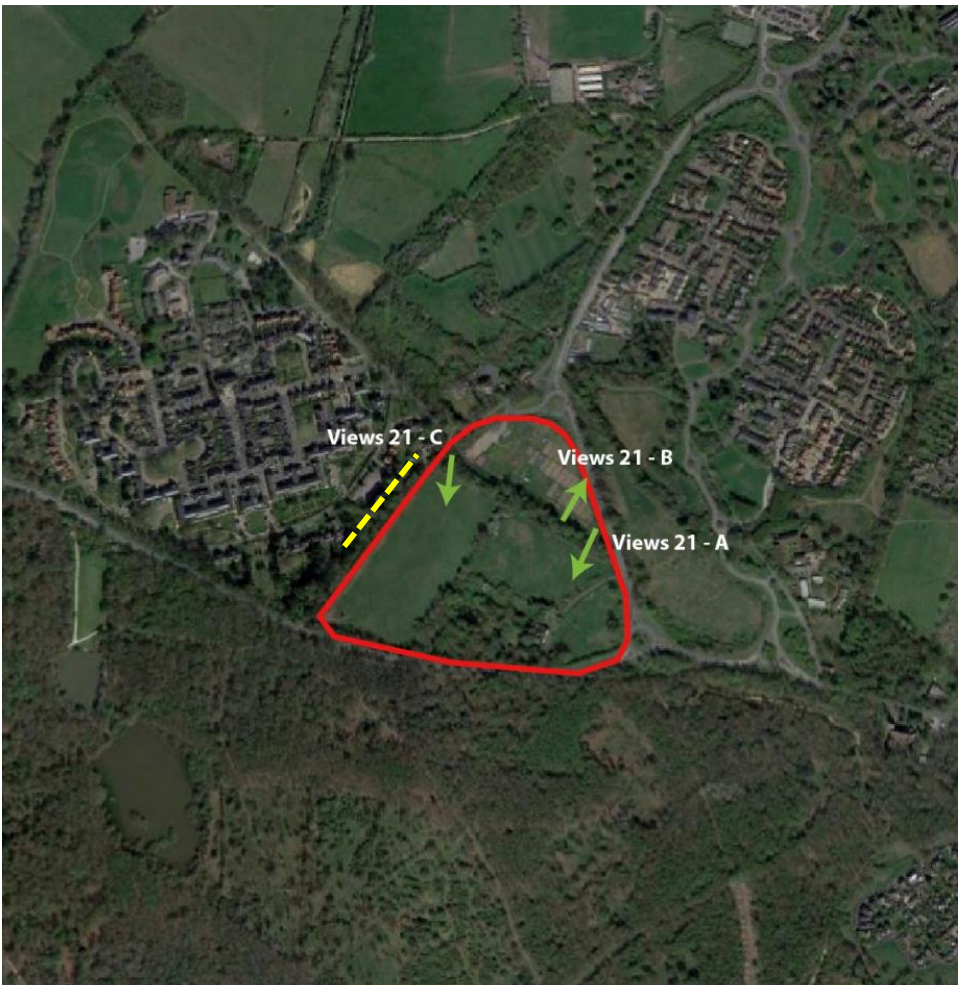
Parcel 21 does not provide a significant gap between either neighbourhoods, nor does it form part of a wider series of parcels that contribute to a gap between settlements, despite being largely undeveloped.

Agenda Item 4 Annex 1

Potentially suitable for release at this stage?

o. Although landscape and visual sensitivity are deemed to be low with low sensitivity to development the parcel plays a pivotal role in Green Belt terms scoring 11 out of a possible 12 in the GBS Stage One. The parcel's development would also undermine the integrity of the Green Belt in this location impacting on openness. Its development alongside the existing developed former hospital sites would create a built-up strip along the B280 leading out of the borough and would have the potential to undermine the integrity of the Green Belt to the west beyond the borough boundary.

Parcel 21 Viewpoint Location Plan



View 21-A View from the eastern part of FP 27 to Hollywood Lodge



View 21-B View from the western elevated entrance of Long Grove Park



View 21-C View from the western elevated entrance of Long Grove Park



Agenda Item 4

Annex 1

Parcel ID:	Name:	Stage One results:				
23	Land at Horton Park Country Park and Horton Park Golf Club (Horton Park Country Club)	P1	P2	P3	P4	Overall
		3	3	3	2	11

Current land use:

- Agricultural.
- Residential hamlets and isolated farmsteads.
- Small-scale employment.
- Horton Park Golf Club.

Primary Constraints:

- Flood Zone 3b
- Site of Special Scientific Interest
- Local Nature Reserve
- Site of Nature Conservation Interest
- Ancient Woodland

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- There is a significant portion of Parcel 23 which is designated as both a Site of Special Scientific Interest (SSSI) and a Local Nature Reserve.
- Within this land parcel there are trees with TPO protections, however, there are a significant number of 'Veteran Trees' within Ancient Woodland.

PRoW: Including informal footpaths:

- There are several bridleways which either border the site or criss-cross the site: BW20, 34, 153, 154, 155, 156, 157, 158, 160 and 161, BW 153 and 154 both pass through woodland, Butcher's Grove.
- Footpaths include FP20, and 34.

Containment and boundaries:

Boundaries:

- This parcel is extensive and mainly follows the Horton Park boundaries. Boundaries are generally well-defined by Woodland or significant tree belts, especially on the western side, coinciding with the parcel boundary.
- Parcel 23 is bordered by a network of agricultural hedgerows along the eastern edges
- The eastern edge of the parcel adjoins the residential areas of West Park and Clandon Park, hospital cluster sites.
- The northern boundary is formed by the settlement edge of West Ewell.

Baseline landscape character:

Parcel 23 comprising: The Horton Country Park, associated Information Centre, parking, BBQ sites and toilets, includes the Horton Park Golf Club, Horton Farm Park (Hobbledown), Equus Equestrian Centre and Epsom Polo Centre. The area is extensive and is largely agricultural, with leased fields to uses including the golf park which occupies the northern section of the parcel, hay and grazed meadows and equestrian uses to the southern portion and the Horton Park Country Park overlain across the entire parcel, connecting entrances via a network of paths and facilities. The extensive footpath network includes a circular walk along the network of PROWs and connects to the Epsom and Ashted Commons to the south. The whole area is designated as a 400-acre Nature Reserve. There are substantial portions of this area which function as open space.

This parcel is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming the western most edge to Epsom and Ewell borough boundary.

LF4, titled Horton Rolling Clay Farmland includes this parcel, which is very characteristic of the published description, reflecting the rolling farmland character. Consistent with the Surrey character area descriptions, Parcel 23 is a matrix of fields punctuated with woodland groves including Tobin's Copse, Hollymoor Grove, Hendon Grove, Sherwood Grove, Burnham's Grove, Four Acre Wood and Pond Wood. Many of these contain veteran trees.

The topography is gently undulating with a general increase in elevation from north to south from 30m to 50m AOD. This parcel is largely unsettled but is influenced by the settlement or development edges of visible developments including Clarendon Park and West Park. Other urbanising influences include overhead pylons which criss-cross the parcel.

This parcel forms a part of a substantial gap between the Boroughs and settlements of Epsom and Ewell and that of LB Kingston and South Chessington, with Leatherhead Road corridor to the west. Parcel 22 is not influenced by the settlement edge of Epsom and is contained by the landscape and boundaries on all sides.

The Landscape Condition is 'a well-managed landscape' to the northern half of the parcel, characterised by the golf course uses whilst the southern portion reflects a more traditional agricultural landscape. There are extensive areas of diverse, managed meadow grasslands and scrubland areas.

There is strong sense of remoteness or tranquillity, especially within the centre of the park. There are visual connections to the wider landscape from the edges of the West Park and Clarendon Park and the recreational uses located within and alongside the parcel.

Typical viewpoints (Examples included on viewpoint map):

- Views from nearby residential areas, these tend to be medium to long distance views across the countryside.
- Distant views from highways such as B284, to the north, Horton Lane, Rushett Lane.
- There are numerous PROWs across this extensive parcel with views.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape of this site varies dependent upon location within the parcel. The northern half of the site has primarily golf-related uses, which are highly-managed and more closely related to the settlement edge of Ewell West. The southern portion of the site relates to the wider countryside and gap between boroughs. It possesses more diverse characteristics and remains in agricultural use. This area would be less easily replicated elsewhere in the event of development. Overall the parcel has a Medium to High sensitivity to development.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

Views are possible from the following receptors:

- Users of PROW, including footpaths and bridleways.
- Views from Highways such as B284, Chessington Road and Horton Lane.
- Isolated farm steads such as Park Farm Cottages to the west of Parcel 23
- Potential views from the edges of the West Park and Clandon Park residential 'hospital clusters
- Recreations uses such as Horton Golf Club and Horton Country Park/Hobble Down

Visual Sensitivity: The site is of Medium to High sensitivity due to the limited development within the agricultural landscape. There are some contained areas within the parcel which could accommodate development but further study would be required

Overall Sensitivity to Development:

Overall the parcel is of Medium to High Sensitivity to development, combining the Landscape and Visual values noted above. Landscape and Visual changes associated with development would introduce development into an otherwise predominantly agricultural or recreational landscape. It may be possible to consider development close to existing, contiguous settlement edges, however, this needs further study, as this parcel has an extensive area of continuous-use associated with Horton Country Park.

The relationship of this parcel to the wider rolling farmland landscape is the important feature to consider.

Parcel 23 does form part of a significant gap between settlements and forms part of a wider series of parcels with the adjacent borough.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity is medium to high and the parcel has an overall medium to high sensitivity to development. Therefore, if developed there would be a high impact on openness. There are also a number of primary constraints identified within the parcel.

Parcel 23 Viewpoint Location Plan



View 23-A View from nearby Farmstead, looking towards Horton Country Park’s western boundary



View 23-B View from the north-western corner of Horton Park Golf Course



Agenda Item 4 Annex 1

View 23-C View along the northern parcel boundary, B284, Chessington Road



View 23-D View from the western elevated section of the parcel on the northern edge looking out towards the open countryside



Parcel ID:	Name:	Stage One results:				
25	Land at The Manor former hospital site (Horton Haven).	P1	P2	P3	P4	Overall
		0	0	1	3	4

Current land use:

- Residential (part of former hospital cluster) including a local centre with shops and other amenities.
- Open space.

Primary Constraints:

- Site of Nature Conservation Interest

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- The southern portion of the site is designated as a Site of Nature Conservation Interest (SNCI).
- Parcel 25 includes Horton Conservation Area, one of the five areas associated with the Epsom Hospitals Cluster Conservation Areas.
- There is a Listed building within the centre of Parcel 25.
- There are numerous TPOs scattered throughout the parcel.

PRoW: Including informal footpaths:

There are no PROWs within this parcel.

Containment and boundaries:

Boundaries include the following:

- Horton Lane defines the north-western boundary, with hedgerows and hedgerow trees for a significant proportion of its length.
- The south-western boundary is well defined by vegetation which visually encloses Parcel 22, Manor Park to the south.
- The south-eastern boundary is defined by fencing and some mature specimen poplars, however the development has an open aspect with views to/from the development.
- The northern boundary is defined by Chantilly Way with some tree containment, but also by built form, residential blocks.

Baseline landscape character:

Horton hospital cluster with the associated residential development is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming part of the north-western edge to the settlement of Epsom.

LF4, titled Horton Rolling Clay Farmland excludes the developed residential part of this parcel as an urban area. This character area is also of relevance to the setting of Parcel 25. It demarcates the transition in the underlying geology from clay to the chalk associated with the higher ground to the south.

The characteristic of Parcel 25 is residential, with some local centre uses, a developed hospital cluster set within the former hospital parkland landscape, which provides an attractive setting to the recently constructed residential neighbourhood and clusters of listed buildings, which are located along the southern parcel edge, adjacent to Long Grove Park.

There are a cluster of buildings, including gate houses, which form a prominent feature on Horton Lane, which collectively are located in the north-western corner of the site. This cluster including some older gate house buildings, detached dwellings and Horton Chapel, are all set within mature trees, with large plots and accesses to Horton Lane, via Haven Way and Abbots Avenue. This forms part of the strong landscape context to the built form of the neighbourhood. The south-western part of the site's open space forms part of the wider network of parks, connecting to Long Grove Park to the south and also contributes to the parkland context of this parcel.

The land use is split 60:40 between the newer residential development and the remaining more open areas of the former hospital site. Together the character is defined by the development clustered within the former building footprints, arranged as strongly defined streets and street spaces with a parkland setting around the built-envelope, which give the buildings, especially those listed above, a strong parkland setting with mature specimen trees.

The land is gently sloping in a northerly direction at approximately 40-46m AOD.

The landscape is designed and intensively managed, the relationship between built-form and views to the surrounding landscape is a defining characteristic of the hospital cluster developments.

Parcel 25 is not influenced by the nearby former settlement edge of Epsom and the parcel forms an island of development, with views out towards open space and agricultural pockets, which remain as part of the wider greenbelt and landscape structure. There is no sense of remoteness, but there is a degree of tranquillity within the larger extents of open space.

The Landscape Condition of the parcel is that of a well-managed landscape, with the presence of feature buildings, attractive contemporary design of new residential buildings set within a former hospital landscape, with a strong structure, defined uses in the open spaces and planting function. There are TPOs protecting mature trees throughout the parcel. It is not especially rare in the context of the wider built-form, but its quality and integrity of design finish do make it difficult to substitute or re-provide elsewhere.

Typical viewpoints (Examples included on viewpoint map):

The typical viewpoints within and near to the parcel include:

- Views from Horton Lane and Chantilly along the north and north-western parcel boundaries, with views into the residential area and parkland surrounding the development with gate houses.
- Views from residential properties within the Horton hospital cluster development.
- Views from open space within the parcel which forms part of the wider green infrastructure, with footpaths connecting to The Manor development.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape of this site is of High sensitivity as it could not be easily replicated due to the intrinsic role of the landscape to the residential neighbourhood and the value of the setting it provides to both the residential area of Horton hospital cluster and between clusters, noting The Manor residential cluster to the south of this parcel.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

There are numerous residential receptors and receptors which use the open spaces and highways, which would be highly sensitive to new development, particularly around the edges of the existing residential clusters.

Visual Sensitivity: The site is of High Sensitivity due to the high proportion of existing residential development and the design, which given it is a series of buildings set within the landscape, is intended to have views to/from the surrounding area.

Overall Sensitivity to Development:

Overall the parcel is of High Sensitivity to development, combining the Landscape and Visual values noted above. Landscape and Visual changes associated with development would additionally extend the settlement edge and further built-form beyond the building cluster envelope, which would adversely impact the landscape setting of the site and adjacent recently completed residential areas of the Horton neighbourhood.

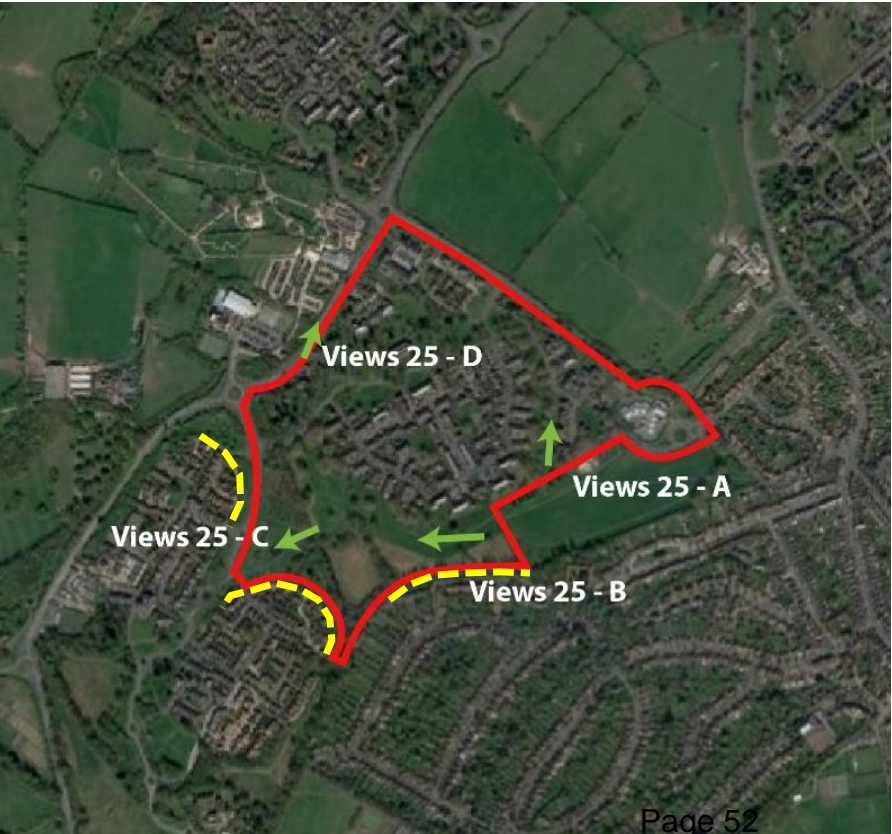
The residential portions of the parcel have limited opportunity for development without impacting the existing considered layout, which was designed to be within the limits of historic building footprints. Development within the landscape setting and spaces between the built-form would impact the overall integrity of the design. The relationship of this parcel to the wider landscape is the important feature to consider.

Parcel 25 does not provide a significant gap between neighbourhoods, nor does it contribute to a gap between settlements.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity is high and the parcel has an overall high sensitivity to development. There are also a number of primary constraints identified within the parcel.

Parcel 25 Viewpoint Location Plan



Agenda Item 4 Annex 1

View 25-A View from the open space to the south of Horton Park.

Horton Cres

Long Grove Park



View 25-B View from the open space to the south looking towards Horton Crescent.



View 25-C View from the open space to the south looking towards the Manor Park residential cluster.



View 25-D View from the gate houses facing onto Horton Lane.

Horton Lane



Parcel ID:	Name:	Stage One results:				
28	Land to the north of Chantilly Way, east of Horton Lane (Greater Horton Farm)	P1	P2	P3	P4	Overall
		3	3	2	2	10

Current land use:

- Horton Farm Stables.
- Hay meadow grassland, fallow at time of assessment.

Primary constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations, however there is a Local Nature Reserve and SSSI to the north-west at Horton Country Park and Horton Golf Club.
- There are Conservation Areas in the wider area associated with the hospital cluster.
- There is a listed building within the Horton Farm Stables group of buildings (the Grade II Horton Farmhouse)
- The woodland located to the northern-most part of the parcel is protected by a TPO.

PRoW: Including informal footpaths:

There are no PROW or networks of local footpaths within this parcel of land. Accessing this parcel is not possible from the surrounding areas, except to the Horton Farm Stables and other small-scale employment units located on the western corner at Chantilly Way/B284, Hook Road.

Containment and boundaries:

Boundaries tend to be well-defined agricultural hedgerows, which are very much characteristic of the published landscape character assessment. The parcels are entirely enclosed and form a series of well-defined agricultural fields. The northern point of the site, adjacent to the Hook Road Arena roundabout and access, is well defined by a woodland block of approximately 40-50 metres in depth.

Baseline landscape character:

Parcel 28 is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming a portion of land between the north-western settlement edge of Epsom and both the St Ebba's Hospital and nearby residential development at Parkview and beyond the settlement edge associated with West Ewell.

LF4, titled Horton Rolling Clay Farmland is located close to the settlement edge and demarcates the transition in the underlying geology from clay to the chalk associated with the higher ground to the south.

Land uses are noted above, with the predominant use being agriculture set within a structure of fields, variable size, semi-regular, with straight boundaries (parliamentary enclosure type). The mix of uses within the parcel is very much representative of the wider landscape and it is predominantly agricultural in use retaining the field boundaries, within some field ditches. Topography is sloping, with a generally open aspect to slopes, elevation is between 35 and 45m AOD.

The parcel has strong vegetated boundaries or edges and has a gently undulating landform. The parcel provides an open area or gap between the hospital development clusters located to the north, south-west and north-east of the parcel. Given the parcel's extensive open character, it does contribute to the wider landscape setting between settlements, particularly between the hospital cluster sites and also between Epsom and West Ewell. Horton Country Park and Golf Course are located to the north. The character of the land surrounding this parcel is fragmented and substantially influenced by the adjacent residential areas, the hospital cluster sites and associated busy road network. There is no limited sense of remoteness, but the nearby Horton Country Park is relatively peaceful.

Vegetated boundaries of the site are strongly defined with native field hedgerows and tree belts along the main roads surrounding the site. To the north of the site there is a woodland block (with TPO), which is reflective of those found in the wider character area.

Typical viewpoints (Examples included on viewpoint map):

Views into this land are mainly glimpses through hedgerows which form the routes surrounding this parcel, such as Horton Lane, the B284, Hook Road and Chantilly Way (see views 28 A&B). There are more elevated views from the land at St. Ebba's, principally from Park View Way (see view 28-C) and the parcel is visible as an open view. Similarly, there will be views from upper storeys of the residential dwellings which form the northern edge of the Long Grove Development, at Eastman Way and Pelman Way. There may be views from residential properties at Brettgrave to the south east of the site.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape is of Low to Medium Sensitivity, as it is not rare in the context of the wider character area, however, it does provide some separation between the hospital clusters. The landscape is also relatively unified in character and strongly represents the Rolling Clay Farmland. It is of low tranquillity in the context of the roads surrounding the site.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

As described above, there are residential properties with medium to long distance views of this landscape from Long Grove residential area, and also from parts of the St Ebba's Hospital cluster development. The parcel is relatively well enclosed and shorter distance views are more limited due to the vegetation around the edges of the site. There would be views from Horton Farm, although these may be less sensitive due to the commercial uses.

Visual Sensitivity: The visual sensitivity of this site is Low to Medium as shorter distance views from publicly accessible viewpoints are more limited and there are comparatively fewer medium to longer distance views from dwellings.

Overall Sensitivity to Development:

Overall the site is of Low to Medium Sensitivity to development, combining the Landscape and Visual values noted above. Visual changes associated with development would extend the settlement edge and reduce the setting and landscape quality associated with the hospital clusters.

Potentially suitable for release at this stage?

Yes. Landscape and visual sensitivity are low to medium and there is a low to medium overall sensitivity to development in landscape terms and there would be limited impact on openness. The parcel has well defined robust and durable boundaries on all sides which are also considered capable of forming a new Green Belt boundary. There is existing connectivity to the surrounding highways network.

Parcel 28 Viewpoints Location Plan

Agenda Item 4 Annex 1

View 28-A View south across open field from junction of Hook Road and Horton Lane



Viewpoint 28-B View across open field from glimpses along Chantilly Way



View 28-C View from the access road to Park View looking south-west across the open undulating landscape of this parcel.



Parcel ID:	Name:	Stage One results:				
29	Land to the east of Chantilly Way (Land at Chantilly Way)	P1	P2	P3	P4	Overall
		2	0	0	0	2

Current land use:

- Cycle Path.
- Despoiled land use for informal grazing of horses.
- Substation located on northern edge of parcel adjacent to Hook Road.

Primary constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations or listed buildings.
- There is a single TPO which is likely to be within an adjacent residential plot and is located within the southern boundary.

PRoW: Including informal footpaths:

There is a footway and cycleway associated with Chantilly Way.

Containment and boundaries:

Boundaries are poorly-defined, with some more recent hedgerow planting along the western section of Chantilly Way and at the junction with B284 Hook Road. There is a length of remnant field hedgerow boundary, bisecting the site itself and vegetation on the corner of Chantilly Way/B284, Hook Road. The southern parcel boundary is comprised of a mix in styles of rear property boundaries, characteristic of residential gardens (to Brettgrave) with some larger trees within this boundary, one with a TPO.

Baseline landscape character:

Parcel 29 is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming an edge to the settlement of Epsom and nearby West Ewell.

LF4, titled Horton Rolling Clay Farmland is located close to the settlement edge and demarcates the transition in the underlying geology from clay to the chalk associated with the higher ground to the south.

The characteristic of this parcel is an undeveloped paddock, but it is heavily influenced by the urbanising route of Chantilly Way and the settlement edge of Epsom to the south east. Built-form overlooks the site.

The land use of the parcel is presently as a paddock. The site is at 40 to 45m AOD and forms a basin-like depression. There appears to be a flood-related function, it is assumed the depressed area forms a retention basin during excessive rainfall, however this needs further investigation.

This parcel is severed from the wider landscape by Chantilly Way and no longer possesses the agricultural uses. There are remnants of former field boundaries within the site, but the boundaries to the parcel are not defined by a strong landscape structure, rather fence lines to rear property boundaries. The parcel does not provide a significant gap between either neighbourhoods, nor does it form part of a wider series of parcels that contribute to a gap between settlements, despite being undeveloped.

The landscape condition is unmanaged and unkempt in appearance, with the presence and opportunity for fly-tipping due to a general lack of natural surveillance.

Agenda Item 4

Annex 1

Typical viewpoints (Examples included on viewpoint map):

Parcel 29 is visible from the footpath and cycle ways on and adjoining Chantilly Way (See views 29-A and 29-B).
It is visible from residential properties on Brettgrave.

Landscape sensitivity (Sensitivity to change):

The landscape is of Low Sensitivity as this landscape is not rare in the context of the wider character area. The site's character area is fragmented and substantially affected by the adjacent residential areas and associated busy road of Chantilly Way and the vegetation lacks structure, as it is formed of remnants of former field boundaries. There is no sense of remoteness or tranquillity in the context of Chantilly Way to the immediate west of the site.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The most sensitive receptors are those residential properties which overlook the site at Brettgrave. These properties are visible in the site photos.

Visual Sensitivity: The visual sensitivity of this site is Low to Medium Sensitivity as shorter distance views from dwellings are also influenced by the nearby presence of Chantilly Way.

Relative Sensitivity to Development:

Overall the site is of Low Sensitivity to development, combining the Landscape and Visual values noted above. Visual changes associated with development would not extend the settlement edge significantly and there is potential to improve the environmental quality of this site.

Potentially suitable for release at this stage?

Yes. Landscape sensitivity is low and visual sensitivity is low to medium. There is also a low overall sensitivity to development in landscape terms and there would be limited impact on openness if release. The parcel performs little to no purpose in Green Belt terms, scoring only 2 in the GBS Stage One. The parcel does not perform against purposes 2 (to prevent neighbouring towns merging into one another), 3 (to assist in safeguarding the countryside from encroachment) and 4 (to preserve the setting and special character of historic towns).

Parcel 29 Viewpoints Location Plan



View 29-A View into the site with informal unkempt paddock, with residential at Brettgrave visible beyond the land parcel.



View 29-B View of Chantilly Way and cycleway.



Agenda Item 4 Annex 1

Parcel ID:	Name:	Stage One results:				
30	Land at St Ebba's former hospital site.	P1	P2	P3	P4	Overall
		0	0	1	3	4

Current land use:

- St Ebba's specialist hospital site.
- Residential (Park View).
- Cricket Ground.

Primary constraints:

- None.

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- There are several listed buildings within the remaining St Ebba's hospital site, which are included within St Ebba's Hospital Conservation Area (part of the Epsom Hospitals Cluster Conservation Areas). There is a listed building within land to the south-west, within a group of buildings near/at Horton Farm Stables.
- Throughout this parcel there are a significant number of TPOs, both scattered mature trees and belts/avenues within the parcel and located on part of the eastern boundary.

PRoW: Including informal footpaths:

There is an existing PROW to the eastern edge of the site along the settlement edge of Epsom, BW83

Containment and boundaries:

This site is not well-contained in terms of boundaries, particularly for the newer extents of development, the curtilage to open spaces and sustainable drainage retention basins, however, the design intent is not intended to enclose the development entirely, as the overall landscape context is the key to the setting of the development and views. There is a hedgerow and scattered tree belts along the eastern boundary with a TPO.

Baseline landscape character:

St Ebba's hospital cluster and associated Parkview Residential area are co-located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4, forming part of the north-western edge to the settlement of Epsom.

LF4, titled Horton Rolling Clay Farmland excludes this parcel as an urban area, possibly due to its proximity to the Epsom settlement edge. This character area is still of relevance to the setting of Parcel 30, demarcating the transition in the underlying geology from clay to the chalk associated with the higher ground to the south.

The characteristic of this Parcel 30 is a developed hospital cluster, set within a parkland landscape providing an attractive identity and setting to the recently constructed residential neighbourhood. St Ebba's hospital sits alongside the residential area to the north. The land use is split 50:50 between the newer residential development and the remaining hospital, both uses are arranged as a series of buildings within a landscape setting. The land is generally flat at approximately 35m AOD. The landscape is a designed or intensive landscape, with built-form of the hospital buildings (which are listed and part of the Conservation Area) and residential blocks set within a parkland and creating an attractive arrangement of buildings relating to the open space. The parcel includes some older dwellings, set within mature trees, with their own large plots and accesses to the B284, Hook Road.

Parcel 30 is influenced by the nearby former settlement edge of Epsom and the site forms a new settlement edge to Epsom, with views out towards open space and agricultural pockets, which remain as part of the wider greenbelt and landscape structure. There is no sense of remoteness or tranquillity, but there is the visual connection to the wider landscape from the Parkview residential area.

The Landscape Condition is that of a well-managed landscape, with the presence of feature buildings, attractive contemporary design of new residential buildings, set within a designed landscape structure with defined uses and considered planting design and function. There are TPOs protecting mature trees throughout the parcel. The parcel is not particularly rare in the context of the wider built-form, but its quality and integrity of design finish do make it difficult to substitute or re-provide elsewhere.

Typical viewpoints (Examples included on viewpoint map):

Viewpoints of Parcel 30 include:

- Views from B284, Hook Road;
- Views from the adjacent St Ebba's Hospital facility (see view 30-A);
- Views from dwellings and from within the Park View residential area;
- More distant views from dwellings on Chessington Road, Richards Field and Oakdale Road back onto this parcel and may have views of this site.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape of this site is of High sensitivity as it could not be easily replicated due to its intrinsic role to the character of Parkview and the value of the setting it provides to both the residential area and St Ebba's hospital cluster.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

There are numerous residential receptors, which would be highly sensitive to new development.

Visual Sensitivity: The site is of High Sensitivity due to the high proportion of existing residential development and the design, which given it is a series of buildings set within the landscape is intended to have views to/from the

Overall Sensitivity to Development:

Overall the parcel is of High Sensitivity to development, combining the Landscape and Visual values noted above. Landscape and Visual changes associated with development would additionally extend the settlement edge and further built-form beyond the building cluster envelope, which would adversely impact the landscape setting of the site, including the St Ebba's hospital facilities and the adjacent, recently completed residential area of Parkview.

The residential portion of the parcel has limited opportunity for development without impacting the existing considered layout, which was designed to be within the limits of historic building footprints. The landscape setting and spaces between the built-form would impact the overall integrity of the design. The relationship of this parcel to the surrounding landscape is the important feature to consider.

Parcel 30 does not provide a significant gap between either neighbourhoods, nor does it form part of a wider series of parcels (28 & 31), that contribute to a gap between settlements, despite being undeveloped.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are high and there is a high overall sensitivity to development in landscape terms. In addition, much of the parcel is developed as identified in the GBS Stage One. In addition, the parcel contains the St Ebba's Conservation Area and, as such, performs highly against purpose 4 (to preserve the setting and special character of historic towns).

Parcel 30 Viewpoints Location Plan

View 30-A View from one of the St. Ebba's hospital buildings south towards the Parkview development across open space with listed buildings visible on either side of the view.



View 30-B View within the Park View residential layout, illustrating to strong landscape structure.



Agenda Item 4

Annex 1

Parcel ID:	Name:	Stage One results:				
31	Land to the north west of St Ebba's former hospital site (Hook Road Arena).	P1	P2	P3	P4	Overall
		0	0	1	3	4

Current land use:

- Playing fields.
- Events Arena.
- Epsom Riding School for the disabled (Epsom RDA).
- Small recent field enclosures.

Primary Constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- There are no listed buildings within Parcel 31.
- There are TPOs which coincide with the substantial tree belts and partial sub-division of the parcel located on the northern boundary.

PRoW: Including informal footpaths:

BW83 – Bridleway to the south west of the parcel.

Containment and boundaries:

The land parcel is well-defined for some but not all boundaries. There are several adjacent land uses which influence the site and the nature of the boundaries.

Residential development associated with West Ewell backs onto the parcel on the northern boundary which is well defined by protected tree belts.

St Ebba's Farm forms a cluster of buildings surrounded by a series of small scale fields and boundaries which forms part of the southern boundary to the parcel.

Hook Arena Events Area and the access on the western boundary are well contained.

Land to the south, including some smaller fields with well-defined boundaries and the land which includes the current and former St Ebba's hospital site, have well defined boundaries with trees and hedgerows.

Baseline landscape character:

Parcel 31, comprising Hook Road Arena, is located within the National Character Area 114, Thames Basin Lowlands and Surrey County Landscape Character Area LF4. LF4, titled Horton Rolling Clay Farmland includes this parcel. The borough character area is of relevance to this parcel, demarcating the transition in the underlying geology from clay to the chalk associated with the higher ground to the south, which coincides approximately with the settlement edges.

The parcel is bordered by built-up areas on two sides, abutting both the north-western edge to the settlement of Epsom and the southern edge of Ewell West along Chessington Road.

The land uses are recreational, open space and small-scale light industrial employment, with minimal defined functions; it is not a local park. The topography is flat at 33m AOD. Vegetation is well-defined along the Hook Road but less well vegetated along Chessington Road. The parcel is sub-divided by a series of mature lengths of former agricultural hedgerow, following the former alignment of variable-sized, semi-regular fields with straight boundaries (parliamentary enclosure type).

St Ebba's hospital sits to the south of the site, alongside the more recent Parkview residential development on land released from the hospital site. To the north, the site is also particularly heavily influenced by the settlement edge of Ewell West. This parcel forms a narrow wedge between the two and it may be that a proportion of the site does not provide an effective gap between the two areas. The wider section of land is better defined in terms of boundaries and performing a stronger green belt function, avoiding coalescence. This wider portion also relates to the wider landscape.

The site is fragmented and substantially affected by the adjacent residential areas and associated busy road network of Hook Road and Chessington Road. There is little sense of remoteness or tranquillity.

Typical viewpoints (Examples included on viewpoint map):

Viewpoints of this site include the following:

- Views into the Parcel from B284, Hook Road and Horton Lane (see view 31-A & B);
- Residential properties on Chessington Road, Richards Field and Oakdale Road back onto this parcel and may have views of the open space (some are visible in view 32-B);
- Residential properties with views from Parkview Way, Holly Close, Maple Close and other parts of the Park View development on the land formerly part of St Ebba's Hospital site;
- The current St Ebba's hospital site which overlooks the mid-section of Parcel 31; and
- St Ebba's Farm, an employment area, now used for horse stabling.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: The landscape is of Low to Medium Sensitivity, as it is not rare in terms of the presence of similar landscape within the wider borough character area, LF4. The location of the site is key, however, as it is critical in maintaining a gap between the settlement edge of Epsom and Ewell West. This function decreases as the site narrows towards its south-eastern-most corner. Sensitivity to development therefore varies across the site.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The sensitive receptors are mainly residential properties with views of the site as described above.

Visual Sensitivity: Sensitivity is Medium to High as it includes a range of potential receptors, views from dwellings in adjacent residential areas, commercial, users of public open space and highways/bridleways adjoining the site. It is also very close to the settlement edge of Ewell West.

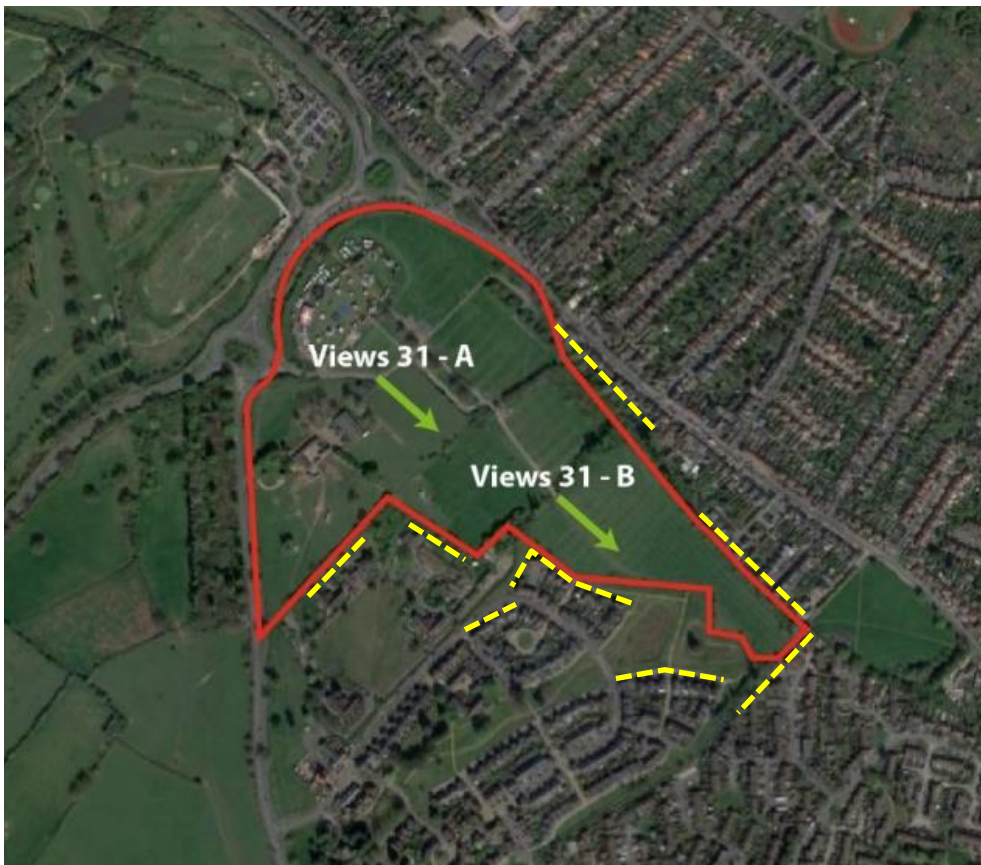
Relative Sensitivity to Development:

This site has an overall Medium Sensitivity to development combining the values set out for Landscape and Visual Sensitivity above. The south-eastern portion of the site being more heavily influenced by the urbanising settlement edge, where housing has views of the open space. For the remainder of the site, the relationship of this parcel to the surrounding countryside or landscape is the important feature to consider.

Therefore, the parcel does provide a gap between the settlement edges of Epsom and Ewell West and does relate to a wider series of parcels that contribute to a gap between settlements.

Potentially suitable for release at this stage?

Yes. Landscape sensitivity is low to medium and visual sensitivity is medium to high and there is a medium overall sensitivity to development in landscape terms and impact on openness would be limited if released. The parcel has well defined robust and durable boundaries on its north eastern and western boundaries formed by Chessington Road and Hook Road respectively which are also considered capable of forming a new robust Green Belt boundary. There is also an existing access point off the roundabout at the junction of Horton Lane and Hook Road serving the northern portion of the site.

Parcel 31 Viewpoints Location Plan

View 31-A, View looking south-east from close the access to Hook Arena.



View 31-B, within the Hook Arena site with parts of the Parkview development visible to the south of the parcel.



Parcel ID:	Name:	Stage One results:				
32	Land to the west of Burgh Heath Road, east of Rifle Butts Alley (Land west of BHR and South Hatch Stables)	P1	P2	P3	P4	Overall
		3	2	2	0	7

Current land use:

- Residential with stables.
- Grassland.
- Pasture and paddocks

Primary constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- Epsom Golf Course is a Site of Nature Conservation Interest (SNCI) with calcareous grasslands.
- There are numerous TPOs located on all boundaries and trees within the parcel which is protected.

PRoW: Including informal footpaths:

BW44 – Bridleway, named as 'Rifle Butts Alley'.

Containment and boundaries:

Boundaries to the site include:

- Burgh Heath Road to the east which is well defined by hedgerow;
- Rifle Butts Alley, a PROW which connects Epsom Golf course to the residential street of Beech Road and Treadwell Road within Epsom's southern settlement edge has a mature, protected tree line and hedgerows;
- The northern boundary of this parcel is defined by residential boundaries and is more limited in tree cover, however these are protected by TPOs; and
- The southern boundary is well-defined with Epsom Golf course to the south, again with TPOs.

Baseline landscape character:

Parcel 32 is located within the National Character Area 129, Thames Basin Heaths and Surrey County Landscape Character Area CD1, Ashted and Woodcote Parks Chalk Down with Woodland. The character of the parcel reflects many aspects of the CD1, especially the proximity to golf courses, Epsom Downs golf course and the context and setting this parcel contributes to The Downs and higher ground. This series of fields forms part of the small-scale transition between the Epsom settlement edge and the larger-scale uses on the upper slopes of Epsom Downs and the golf course use to the immediate south of the land parcel.

The land uses are pastoral, typical of the edge of settlement, including paddocks. The aspect of the site is north-west facing and there is a significant change in level from south to north, between 112 and 85m AOD. There are urbanising features within these small-scale fields, as they adjoin properties on Burgh Heath Road. The condition is good, well-managed, with tight well-defined hedgerows. The western side of the parcel forms one side of a minor valley with Rifle Butts Way located within it, at a lower elevation to the site and it has a drain running along its length.

The elevated Downs to the south afford long views across Epsom towards London, within which the site forms the foreground. Additionally, due to the elevation, there is inter-visibility with the surrounding areas.

Typical viewpoints (Examples included on viewpoint map):

Typical viewpoints include the following:

- Residential properties which are strung along Burgh Heath Road and in some instance, include stables or employment;
- Residential properties which form the southern settlement edge to Epsom, located on Downs Road, Downs Way, Aston Way, Beech Road, these properties have views looking up hill towards Epsom Downs and Parcel 32 which forms a transition of small scale fields in the foreground of the views, part of the setting the Downs.
- Views from PROW Rifle Butts Alley which is located to the west of the site.
- Views from several elevated and popular panoramic viewing points at Grand Stand Road, which looks towards London

Landscape sensitivity (Sensitivity to change):

Parcel 32 has a High sensitivity to change due to its location and transitional landscape character, marrying the settlement edge of Epsom with the wider larger scale landscape of Epsom Downs.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The receptors of greatest sensitivity include the residential views described above and that of the PROW, Rifle Butts Alley. There would be elevated views from Epsom Downs/Golf course to the immediate south of the site. The land increases in elevation and forms part of the views from residential properties along the Epsom settlement edge.

Visual Sensitivity: The sensitivity for visual receptors would be High due to the residential edge and recreational receptors associated with the walking routes, Epsom Downs and golf course users' wide visual influence of the site.

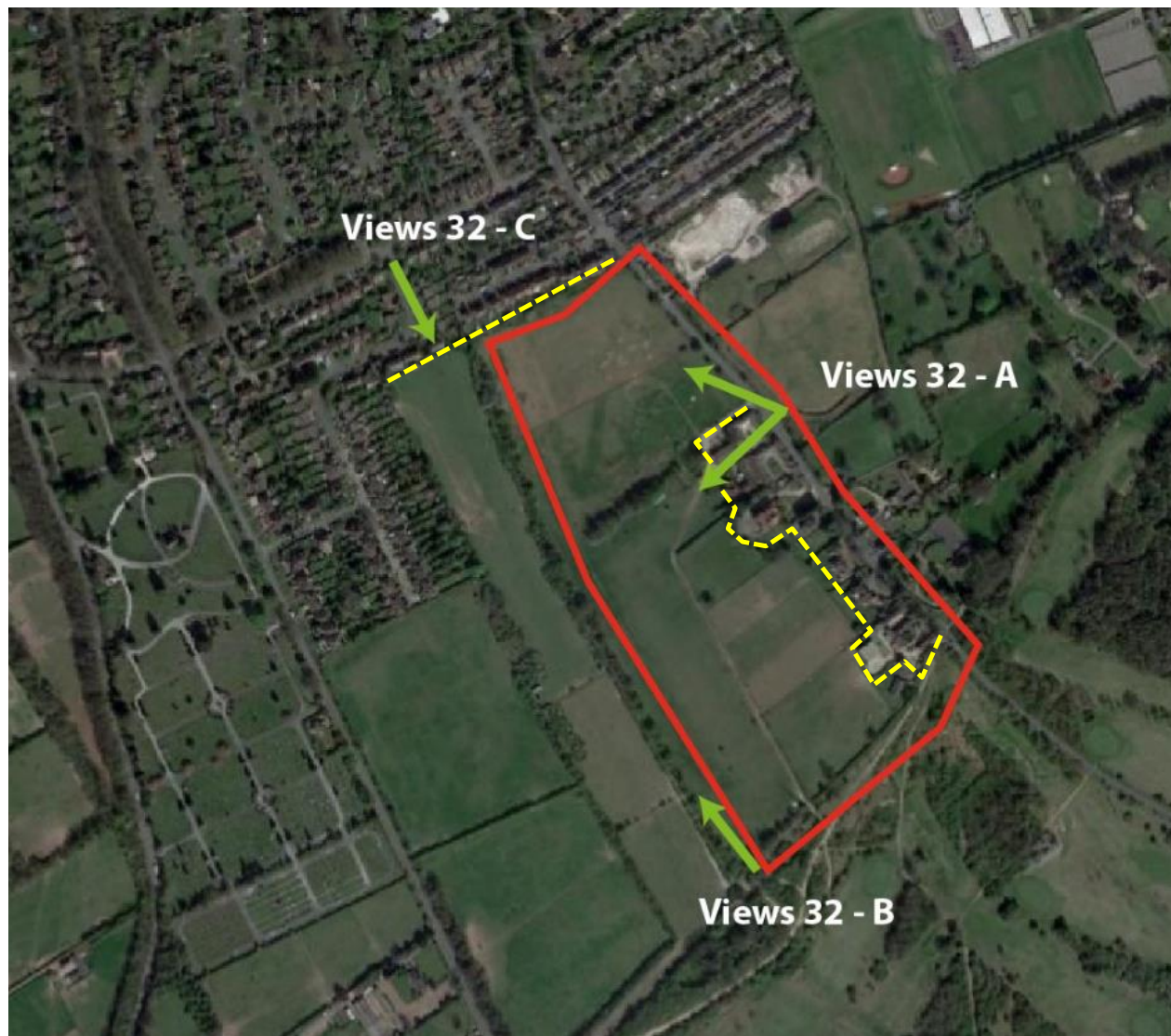
Overall Sensitivity to Development:

Parcel 32 has an overall High Sensitivity to development, combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the combined effects of transitional landscape, the amenity it affords the settlement edge of Epsom and the extensive visibility. This site is close to a SSSI and significant elevated portion of land with long distance viewing points towards West London from the viewing area at Grand Stand Road.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are high and there is a high overall sensitivity to development in landscape terms. In addition the parcel forms part of the gap between the urban edge of Epsom to the north and Great Burgh to the south east.

Parcel 32 Viewpoints Location Plan



Agenda Item 4 Annex 1

View 32-A Panoramic view from business access point illustration the relationship between these fields and the settlement edge of Epsom.



View 32-C, View from Downs Road looking at the settlement edge of Epsom at Aston Way, looking south towards the Downs.



View 32-B, looking north along Rifle Butts Alley.



Parcel ID:	Name:	Stage One results:				
33	Land to the east of Burgh Heath Road south of Beech Way	P1	P2	P3	P4	Overall
		3	2	2	0	7

Current land use:

- Agricultural.
- Stabling, Paddocks.

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- There is a single TPO in the northern part of the parcel.

PRoW: Including informal footpaths:

There are no PROWs within this parcel.

Containment and boundaries:

Boundaries to the site are as follows:

- The western boundary is a mature, well-maintained hedgerow which adjoins Burgh Heath Road, this does have a break which has been made to create a site works access.
- The north boundary is well-defined by a mix of property boundaries, hedgerows and trees, which appear to be former agricultural hedgerows.
- The eastern boundary is a former agricultural boundary, with some gaps in the northern section of the hedgerow.
- The southern boundary is a well-defined agricultural hedgerow.

Baseline landscape character:

Parcel 33 is located within the National Character Area 129, Thames Basin Heaths and Surrey County Landscape Character Area CD1, Ashted and Woodcote Parks Chalk Down with Woodland. The character of the parcel reflects many aspects of the CD1, especially the proximity to Epsom Downs Golf Course and the Downs on the higher ground to the south of this land parcel.

This series of fields form part of the small-scale transition between the southern Epsom settlement edge and the larger-scale uses on the slopes of Epsom Downs and the golf course use to the south of the land parcel. This parcel is also adjoined by land to the south, with large infill plots development, which is accessed via Burgh Heath Road, a series of larger plots with substantial dwellings. New development is located to the north of the land parcel, extending the southern settlement edge of Epsom. The development to the north and south of Parcel 33 are urbanising influences, combined with Burgh Heath Road and an access which has created a break in the mature hedge line.

The land uses are pastoral, typical of the edge of settlement, a series of small field sub-divisions. The aspect of the site is north facing and there is a significant fall in levels from south to north, between 100 and 90m AOD. There are urbanising features, namely the presence of development activity and temporary use of parts of the smaller-scale fields to the north of the parcel. The remainder of the parcel is generally well-managed, with tight well-defined hedgerows. There are urbanising features within these small-scale fields, as they adjoin properties on Burgh Heath Road. The condition is good, with well-managed, tight, well-defined hedgerows.

The elevated Downs to the south-west affords long views in an easterly direction towards London, the site does form part of these views in the context of the Epsom settlement edge. Additionally, due to the elevation, there is inter-visibility with the surrounding areas, for example, views towards the land parcel from roads within the settlement edge and views from undesignated footpaths to the south, running along the northern edge of Epsom Downs Golf Course.

Typical viewpoints (Examples included on viewpoint map):

Typical viewpoints include:

- Views from dwellings presently under construction;
- Views from properties and commercial premises to the south of the parcel on Burgh Heath Road, mainly from upper floors.

Landscape sensitivity (Sensitivity to change):

Parcel 33 has a Medium Sensitivity to change due to its location and transitional landscape qualities as part of the southern settlement edge of Epsom with the wider larger scale landscape of Epsom Downs to the south-west.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

Sensitive visual receptors include the following:

- Views from dwellings and commercial properties to the north and south of the land parcel on or accessed by Burgh Heath Road, including properties under construction;
- Views from undesignated footpaths to the south, running along the northern edge of Epsom Downs Golf Course.
- Possible views from PROW, Rifle Butts Way, although this is located some distance to the west of Parcel 33.

Visual Sensitivity: The sensitivity for visual receptors would be Medium due to the residential settlement edge and those properties near Burgh Heath Road. The parcel forms part of views towards Epsom from the Downs.

Overall Sensitivity to Development:

Parcel 33 has an overall Medium Sensitivity to development, combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the combined effects of transitional landscape, the amenity it affords the settlement edge of Epsom and the extensive visibility. This site is close to the elevated Epsom Downs landscape. Parcel 33 is influenced by the extended settlement edge portion of land, with long distance viewing points towards West London from the viewing area at Grand Stand Road.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are medium and there is a medium overall sensitivity to development in landscape terms. In addition, the parcel forms part of the gap between the urban edge of Epsom to the north and Great Burgh to the south east which if released would compromise the integrity of the Green Belt in this location.

Parcel 33 Viewpoint Location Plan

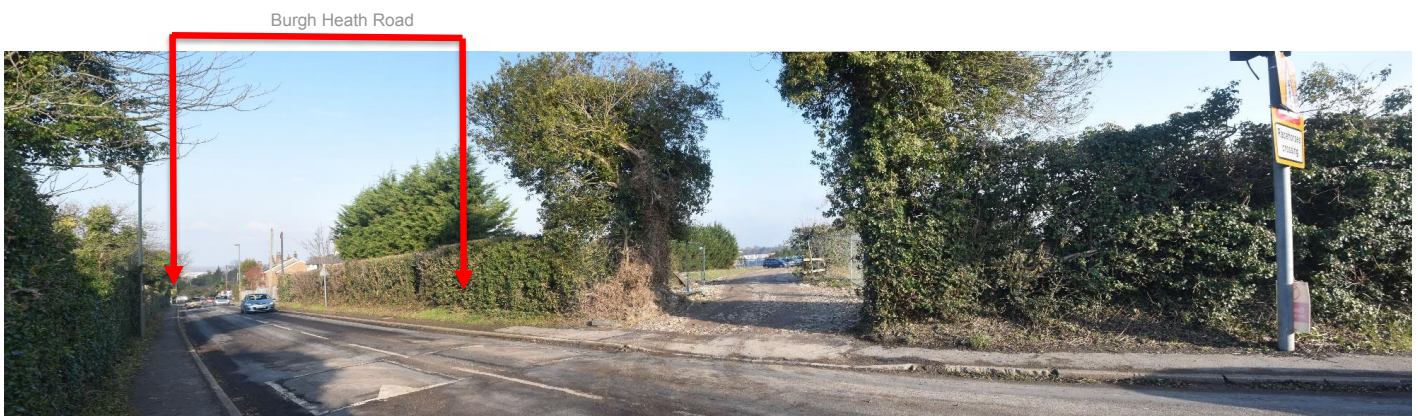


Agenda Item 4 Annex 1

View 33 -A View from site entrance on Burgh Heath Road looking into this land parcel, with existing residential properties visible to the south of the parcel.



View 33 - B View illustrating the boundaries of the parcel along Burgh Heath Road.



Parcel ID:	Name:	Stage One results:				
37	Land north of College Road, west of Reigate Road (Downs Farm, Reigate Road)	P1	P2	P3	P4	Overall
		1	3	2	3	9

Current land use:

- Grassland, assumed to be part of former calcareous chalk grassland;
- Light Industrial use within former Chalk pit (College Road);
- Small business units at 'The Downs Farm' (Reigate Road); and
- Large single-plot residential with some small-scale commercial outlets on Reigate Road.

Primary constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no landscape designations.
- Listed Buildings visible with the nearby Epsom College campus.
- Higher Green Conservation Area is located to the north-west of Parcel 37.
- There are TPOs within the western site boundary and along the eastern boundary adjoining the A240 Reigate Road.

Containment and boundaries:

- The southern boundary is well-defined along College Road by roadside, mature hedgerow vegetation, the employment site is a detracting element, but roadside boundaries are intact;
- The western and north-eastern boundaries with large single-plot residential use have mature vegetation (with TPOs) within deep and wide residential plots of varying lengths and widths; and
- The southern section of Reigate Road has some mature trees lining the route and bordering Parcel 37.

PRoW: Including informal footpaths:

There are no PROW but there does seem to be a network of undesignated footpaths.

Baseline landscape character:

This site is located within the National Character Area 129, Thames Basin Heaths and Surrey County Landscape Character Area CF4, North Looe Open Chalk Farmland. Consistent with the wider CF4 character description, the site is surrounded by development and possesses some north facing slopes and chalk downland underlain by the Lewes Nodular Chalk Formation, Seaford Chalk Formation and Newhaven Chalk Formation. Parcel 37 forms part of the gap between the Epsom settlement boundary and Epsom Downs residential areas of Nork, adjacent to the Epsom Downs Station, together with Parcel 37.

It has an undulating landform, but rising towards the south. Topography is characteristically undulating with higher land to the south, descending in a northerly direction from 95m to 80m AOD. It is cut off from countryside to the south by surrounding development. It comprises paddocks, pasture, farmland with no subdivision of the land parcel. The wider context of the site includes small horticultural businesses and fields with glasshouses. The land use on the site itself is comprised of employment sites within a former chalk pit, business units within The Downs Farm and residential and commercial properties adjoining the Longdown Lane North and A240 Reigate Road on the western and eastern boundaries, respectively.

The western boundary is residential, with mixed rear property boundaries along Longdown Lane North, a strongly vegetated boundary. Hedges along field boundaries vary in intactness, with several boundaries marked by trees rather than continuous hedgerows. There are no areas of significant woodland. Relatively long-distance views are possible across the site to the nearest settlement edges, due to limited boundary vegetation.

The condition of the landscape is mixed, with the employment site boundaries for the former Chalk Pit and Downs Farm detracting from the wider landscape character. The site is reasonably well-managed. Tranquillity, remoteness and scenic beauty are limited due to urban influences. However, the character area is a valuable area of open space, given the surrounding urban context. Although surrounded by built-up areas, views of houses are often filtered by boundary vegetation where present.

Typical viewpoints (Examples included on viewpoint map):

Significant viewpoints include:

- Properties on Longdown Lane North, which have open views of the site and The Downs Farm employment site which is bounded and screened from view (see View 37 - A);
- Properties and commercial enterprises along the eastern boundary on the A240, Reigate Road; and
- Employment Sites at The Downs Farm, (see View 37 - A). The parcel is well-contained visually from College Road.

Landscape sensitivity (Sensitivity to change):

Landscape Sensitivity: This parcel will have Medium to High sensitivity to change due in part to its rarity and the overall limited extents. It represents one of a limited number of sites that provide a respite or gap between existing development. The site contributes to a series of pockets of land, which together form a gap between the Boroughs of Epsom and Ewell, Reigate and Banstead. This portion of land also contributes to the landscape setting of Epsom College.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The most sensitive receptors are those residential properties identified above on Longdown Lane North and Reigate Road with views on to Parcel 37. There are also several employment sites within and looking onto the parcel.

Visual Sensitivity: The Receptors are residential and commercial in equal proportion over the site, with some glimpsed views from highways. The sensitivity is therefore deemed to be Medium to High.

Relative Sensitivity to Development:

This site has an overall Medium to High Sensitivity to development combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the combined effects of the transitional landscape qualities, the amenity it affords the settlement edges, particularly to Epsom/Epsom College Area. The site is also surrounded by development and is one of a series of remaining weak links to the greenbelt and calcareous grassland habitats, which are recorded as present within the wider borough character area, CF4. This site is close to a SSSI at Epsom Downs Golf Club and significant as an elevated portion of land with some longer distance viewing points.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are medium to high and there is a high overall sensitivity to development in landscape terms. In addition, the parcel forms part of the gap between urban areas to the north and south as well as between the east and west. If released this would compromise the integrity of the immediately adjacent Green Belt in this location.

Parcel 37 Viewpoints Location Plan



View 37-A Panoramic view of the entire site taken from the rear of the Downs Farm building units.



Continuation of View 37-A



Parcel ID:	Name:	Stage One results:				
43	Land to the east of NESCOL College. (Priest Hill (NESCOL land) and Priest Hill Sports Centre site)	P1	P2	P3	P4	Overall
		3	3	2	0	8

Current land use:

- Playing Fields
- Nescot sports ground – football/rugby pitches with associated parking and pavilions/changing rooms.

Primary constraints:

- None

Designations (including adjacent or nearby heritage or ecology designations):

- There are no designations.
- There are no listed buildings within the vicinity of the parcel.
- There are no TPOs within the parcel.

Containment and boundaries:

- There is poor visual containment along the boundary with the A232 and also the boundary with Banstead Road, as there are open views into the site.
- The southern and western boundaries are punctuated by trees and hedgerow planting and contain the site well. There is a sense of continuity and openness with land to the south-east.

PRoW: Including informal footpaths:

- BW13 – Bridleway.
- FP104 – Footpath.

Agenda Item 4 Annex 1

Baseline landscape character:

Parcel 43 is located within the National Character Area 129, Thames Basin Heaths and Surrey County Landscape Character Area CF4, North Looe Open Chalk Farmland. Parcel 43 forms part of the gap between the Epsom settlement boundary and East Ewell and the residential areas of Howell Hill. The parcel comprises Nescot Sport Ground and adjoining sports fields.

Consistent with the wider character description, Parcel 43 adjoins the settlement edge of Ewell East and possesses some of the wider character area's features, including: shallow, north facing slopes and forms part of the north-facing sloping land underlain by the Lewes Nodular Chalk Formation, Seaford Chalk Formation and Newhaven Chalk Formation. The site is a remaining open space within a largely urbanised context, with a limited number of public rights of way cross the northern end of the character area, which includes this site, a link across the character area between Epsom and East Ewell.

The land use is entirely comprised of recreational facilities and playing fields and associated dwellings. It fronts onto the A232, the northern boundary, with residential to the north and on Banstead Road to the east. The grass may be formerly part of the wide calcareous grassland adjoining the SSSI site to the south-east. Vegetation, hedges with trees, align the footpaths but are not intact along the full lengths, there are glimpse between trees into the site and towards the urban areas Ewell West and Ewell East beyond. The parcel is not entirely surrounded by development and provides continuity with grassland stretches and open land to the south east. Tranquillity, remoteness and scenic beauty are limited due to urbanising influences and adjacent land uses. The open space is a valuable remaining area of open space and recreational amenity, particularly given the surrounding urban context.

Parcel 43 is cut off from the wider countryside by settlement or roads and is an enclosed section of the wider character area, however, it is managed such that it does not possess the calcareous grassland character. It also provides an important gap between the settlement edges of Epsom and East Ewell.

Typical viewpoints (Examples included on viewpoint map):

Typical views include:

- Views to the site are possible from bridleway, BW13 and footpath, FP104.
- Longer distance views from the west, the A240 and Nescot campus;
- Views from residential properties that look onto the site on the A232, Cheam Road and Banstead Road.

Landscape sensitivity (Sensitivity to change):

The landscape sensitivity to change is Medium as the land use is a recreational facility and not rare in the context of the wider character area, with some opportunity for substitution. The parcel provides a gap between settlements and the loss of this portion of the character area would reduce the sense of openness to the settlement edge of East Ewell.

The parcel is a managed playing field and the former character of grassland will now reflect more of an amenity grassland. The surrounding character is urbanised and the boundaries are not all well-vegetated. Development is visible from within the field.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The sensitive receptors are those dwellings which front onto Parcel 43, located on the A232 and those using the PROW noted below.

Visual Sensitivity: The views from dwellings and public rights of way are considered to be of High sensitivity to change.

Relative Sensitivity to Development:

Parcel 43 has an overall Low to Medium Sensitivity to development combining the values set out for Landscape and Visual Sensitivity above. This is comprised of the amenity it affords the settlement edges, particularly to Epsom and Ewell East. The site is partially surrounded by development and is one of a series of remaining weak links to the greenbelt and a SSSI calcareous grassland habitat is recorded as present to the immediate south-east.

Potentially suitable for release at this stage?

No. Landscape and visual sensitivity are medium and high respectively. The parcel performs a critical role in regards to checking the unrestricted sprawl of large built-up areas forming part of a gap of less than 1km between the southern urban edges of East Ewell and the eastern edge of Ewell to the west.

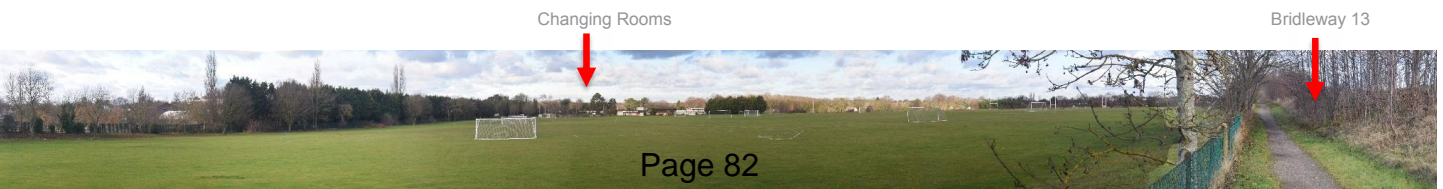
Parcel 43 Viewpoints Location Plan.



View 43-A View from the PROW adjoining Banstead Road.



View from the PROW at the south-western corner of the parcel.



Agenda Item 4 Annex 1

Parcel ID:	Name:	Stage One results:				
52	Land to the east of Reigate Road (North of Reigate Road and Mid Surrey Farm)	P1	P2	P3	P4	Overall
		0	0	1	0	1

Current land use:

- Beechcroft Nursery.
- Large plot housing.
- Motor services.
- SES Water facility

Primary Constraints:

- None.

Local landscape designations (including adjacent or nearby designations):

- There are no designations, however there is a SSSI to the south-east of the site.
- There are no listed buildings within the vicinity of the site.
- There are TPOs within the A240 route corridor on the parcel's western boundary.

PRoW: Including informal footpaths:

There are no PROWs within Parcel 52.

Containment and boundaries:

- The boundaries with reasonable containment and screening include the south-western boundary along the A240, Reigate Road.
- The north-eastern boundary is poorly defined and made up of screen fencing associated with the SES Water site.

Baseline landscape character:

Parcel 52 is located within the National Character Area 129, Thames Basin Heaths and is closest to Surrey County Landscape Character Area CF4, North Looe Open Chalk Farmland. Parcel 52 is an urban parcel which forms part of the gap between the Epsom settlement boundary and East Ewell fronting onto the A240 Reigate Road (see View 52 – B). The Parcel is one of several sites which have been intensified in terms of use with a tight grain of mixed uses. It is quite developed and therefore urbanised and semi-industrial in character.

It is not included within the wider character area surrounding the parcel as described in the Surrey Landscape Character Assessment and is not in any way consistent with the wider character descriptions. Parcel 43 reads as a part of the settlement edge and is surrounded by the wider open landscape of CF4.

It does not contribute to the greenbelt as part of the extent of greenbelt parcels between the settlement edges of Epsom/Epsom Downs and East Ewell.

Typical viewpoints (Examples included on viewpoint map):

Typical viewpoints include:

- Views those from the residential properties on the opposite side of A240, Reigate Road (see view 52-A).
- There are newly constructed properties located along the north-western boundary.
- There are some substantial properties and commercial/employment concerns fronting onto Reigate Road backing onto Parcel 52.
- Views from adjacent employment plots and beyond from unnamed access roads with isolated properties and uses accessed via Reigate Road (to the east).

Landscape sensitivity (Sensitivity to change):

Landscape sensitivity: The landscape sensitivity to change is Low. The mixed, urbanised, semi-industrial character of this parcel could be substituted easily, this character is not consistent with the wider area and detracts from the settlement edge of Epsom, defined by the A240, Reigate Road corridor.

Visual Sensitivity (Sensitive receptors on viewpoint map, denoted with yellow dashed line):

The sensitive receptors are the residential properties on Reigate Road, the recent development which adjoins the north-western boundary of the parcel.

Visual Sensitivity: A change in land use would potentially constitute an improvement in visual amenity from those dwellings and publicly accessible viewpoints which have views of Parcel 52. The visual sensitivity is therefore Low.

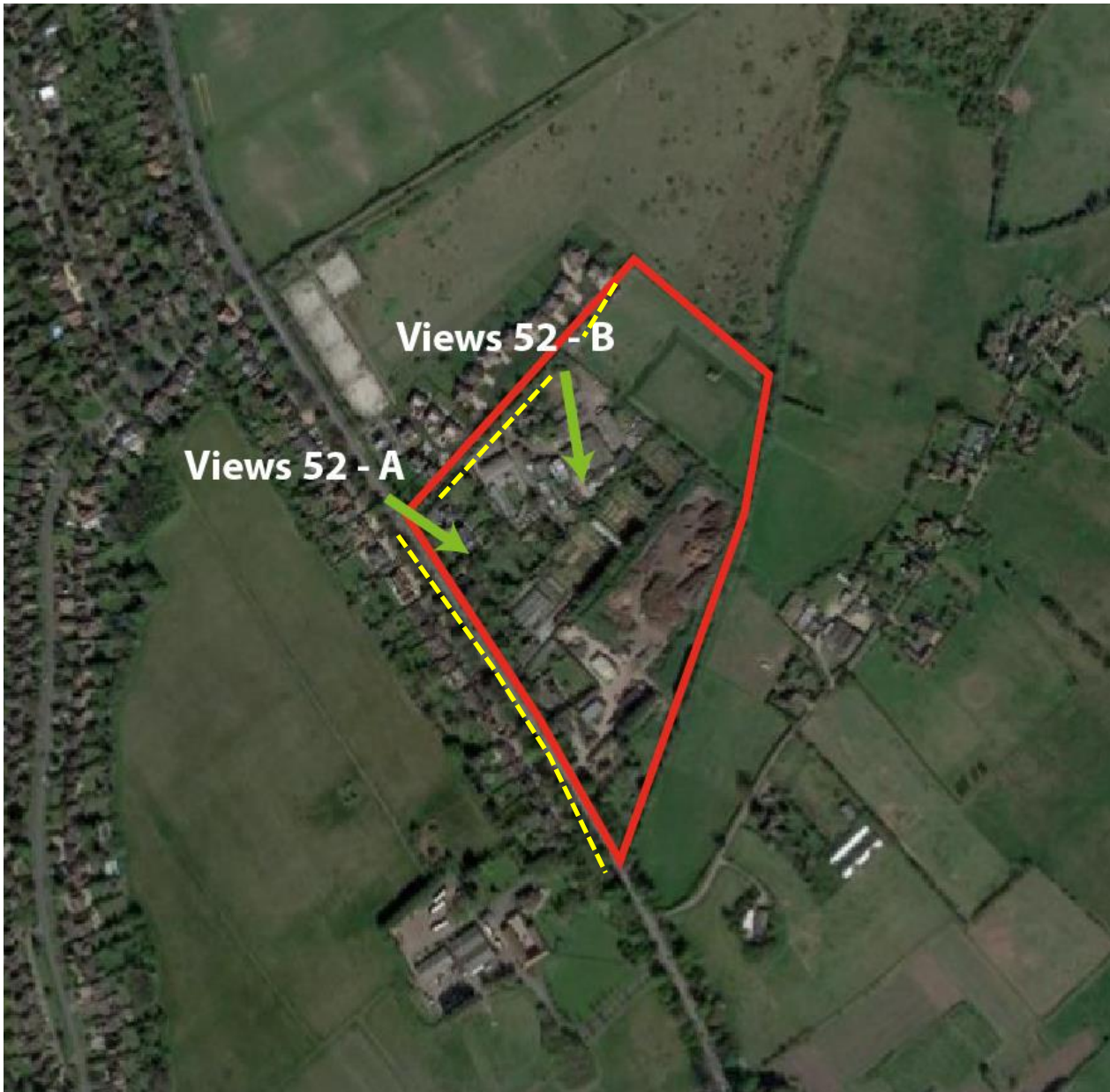
Relative Sensitivity to Development:

Overall Parcel 52 has a Low Sensitivity to Development, given its urban character and semi-industrial uses. This parcel could potentially improve with a carefully considered development that would reinforce weakened settlement boundaries, such that it reads as part of the edge of the Epsom, Reigate Road corridor.

Potentially suitable for release at this stage?

No. Although the parcel has low landscape and visual sensitivity and low sensitivity to development, the parcel is largely developed. The parcel also has weak, poorly defined boundaries which are not considered capable of forming a new robust Green Belt boundary should the parcel be released.

Parcel 52 Viewpoints Location Plan



View 52-A, View from A240, Reigate Road, with Parcel 52 access and house fronting on the A240 screen the industrial units beyond.



View 52-B, Typical views from within the parking area adjacent to small scale business units of Parcel 52



6. Conclusions

Whilst this report does not make recommendations as to which land should or should not be released from the Green Belt, it does identify those parcels of designated Green Belt land which are less constrained and which are therefore considered to be potentially suitable for release at this stage when considered against national Green Belt policy.

It should be noted that the sites included in this GBS Stage Two will not automatically be released from the Green Belt should the Council decide that exceptional circumstances exist to justify seeking to release designated Green Belt land to accommodate the OAN for housing. Any sites to be released will be robustly tested through the Local Plan Examination process.

Findings

Parcels 28 (Land to the north of Chantilly Way east of Horton Lane), 29 (Land to the east of Chantilly Way) and 31 (Land to the north west of St Ebba's former hospital site) are considered to be potentially suitable sites for release from the Green Belt should exceptional circumstances exist. Whilst parcels 28 and 31 scored relatively highly in the GBS Stage One (scoring 10 and 9 respectively), their context within the borough, their boundaries and accessibility/connectivity to the existing highways network means that they are considered potentially suitable for release.

Parcel 28 (Land to the north of Chantilly Way east of Horton Lane)

Parcel 28 (Land to the north of Chantilly Way east of Horton Lane) is not subject to any primary constraints and has been assessed as having low to medium landscape/visual sensitivity and a low to medium overall sensitivity to development. The parcel has well defined boundaries formed of established hedgerows and contains a series of well-defined agricultural fields. Horton Lane, Hook Road and Chantilly Way form established and durable boundaries which, if the site was to be released from the Green Belt, would form a new permanent defensible Green Belt boundary. Its release would not therefore compromise the integrity of the surrounding Green Belt. The parcel is well connected to the existing highways network with roundabouts at three points of the parcel along its western boundary. The junction of Horton Lane/Hook Road is at its northern point with the junction of Chantilly Way and Horton Lane in the south west corner of the site. Access to the former Long Grove hospital site is also located along the western boundary of the site with all three junctions providing potential access points to the parcel.

Parcel 29 (Land to the east of Chantilly Way)

Parcel 29 (Land to the east of Chantilly Way) is not subject to any primary constraints and was assessed as the lowest performing parcel of designated Green Belt land in the GBS Stage One report. The parcel does not perform against purposes 1 (to check the unrestricted sprawl of large built-up areas), 2 (to prevent neighbouring towns merging into one another) and 4 (to preserve the setting and special character of historic town). In addition, the parcel's landscape sensitivity is low and visual sensitivity is low to medium. There is also a low overall sensitivity to development in landscape terms. The small parcel's eastern boundary is formed by the rear of residential properties with its western boundary formed of Chantilly Way. The wider integrity of the Green Belt in this location would not be compromised by the release of this parcel.

Parcel 31 (Land to the north west of St Ebba's former hospital site)

Parcel 31 (Land to the north west of St Ebba's former hospital site) has been assessed as having low to medium landscape sensitivity and a medium to high visual sensitivity. The site also has medium sensitivity to development. The site has established defensible boundaries on its north eastern and western boundaries formed by Chessington Road and Hook Road respectively. Well established field patterns alongside hedgerows and tree lines form the southern boundaries where the site meets the developed St Ebba's former hospital site. There is an existing access point off the roundabout at the junction of Horton Lane and Hook Road serving the northern portion of the site. The parcel's boundaries are considered to be robust and capable of forming a durable Green Belt boundary if the parcel is to be released from the Green Belt. Therefore, the integrity of the wider Green Belt in this location would not be compromised by the release of the parcel.

Parcels 28, 29 and 31 surround Parcel 30 (Land at St Ebba's former hospital site) which when assessed on its own merits was not considered suitable for release at this stage as its landscape and visual sensitivities are high. Furthermore, the parcel is largely developed and would not therefore yield

7. Next Steps

development opportunities. It also scored highly against purpose 4 (to preserve the setting and special character of historic towns). Notwithstanding this, if the Council as part of the Core Strategy Review sought to remove parcels 28, 29 and 31 it would be logical and necessary to seek to release parcel 30 in order to form a robust, durable and defensible Green Belt boundary so as to not compromise the integrity of the wider Green Belt in this area.

Whilst this Study identifies only those parcels which are considered most suitable for release, when considering the identified requirements for housing land supply in EEBC, it may still be necessary for other parcels to be released in order to meet the OAN for housing.

Both this GBS Stage Two and the GBS Stage One form part of a comprehensive suite of evidence base supporting the review of the Core Strategy, of which the SHMA, SHLAA and Primary Constraints Study form a critical part. Careful consideration must be given, taking account of the full suite of evidence base, as to the proposed strategy for accommodating future growth and the OAN for housing. Should the decision be made to seek to release Green Belt land to accommodate housing growth, under any of the three options presented at the Issues and Options stage, then further work will be required to establish the extent of release required and whether exceptional circumstances exist to justify this approach.

As identified in this report, additional work is required to inform decisions relating to the quantum of housing to be delivered over the forthcoming plan period and the strategy for delivering this. Only then should a decision be made regarding Green Belt release including the quantum and location of release.

Should the decision be made to seek to deliver some of EEBC's identified needs through the release of Green Belt land, additional work will be required to understand the capacity of the above parcels alongside existing and future infrastructure requirements. Once a decision has been made relating to the strategy for accommodating future housing growth, it may still be necessary to assess whether there is a need to consider the release of additional land parcels to those identified as being less constrained within this report.

Appendix A. Workshop Invitees

Surname	First Name	Organisation
Murphy	Tim	CPRE
Clayton	Sarah	CPRE
Hollins	Margaret	Epsom Civic Society
Brown	Rod	EEBC
Shephard	Mark	EEBC
Beldon	Kathryn	EEBC
Harrison	Kath	Surrey County Council
Janota	Sue	Surrey County Council
Parkes	Suzanne	Elmbridge Borough Council
Harris	Hannah	Royal Borough of Kingston
Aitken	Sheree	Royal Borough of Kingston
Kleiman	Tal	Royal Borough of Kingston
Davies	Guy	Mole Valley
Kilip	Marie	Tandridge District Council
Riddle	Vivienne	Tandridge District Council
Clarke	Duncan	London Borough of Sutton
James	Philip	Reigate & Banstead Borough Council
Peters	Jörn	Greater London Authority
McLoughlin	Juliemma	Greater London Authority
Simmons	Philip	Donnington Homes
Allison	Lisa	Rural Solutions
Wilson	Toni	Wilson Groups
Slatford	Simon	Lichfields
Marsh	Marie-Claire	Lichfields
Churchill	David	Iceni
Rose	Michael	Mid Surrey Farm
Wilde	Geoff	Bewley Homes
Richards	J	Dan Dara
Webber	Tom	Montreaux
Griffin	Patrick	Savills
Adams	Russell	Adams Planning
Hay	Robert	None
Mc Geever	Isobel	Iceni
Willshaw	Tom	Lichfields
Simmonds	Zoe	Lichfields
Loxton	Joanna	Church Commissioners
Jackson-Browne	Thaddaeus	Lambert Smith Hampton
Burgess	Denise	Atkins
Wood	David	EEBC
Dudley	Graham	EEBC
Veasy	Sarah	Elmbridge Borough Council

Appendix B. Definitions

Landscape sensitivity:

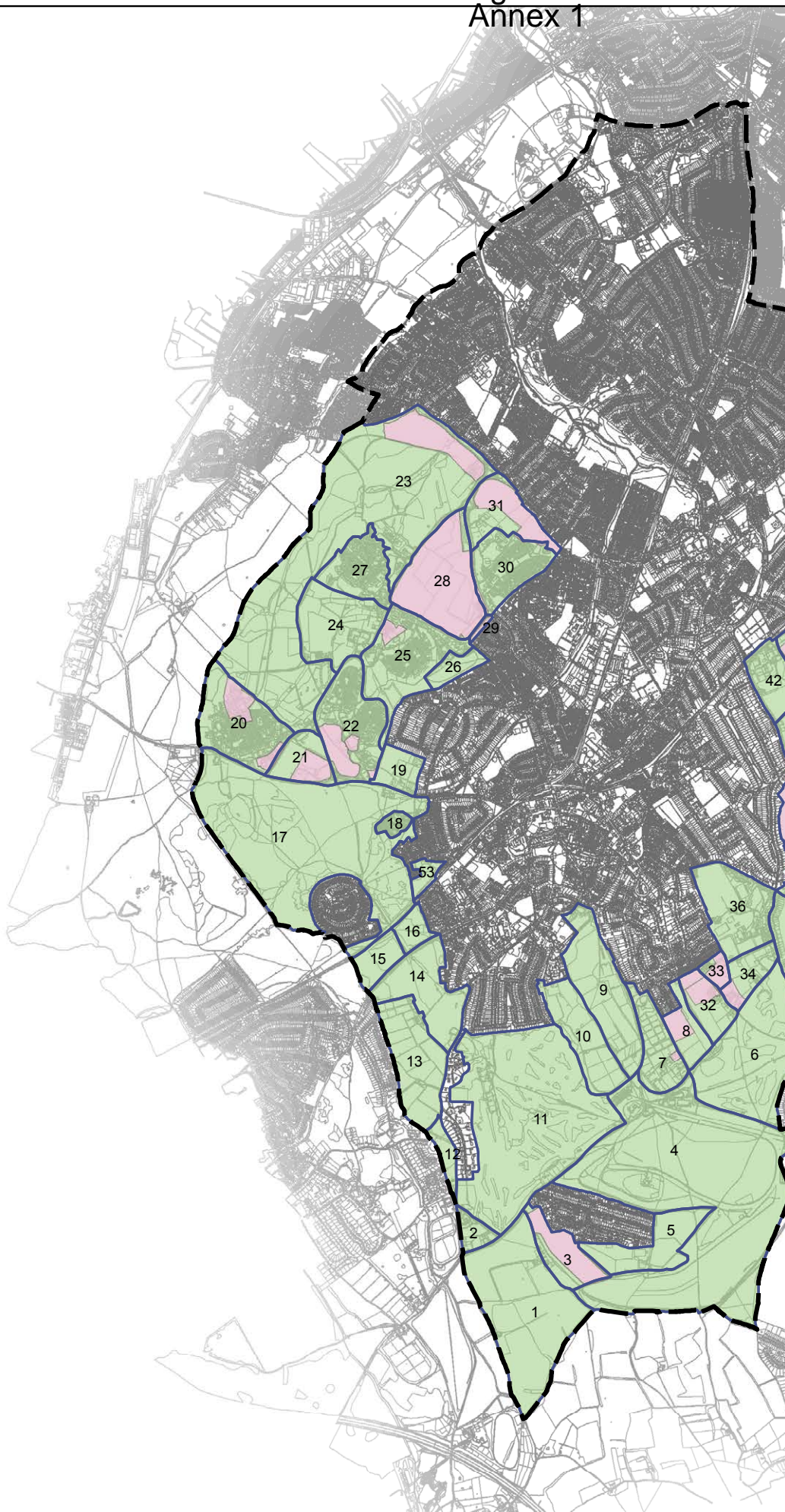
The sensitivity of the landscape as a resource in its own right based upon the quality, value, openness, condition and rarity of the landscape.

Visual sensitivity:

The sensitivity of specific views and the general visual amenity experienced by people based upon the quality and value of the view, and the location from which the view is experienced (E.G. residential property or road corridor).


Sensitivity to development:


The sensitivity of a landscape/visual receptor to development is based on the capacity of the receptor to accommodate change of the type proposed without harm to its key characteristics. The emphasis of these judgements must be focused on change 'of the type proposed' as a landscape/visual receptor may be able to accommodate, or be less sensitive to, certain types of development (e.g. new road or residential development) without changing its essential character or affecting its key components, whereas other types of development could not be accommodated in the same landscape.




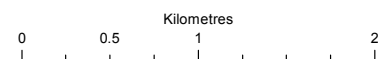
Agenda Item 4

Annex 1


 Epsom and Ewell
Administrative Boundary

 Parcel Areas

 Promoted Sites

 Green Belt


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CLIENT NAME: EPSOM & EWELL BOROUGH COUNCIL

LICENCE NUMBER: 100023771 [2017]

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Client



Project

EPSOM & EWELL GREEN BELT STUDY

Title

PROPOSED PARCEL AREAS

Sheet Size	Original Scale	Designed / Drawn SD	Checked HM	Authorised NDK
A3	1:40,000	Date 05/04/18	Date 05/04/18	Date 05/04/18

Drawing Number

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LOCAL PLAN PROGRAMME

Head of Service/Contact:	Karol Jakubczyk, Planning Policy Manager
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Draft Local Plan Programme June 2018
Other available papers (not attached):	National Planning Policy Framework Town & Country Planning (Local Planning) (England) Regulations 2012

Report summary

A new Local Plan Programme has been prepared to set the process and timetable for the new Epsom & Ewell Local Plan.

Recommendation (s)

That subject to the Committee's consideration and any changes that they introduce, the draft Local Plan Programme June 2018 be adopted taking immediate effect and be published on the Borough Council's website.

(1)

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 because it will set out how sustainable growth, particularly in relation to new housing, will be delivered during the plan period.

2 Background

- 2.1 The purpose of the Local Plan Programme is to set out the processes and timetable for the preparation and production of the Borough Council's Local Plan. We have always envisaged our Programmes providing a rolling three-year project plan - that seeks to inform both the process and all of the interested parties and partners about how and when the Local Plan will be brought forward.

- 2.2 Progress against the Local Plan milestones identified in the Programme is monitored through our Local Plan Annual Monitoring Report. In the past we have amended and revised our Local Plan programme to take account of circumstances that have brought about a change in our plans. Previous Local Plan Programmes have typically been reviewed after being in place for two years or so. Revisions have normally been triggered by changes in national planning policies, such as the revocation of regional plans and the publication of the NPPF; and consequential changes in our approach to plan-making.
- 2.3 Our last Local Plan Programme was published during July 2017. It was our eighth Programme. At the time of its publication we had thought that we were entering a period of certainty and that the level of risk to our timetable was relatively low. In contrast to previous years the Planning Policy Team was fully staffed and the prospect of government making significant changes to national planning policy appeared unlikely. On that basis, we believed that the timetable set out in the Local Plan Programme July 2017 would remain current for some time. We were confident that we would be able to make good progress against the objectives included within that Programme.
- 2.4 However, our expectations have not been met and the Local Plan Programme is now out-of-date. Whilst the adopted Local Plan Programme had been on-target until March/ April 2018, the critical milestone of pre-submission consultation has now passed.
- 2.5 The analysis of responses to our Issues & Options Consultation has revealed that meeting either our original SHMA objectively assessed housing needs figure or the Government's standard methodology calculation will be challenging. There are simply not enough deliverable and developable sites available to meet either level of projected housing need within the confines of the Local Plan period. It is important that we respond positively to this issue to ensure that we can submit a plan that can be found sound.
- 2.6 Furthermore, the proposed changes to the national planning policy framework merit further consideration prior to the publication of a pre-submission draft. This is particularly important in relation to the changes relating to housing delivery, development viability and cross-boundary planning.
- 2.7 In order to respond positively to these matters a new draft Local Plan Programme has been prepared, which takes account of our available resources, the changes to national planning policy and the anticipated scale of future housing need. We are confident that the new draft Programme will help us meet our ambitions. A draft version is included under Annexe 1.

3 Local Plan Programme

- 3.1 The draft Local Plan Programme builds upon the July 2017 document. It sets out a timetable for the preparation, production and consultation of the new Plan and associated supporting evidence. The timetable identifies key milestones during document production. We will use these milestones to monitor the performance of our Programme.
- 3.2 The timetable remains ambitious, seeking continuous progress during the second half of 2018 and the first half of 2019. Our success will rely upon a proportionate deployment of resource; in terms of internal staff, external expertise where necessary and financial support. The adoption and delivery of this timetable will help us reduce the risk of government intervention and unsustainable speculative approaches seeking the development of sites in unsustainable locations. Critically it ensures that we set the Borough's housing strategy.
- 3.3 The key milestones over the next twelve months are those associated with the preparation of the new Local Plan's Housing Strategy, which will set out how and where we will deliver new homes. That process will be supported and informed a series of new technical documents; including the Borough-wide Masterplan and the strategic viability assessment. The Local Plan Programme identifies when we these documents will come before this Committee for consideration.
- 3.4 Given the scale of future growth anticipated by the government's standard methodology and the amount of additional evidence required we believe that the Pre-Submission Draft Local Plan could be ready to come before this Committee during September 2019. The first opportunity for pre-submission consultation would be during October 2019, with submission following during December 2019.

4 Financial and Manpower Implications

- 4.1 The preparation and implementation of the Council's local plan imposes significant demands on staff in the Planning Policy Team and the wider Planning Department. The recruitment of a new Senior Planning Policy Officer is proceeding positively. It is anticipated that the new post-holder will make a valuable contribution towards meeting the milestones set out in the new Programme.
- 4.2 However, it may prove necessary to deploy other corporate resources, such as the Communications Team and/ or Senior Officers of the Borough Council, in order to maintain progress. Contributions from these sources may be particularly sought during the public consultation and Duty-to-Cooperate stages of the process, when their input can be best deployed.
- 4.3 **Chief Finance Officer's comments:** None for the purpose of this report

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

- 5.1 All statutory Local Plan documents are subject to public examination. Our “Your Involvement in Planning” document addresses those equality issues related to consultation and engagement.

- 5.2 ***Monitoring Officer’s comments: None arising from the contents of the report***

6 Sustainability Policy and Community Safety Implications

- 6.1 The new Local Plan will contribute towards delivering our objectives for maintaining and enhancing the Borough as a sustainable place to live, work and visit by providing guidance to new development proposals.
- 6.2 A Sustainability Appraisal of the policy options will form an integral part of the plan-making process. The Sustainability Appraisal Report will be subject to public consultation at an appropriate point in the process.

7 Partnerships

- 7.1 The Localism Act and national planning policy state that public bodies have a duty-to-cooperate on planning issues that cross administrative boundaries. We will seek to meet this duty by working collaboratively with our partners in neighbouring boroughs and districts on issues of common interest. Potential partners in this process may include neighbouring local planning authorities; more distant authorities that either are or may become connected to our housing market in the future, the County Council and other strategic infrastructure providers.
- 7.2 This is a continuous and evolving process that will help guide future policy development. Where it is necessary and appropriate we will seek the active involvement of the Committee in order to secure agreement on strategic cross-boundary issues.

8 Risk Assessment

- 8.1 In the absence of an up-to-date Local Plan we face a number of risk areas. These include the absence of a 5 year housing land supply; the additional pressure on housing need arising from the new Housing Delivery Test; and the absence of strategic co-operation with neighbouring planning authorities. Should we fail to respond to these factors we could face direct intervention by the Secretary of State.

- 8.2 Having an up-to-date Local Plan Programme is a key measure in mitigating the possible risk of direct government intervention. In our case, we have made good progress against the previous Programme and we are now seeking to respond positively to our objectively assessed housing need¹. A key part of our response is to set out a realistic and deliverable timetable for the remainder of the process.
- 8.3 We are not alone in having to respond to this situation. Many local planning authorities in the South East of England face similar risks associated with changes in national policy. We are seeking to manage these risks through a number of channels. We have already introduced new approaches to housing delivery that seek to optimise the number of new homes coming forward. For example, our new policy approach towards the consideration of development proposals involving higher housing densities and taller residential buildings.
- 8.4 The other notable risk to our Local Plan Programme is the retention of experienced staff, and the recruitment of their replacements. The Planning Policy Team is small and resilience has been a longstanding issue. The loss of one or more experienced members of this Team will have implications for the Local Plan timetable. Recent experiences demonstrate that recruiting new staff, regardless of their experience, may prove challenging. Retaining the existing Team complement is strongly encouraged.

9 Conclusion and Recommendations

- 9.1 The Committee are asked to consider the draft Local Plan Programme and subject to any additions or amendments agree to its publication and implementation.

Ward(s) affected: (All Wards);

¹ For the purposes of this report it is assumed that Borough Council will need to respond to the government's standard methodology. It is anticipated that the government will publish the new National Planning Policy Framework during July 2018.

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Epsom & Ewell Local Plan Programme



Contents

1. Introduction.....3

2. The new Epsom & Ewell Local Plan.....5

3. The Evidence Base9

4. Supporting Statement.....10

1. Introduction

The form and content of the Local Plan Programme

- 1.1 The Local Plan Programme sets out a rolling project plan for the production of the documents that together comprise the Epsom & Ewell Local Plan. It identifies a timetable for their production that serves as a framework for monitoring and managing progress; identifies and allocations proportionate resources necessary to achieve our targets; and possible risks and constraints.
- 1.2 The Programme is designed to provide a rolling three-year project plan - that informs the process and all of the interested parties and partners¹ about how and when the Local Plan will be brought forward. We periodically review and revise the Programme in response to circumstances necessitating a change in our plans.
- 1.3 Previous Local Plan Programmes and Development Schemes have typically been reviewed after being in place for two years or so. Revisions have normally been triggered by changes in national planning policies, such as the revocation of regional plans and the publication of the NPPF; and consequential changes in our approach to plan-making. Our progress against the milestones in the Programme is monitored each year in the [Annual Monitoring Report \(AMR\)](#).
- 1.4 In accordance with good project management practise we will continue to monitor and review the Local Plan Programme annually and update it accordingly.

The current statutory Development Plan for the Borough

- 1.5 The Development Plan for the Borough is comprised of the following documents:

The Local Plan

- Epsom & Ewell Core Strategy 2007
- Plan E Epsom Town Centre Area Action Plan 2011
- Epsom & Ewell Development Management Policies Document 2015
- Revised Developer Contributions Supplementary Planning Document 2014
- Revised Sustainable Design Supplementary Planning Document 2016
- Parking Standards for Residential Development 2015
- Upper High Street, Depot Road and Church Street Development Brief 2012

Surrey-wide Documents

- Surrey Minerals Plan Core Strategy 2011
- Surrey Waste Plan 2008

¹ Our partners in this process may include neighbouring local planning authorities, more distant authorities that either have or will in the future have an interaction with our housing market area, the County Council and strategic infrastructure providers.

- 1.6 In addition to the above documents we have also prepared and produced a number of useful and valued supplementary planning guidance documents. These amplify the policies and proposals of the Local Plan. Such additional local guidance is considered necessary and for that reason is believed to be consistent with national planning policy. The main role of these documents is to clarify and support local policy and it may be taken into account as a material consideration in relation to the determination of planning applications. These include the following documents:
- Biodiversity and Planning in Epsom & Ewell 2012
 - Solar Panel Guidance for Domestic Installation 2011
 - Shopfront Design Guide 2012
 - Householder Applications 2004
 - Single plot and other types of residential infill development 2003
- 1.7 In order to respond to the higher objectively assessed housing need calculated using the government's standard methodology and Housing Delivery Test we are preparing a Masterplan for Epsom & Ewell. This document will initially function alongside our emerging Local Plan – providing supporting evidence and information during the examination in public process. We anticipate that following the adoption of our new Local Plan that it will provide a supplementary planning framework that will contribute towards the transformation of the Borough into the 2040s.
- 1.8 We anticipate that the design-related guidance contained within the above documents will be reviewed. The new supplementary planning guidance may take the form of a design code for the Borough. It is envisaged that the code will be proactively used to support the delivery of the higher levels of housing growth anticipated during the new Local Plan period.

2. The new Epsom & Ewell Local Plan

Proposed Content

2.1 We anticipate that the new Epsom & Ewell Local Plan will cover the following policy components:

- An appropriate housing strategy that responds to the government's assessment of objectively assessed housing need²
- Revision of the Borough wide housing target to take account of objectively assessed housing need³; taking account of the relevant constraints affecting the ability of the development industry to deliver of growth
- An overview of how the Borough Council will work with its housing market area partners to address unmet need⁴
- A Strategic review of the Green Belt⁵
- A review of our affordable housing delivery policy⁶
- A new policy approach setting out how we will meet the accommodation needs of the Traveller Community⁷
- New policies setting our approach towards heritage assets – specifically in relation to the identification and designation of locally listed buildings and structures
- A review of those existing policies that may impede our ability to respond positively to the government's objectively assessed housing need calculation. Policies under consideration for review include those relating to building height, housing density, housing mix and parking standards.
- An appropriate infrastructure strategy that responds and complements the scale of new housing identified by the government's assessment of objectively assessed housing need. This will seek to bridge the gaps in capacity and funding that currently serve to constrain the necessary scale of new housing delivery required to meet the government's assessment of need⁸.

2.2 We also anticipate that the new Local Plan will include new site allocation policies relating to:

- Green Infrastructure⁹

² As set out in Core Strategy Policy CS8, which currently states that new housing will be located within the defined built up area and within the then remaining Hospital Cluster development sites, which have subsequently been largely built-out.

³ As currently set out in Core Strategy Policy CS7.

⁴ It is anticipated that this will take the form of a separate strategy or agreement siting outside of the Local Plan

⁵ As currently set out in Core Strategy Policy CS2.

⁶ As currently contained within Core Strategy Policy CS9

⁷ The new policy will replace the approach set out under Core Strategy Policy CS10.

⁸ A new policy that will replace the approaches set out under Core Strategy Policies CS12 and CS16.

⁹ Green Infrastructure is a term we use to describe a wide variety of assets that among other things contribute to our local biodiversity, our visual character and appearance, help to mitigate the adverse impacts of climate change and provide vital open space for our residents and those of adjoining areas.

- Major developed sites within the Green Belt
- Housing delivery
- Employment sites
- Retail centres
- Epsom General Hospital
- The University for the Creative Arts
- Transport networks

- 2.3 Some of these policies and site allocations were originally intended for inclusion within the Site Allocations Document¹⁰. That Document had advanced to the Submission Stage. Prior to submission we decided to alter our approach towards the progress of this document – taking the decision to combine the emerging site allocations within the new Local Plan.

Coverage

- 2.4 The document covers the whole of the Borough. To date the Local Plan period has been identified as starting during 2015 and ending during 2032. This period was derived from [the Kingston and North East Surrey Strategic Housing Market Assessment \(June 2016\)](#), which provided an initial calculation of the Borough's objectively assessed housing need (in advance of the standard methodology). That document used 2015 as the baseline date for calculating objectively assessed housing needs. On that basis it may be appropriate that the Local Plan period be reset to start at 2017, which is the baseline date for the government's standard methodology; which could provide a Local Plan period end date during 2034.

Conformity

- 2.5 The new Local Plan will be in conformity with the NPPF. It will set out the scale of local housing need and the broad areas of the Borough that will be brought forward to deliver future housing. It will also set out our approach to meeting local affordable housing need through the development process.

¹⁰ That document comprised non-housing site allocations.

Timetable

<i>Key Stages</i>	<i>Dates</i>
Issues & Options and Call for Sites Consultations	September – December 2017
Consideration of Consultation Responses	December 2017 – March 2018
Preparation and Production of the Masterplan for Epsom & Ewell	June 2018 – June 2019
Preparation of the Epsom & Ewell Duty to Co-operate Engagement Plan	September – October 2018
Pre-Submission Public Consultation	October – November 2019
Date of Submission to Secretary of State	December 2019
Pre-Examination Meeting	January/ February 2020
Public Hearing	March/ April 2020
Estimated Date for Adoption	June 2020

Arrangement for Production

Organisational Lead
Planning Policy Manager

Political Management

- 2.6 The review process will be managed by the Council's Licensing & Planning Policy Committee, who are responsible for approving draft policy options for public consultation and the subsequent Pre-submission stages.
- 2.7 Full Council approval will be required for the final adoption stage.

Internal Resources

Planning Policy Manager x1 FTE
Senior Planning Policy Officer x1 FTE
Planning Policy Officers x 0.85 FTE
Planning Policy Administrator x1 FTE
Conservation Officer x 0.6 FTE
Economic Development Officer x 0.6 FTE

Other resources as required – likely to be deployed from within the wider Planning Department.

External Resources

- 2.8 Consultants will be engaged to aid the production of the necessary evidence base documents. External expertise has already been deployed in relation to the calculation of the initial 'objectively assessed housing need' and in preparing an assessment of the Borough's Green Belt; both being required under national planning policy. Internal knowledge and other resources will be deployed in order to optimise the value of external resources. Further

studies will be produced, either in-house or by external consultants, as necessary.

- 2.9 Work on the Local Plan's Sustainability Appraisal (SA) report is being carried out in-house. It is possible that some external support, from colleagues in neighbouring Surrey authorities, could be provided in the form of peer review of the SA. In the past this has been provided by Planning Policy colleagues from neighbouring local planning authorities. Should it prove necessary, we will seek to replicate this approach.

Stakeholder Resources

- 2.10 We will work closely with neighbouring planning authorities and other strategic partners who have a tangible functioning relationship with the Borough to discharge our duty to co-operate. In a scenario where our Housing Strategy clearly and robustly demonstrates that it will not be possible to deliver our objectively assessed housing need in full (potentially because of insufficient housing land supply or infrastructure capacity) we will work with our neighbours and other strategic partners to identify solutions how this could be addressed across a wider area. It is anticipated that this will form a critical part of this particular review process and will require the deployment of resources from across the Borough Council, specifically requiring input from Committee Chairmen, Vice Chairmen and Senior Officers.
- 2.11 We will work closely with local partners to ensure that the emerging policies contribute positively to meeting our strategic objectives. Specifically we will seek to ensure that future community infrastructure needs are taken into account during the preparation of new policies.
- 2.12 We will engage directly with key local community groups including all local residents' associations, local political party groupings and other local interest groups, such as the Epsom Civic Society and the Campaign to Protect Rural England. Representatives of stakeholder groups will be invited to attend regular meetings or surgery sessions throughout the process, where they can informally discuss issues and options raised in the consultation.

Community and Stakeholder Involvement

- 2.13 The local community, specific consultation bodies and key stakeholders, including developers, will be invited to take part in the consultation process, with a view to identifying issues and working up suitable deliverable and developable options that accord with the NPPF.

3. The Evidence Base

- 3.1 Our new Local Plan is supported and informed by new evidence and a refresh of existing technical studies. This work conforms to national planning policy and guidance. It also takes account of relevant existing technical evidence that is available across north east Surrey and south west London.

Timetable

Documents	Publication Dates
Strategic Housing Market Assessment ¹¹	October 2016
Green Belt Study Stage 1	February 2017
Strategic Housing Land Availability Assessment ¹²	July 2017
Traveller Accommodation Assessment	July 2017
Constraints Study	July 2017
Strategic Flood Risk Assessment Update	June 2018
Green Belt Study Stage 2	July 2018
Duty to Co-Operate Position Statement	June/ July 2019
Strategic Viability Assessment	June/ July 2019
Masterplan for Epsom & Ewell	June/ July 2019

- 3.2 The preparation and production of the above technical studies will include proportionate and necessary stakeholder engagement. This is most likely to relate to the methodology used by the technical study in question, rather than the outputs or conclusions. Any party who wishes to challenge the outputs from these technical studies may do so through the Local Plan process, where they have an opportunity to present alternative evidence.

¹¹ Prepared in partnership with Royal Borough of Kingston, Elmbridge and Mole Valley Borough Councils.

¹² Previous Local Plan Programmes have referred to Strategic Housing and Employment Land assessments. We already undertaken significant work on establishing our future employment needs into the future, so a joint study is no longer considered necessary.

4. Supporting Statement

Monitoring

- 4.1 Monitoring continues to be an important part of the planning-making process and will help gauge the effectiveness of policies and proposals. We will monitor a range of indicators to assess whether the policies and proposals are meeting the objectives set out in our Local Plan. The key findings will be published in the Annual Monitoring Report (AMR). The most recent, and previous AMRs are available to view on the Borough Council's website. The Local Plan AMR is normally the subject of a report to the Council's Licensing & Planning Policy Committee, following which it is published on the Council's website.

Reviewing the Programme

- 4.2 We will continuously monitor progress on the implementation of the Local Plan Programme. Progress will be monitored against the proposed timetable for our new Local Plan. Where milestones have not been reached, we will consider appropriate actions to ensure that positive momentum is maintained. When appropriate we will amend the Programme.

Strategic Environmental Assessments & Sustainability Appraisals

- 4.3 Strategic Environmental Assessments of policies, proposals and plans are required under the European Strategic Environmental Assessment Directive 2001/42/EC. These are required for plans and proposals that are likely to have significant effect on the environment. The on-going Brexit negotiations will not have an impact on the requirement to meet the Directive during the life of this Programme. It is anticipated that the requirements of the Directive will be maintained and incorporated into British law following the proposed divorce from the European Union.
- 4.4 Sustainability Appraisals differ in that they are a social, economic and environmental assessment. We believe it is important to take an integrated approach towards both the Strategic Environmental Assessment and Sustainability Appraisal and to consider the implications and alternatives at an early stage. This will ensure that our Local Plan documents reflect sustainable development objectives. The requirements of a Strategic Environmental Assessment will be incorporated into the Sustainability Appraisal, which will be undertaken on the emerging policies when bringing forward our new Local Plan.

Resources

- 4.5 In the past funding from the Housing Planning Delivery Grant was allocated to assist in the plan making process. This has helped fund external expertise to undertake specialist work on technical papers. It has been proposed that remaining Housing Planning Delivery Grant monies and other sources of funding will be used to finance future work.

- 4.6 Staffing resources for the timely production of the Local Plan remain a critical issue (see Risk Management section below). At present, the following in-house resources can be drawn upon during the period covered by the Programme:
- Planning Policy Manager x1
 - Senior Planning Policy Officer x1
 - Planning Policy Officers x 0.85 FTE¹³
 - Planning Policy Administrator x1
 - Other occasional staff resources including the Head of Place Development, Economic Development Officer, Conservation Officer, GIS officer, and the Strategic Housing Manager and other Service officers
- 4.7 We will continue to use external sources of expertise where appropriate, such as on specialist topics or where there is no existing capacity. It is anticipated that Surrey County Council will continue to provide assistance with transport, education and other infrastructure capacity matters. Additionally the Planning Policy Team continues to promote joint working initiatives, whenever these are practicable and relevant, with the other Local Authorities in East Surrey to help bridge the potential staff resource gap. This has worked in the preparation of technical evidence.
- 4.8 Members are kept informed of progress on the Local Plan primarily through Licensing & Planning Policy Committee meetings. Throughout the Local Plan process we will continue to run special evening sessions/ workshops for Members. These will impart additional information and opportunities for Members to feed-in their comments into the plan making process. The outputs of the sessions/ workshops will be reported to the Licensing & Planning Policy Committee.

Joint Working – The Duty to Co-operate

- 4.9 There are no proposals to set up a joint planning board with neighbouring authorities. Whilst such initiatives may provide value to the process elsewhere, there is no evidence to suggest that a joint planning board is required in northeast Surrey.
- 4.10 Nevertheless, we continue to work with other Surrey Districts and with Surrey County Council on sharing best practice, undertaking Sustainability Appraisals and where appropriate undertaking other initiatives. We have also been actively involved in joint projects with neighbouring authorities on subjects such as establishing a methodology for preparing Traveller Accommodation Assessments, preparing Strategic Housing Market Assessments, and managing flood risk (specifically in relation to the Hogsmill River). We continue to work effectively with colleagues across Surrey on strategic infrastructure planning.
- 4.11 We continue to explore meaningful mechanisms by which we can discharge our Duty to Co-operate with neighbouring local planning authorities and other key partners. We are already working closely with our immediate neighbours

¹³ There are current two post holders in part time roles that collectively comprise a single 4/5 full time post.

in the East Surrey local authorities, and have a positive relationship with Surrey County Council and the wider Surrey local authorities. We believe that we can build upon these existing relationships to achieve a broad consensus on future plan making. We will explore the opportunities that may be available to meet the objectives of the Duty to Co-operate through our membership of the Coast to Capital Local Enterprise Partnership and Gatwick Diamond groups.

- 4.12 Most of the Surrey local planning authorities have now agreed to the County-wide Local Strategic Statement. This document provides a framework for discussing, considering and potentially reaching an agreed position on strategic planning matters. It is anticipated that this will soon be expanded to include planning for infrastructure, housing growth and consideration of Green Belt related issues.
- 4.13 Our relationship with the Greater London Authority and the London boroughs that neighbour us to the north and northwest, have historically been less developed. We are in the process of reinvigorating this relationship through continued active involvement in the London Plan process. We are in the process of expanding our strategic planning relationship with our immediate neighbours in Greater London – this has been positively demonstrated by the successful joint working on the Strategic Housing Market Assessment.
- 4.14 However, we highlight that the differences in national planning policy relating to London actively serve to distance us from our colleagues in London. Indeed, the strategic status of the London Plan provides a dis-incentive to positive co-operation. As a consequence, whilst we may strive for a positive relationship with our neighbours to the north, the desire for fruitful co-operation may not be fully reciprocated. This remains an area of significant risk that lies beyond our ability to influence.
- 4.15 Finally, recent local examination reports are forcing us to reconsider how we respond to specific strategic issues through the Duty. It is becoming clear that the Duty, and how it is discharged, continues to evolve. Previous approaches to discharging the Duty no longer appear to have currency with Local Plan Inspectors – who now appear to require that neighbouring authorities prepare and adopt agreed strategies to address key issues. In particular we anticipate that we will be required to demonstrate how we will work collectively with our neighbours (including within our housing market area) to address unmet housing need. We will seek to meet this possibility.

Project Management

- 4.16 The new Local Plan is a corporate priority for the Borough Council. Consequently the Local Plan Programme is an important project management document. Progress on the Local Plan will be reported regularly to the Chief Executive, Committee Chairmen and the Borough Council's Leadership Team.

Council Procedures

4.17 For matters relating to the Local Plan, the following reporting protocols will apply:

- Licensing and Planning Policy Committee will be responsible for the preparation, production and completion of all local plan documents; and
- Full Council will be responsible for the formal adoption of all local plan documents following consultation and examination.

Risk Management

4.18 The main areas of risk are considered to be:

- **Staff Retention and Turnover:** This continues to be an area of significant risk to the Local Plan process. The loss of experienced members of staff remains an issue. Nationally, there is a shortage of experienced planning policy officers. This position is particularly acute in relation to Officers at management and senior level. We remain mindful that any loss of current senior planning policy staff will have an impact on our ability to meet our Local Plan Programme.
- **Changes in Government Legislation:** It is important that we maintain forward momentum and prepare our new Local Plan in accordance with national policy. However, amendments to national planning policy may necessitate a change of direction. This has been evidenced by recent introduction of the government's standard methodology and Housing Delivery Test – both of which alter the scale of objectively assessed housing need calculated for the Borough. Given the significant differences between our calculation (as set out in our SHMA) and the government's assessment an impact on the timetable was inevitable. It is conceivable that there will be further changes in national planning policy of this magnitude during the new Local Plan period. We will seek to minimise any collateral impacts by consulting with Members on possible solutions, which may include revisiting the Local Plan Programme.
- **Availability of Planning Inspectors:** Early notification of our new Local Plan Programme will forewarn the Planning Inspectorate of our anticipated timetable. The Programme will be passed to the Planning Inspectorate to aid their project management of future examinations. The Inspectorate will then enter into Service Level Agreements with us to ensure that they make adequate resources available for future stages of the process. This will help minimise the risk of delays to adoption dates.
- **High Levels of Response to Public Consultation Stages:** Experience from elsewhere in Surrey has shown that this can have an impact on the Programme timetable – due to the number of responses involved. We will seek to manage this risk by ensuring that an appropriate level of resource can be deployed to manage significant number of responses. Other areas of risk associated with this issue are difficult to predict and manage. We will seek to address some of these areas by adopting a clear communication strategy, which will seek to set out the challenges that the Borough Council faces.

- **A wildly evolving Duty to co-operate:** The absence of firm guidance and regulation relating to the Duty has always made it an aspect of the process where risk thrives. In the past an exchange of anodyne communications between authorities has proved sufficient to placate Inspectors. This is no longer the case – recent decisions suggest that Inspectors are seeking greater certainty that local planning authorities are genuinely working together to address strategic issues. We believe that this is sound planning and consequently we will rise to this challenge. However, in the continued absence of guidance and regulation risk remains as the Duty may evolve in new and unexpected directions. Our proximity to greater London and the entirely different strategic regime that functions there suggests that risk from that area is high. We will continue to monitor and engage in the development of local plans in both the London Borough of Sutton and the Royal Borough of Kingston. We will try to understand and accommodate the developments in the Duty that spring from those processes. We will continue to seek to work with our partners in London – trying to establish and maintain the best relationship possible under these circumstances.
- **Unsettled economic climate post-BREXIT:** There is a risk that the period following Brexit will result in unpredictable changes in national planning policy, particularly if the government chooses to pursue an entirely new agenda. This may happen in response to the unsettled economic conditions anticipated following Brexit. Consequently, we may need to prepare new evidence and re-draft policy alongside any developments in this area. This will have an impact upon the proposed timetable. Given the unknown nature of this risk there is little that we can introduce as mitigation.
- **Legal Challenge:** We will ensure that Local Plan documents are sound, positively prepared, justified, effective and consistent with national planning policy. However, on the basis of recent developments elsewhere in Surrey there is a risk, particularly post-examination, that our new Local Plan becomes the subject of legal challenge; such as a judicial review.

STATEMENT OF POLICY - LICENSING ACT 2003

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):	Annexe 1: Draft Revised Statement of Licensing Policy Annexe 2: Amendments to the existing Policy
Other available papers (not attached):	Current Statement of Licensing Policy Licensing Act 2003 Guidance issued under the Licensing Act 2003

Report summary

This report requests the Committee to recommend to Council the adoption of a revised Statement of Licensing Policy.

Recommendation (s)	Notes
(1) That the Committee agree to recommend to Council the adoption of the revised Statement of Licensing Policy.	

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

- 1.1 The Council is required to publish a Statement of Licensing Policy under the Licensing Act 2003.
- 1.2 The Policy supports our Key Priority of supporting businesses and our local economy.

2 Background

- 2.1 The Licensing Act 2003 requires the Authority to publish a Statement of Licensing Policy with regards to undertaking its functions. Under the Act the Policy is to have effect for no more than 5 years. The current Statement of Licensing Policy has been effective since 11 December 2013, it must now therefore be reviewed.
- 2.2 The reviewed Statement of Policy draft was subject to statutory consultation which commenced on 19 April 2018 and ended on 24 May 2018. A list of consultees is attached as an annexe to the Policy, in addition, views were sought on the Policy by way of publication in the Council's website and e-Borough Insight.
- 2.3 The revised Draft Policy is attached as Annexe 1.
- 2.4 Details of the proposed amendments to the existing Policy are attached as Annexe 2.

3 Proposals

- 3.1 That the Council agree to recommend to Council the adoption of the revised Statement of Licensing Policy.

4 Financial and Manpower Implications

- 4.1 The adoption, implementation and enforcement of the Policy will be undertaken using existing resources.

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

- 5.1 The Authority is required to publish a Statement of Licensing Policy under the Licensing Act 2003, with such Policy being kept under review as required, for a period not exceeding 5 years.
- 5.2 ***Monitoring Officer's comments:*** None for the purposes of this report.

6 Sustainability Policy and Community Safety Implications

- 6.1 None for the purposes of this report.

7 Partnerships

- 7.1 None for the purposes of this report.

8 Risk Assessment

- 8.1 The enforcement of the licensing regime is undertaken in partnership with agencies including Surrey Police.

9 Conclusion and Recommendations

- 9.1 That the Committee agree to recommend to Council the adoption of a revised Statement of Licensing Policy, to be effective from 11 December 2018.

Ward(s) affected: (All Wards);

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Epsom & Ewell Borough Council

Statement of Licensing Policy (Licensing Act 2003)

Effective from 11 December 2018

TABLE OF CONTENTS

	PAGE
1	Introduction
3	3
2	Licensable Activity
4	4
3	Live Music, Dancing and Theatre
4	4
4	Administration and Delegation
5-9	5-9
5	Prominent Premises (Temporary Action Plan)
10	10
6	The Policy Statement
10	10
7	The Licensing Objectives
10-13	10-13
8	Relaxation of Licensing Hours for local, national and international occasions
14	14
9	Planning Use
14	14
10	Integrating strategies and avoiding duplication
14	14
11	Tackling Disorder and Partnerships
14-15	14-15
12	Enforcement
15	15
13	Illegal Sales of Age Restricted Goods
15-16	15-16
14	Promotion of Equal Opportunities
17	17
15	Late Night Levies and Early Morning Restriction Orders
17	17
Annex A	Schedule of Delegations
18	18
Annex B	List of Consultees
19	19
Annex C	Responsible Authorities and list of Contacts
20-21	20-21

1. Introduction

- 1.1 Epsom & Ewell is the smallest of Surrey's 11 boroughs and districts and the most densely populated.

Bordered by outer London boroughs to the north and rolling hills, designated areas of outstanding natural beauty, to the south, the borough is home to approximately 80,000 people. The area comprises three main conurbations; the main town of Epsom, the village-like Ewell and the 1930's development of Stoneleigh. In the last couple of decades the area has experienced major housing expansion but retains significant areas of protected open green space.

The borough boasts excellent road and rail links, with central London less than 30 minutes distant and access to the rest of county facilitated by the adjacent M25.

While Epsom & Ewell's workforce mostly comprises of London commuters, there is a vibrant local economy in the retail, engineering and leisure sectors. The Borough is home to a number of major international and national headquarters, to small independent enterprises and everything in between.

The area is probably best known worldwide for the running of the Derby at Epsom Downs Racecourse. Horse racing has taken place in Epsom for over 350 years (the first recorded race days were in the 1640's). As well as being a significant local employer, the horse racing industry adds around £13million annually to the local economy.

There is a large youth community residing and regularly visiting the area, with the borough hosting campuses for the University for the Creative Arts, the North East Surrey College of Technology and Laines Theatre Arts.

The area is wealthy, with residents earning higher than the national average and with unemployment less than half the national average.

The council's aim is for the borough to remain affluent, by anticipating and responding to changes in employment and business patterns and stimulating both. We recognise that the area needs to keep its high income and highly skilled residents, while also continuing to invest in skills provision and graduate retention.

We also acknowledge the needs and concerns of licensed businesses. The presence of good quality, diverse and varied licensed premises which are responsibly managed with due regard to the local community, will be a positive factor for many residents, businesses and those working in the Borough. The licensed retail and hospitality industry makes a significant contribution to the local economy, job market and social environment within the Borough.

2. Licensable activity

2.1 Epsom & Ewell Borough Council (the Authority) is the Licensing Authority for the licensing of licensable activities under the provisions of the Licensing Act 2003 (the Act). Licensable activities are defined in the Act and include:

a) the retail sale of alcohol

b) the supply of alcohol by or on behalf of a club

c) the provision of regulated entertainment, being

- (i) **performance of a play** (where the audience consists of more than 500 persons and/or; takes place between the hours of 11.00pm and 8.00am.)
- ii) **exhibition of a film**
- iii) **an indoor sporting event** (where the audience consists of more than 1000 persons and/or; takes place between the hours of 11.00pm and 8.00am)
- iv) **boxing or wrestling entertainment or combined fighting sports** (combines boxing or wrestling with one or more martial arts)
- v) **performance of live music** (unamplified live music between the hours of 11.00pm and 8.00am; amplified live music which takes place in unlicensed premises or a workplace or in a licensed premises to an audience of over 200 persons and takes place between 11pm and 8am; or where a condition has been imposed following a licence review).
- vi) **playing of recorded music (excluding incidental music)**
- vii) **a performance of dance** (where the audience consists of more than 500 persons and/or; takes place between the hours of 11.00pm and 8.00am and/or; is relevant entertainment within the meaning of Schedule 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 – “sexual entertainment venue”).
- viii) **entertainment of a similar description to that falling within v),vi) and vii) where the entertainment takes place in the presence of an audience**

d) late night refreshment - the supply of hot food and/or hot drink from any premises between 11pm and 5am for consumption on or off the premises.

Note: The above licensable activities are correct at the time of consultation, and may be subject to legislative amendments throughout the validity of this policy.

3. LIVE MUSIC, DANCING AND THEATRE

3.1 The Authority recognises that as part of implementing local authority cultural strategies, it is appropriate to encourage and promote a broad range of entertainment, in particular live music, dancing and theatre, for the wider cultural benefit of communities.

3.2 Live performance is central to the development of cultural diversity and vibrant, exciting communities, particularly traditional entertainment such as circus and street arts. The Authority subscribes to the view expressed in the Guidance that the absence of cultural provision in any area can lead itself to a loss of community awareness and can expose young people to anti- social activities that damage local communities.

Effective from 11 December 2018

4. ADMINISTRATION AND DELEGATION

- 4.1 Licensing relates to the control of licensed premises, qualifying clubs and temporary events within the terms of the Act. The Authority may attach conditions to the licence (as per those detailed within the operating schedule or after a Hearing) that focus on matters which are within the control of the individual licensee or premises supervisor, provided that such conditions are appropriate for the promotion of one or more of the licensing objectives, and only submitted within the operating schedule.
- 4.2 On receipt of a valid application the Authority may consider it necessary to inspect premises that have not been previously licensed by the Authority to ensure compliance with the relevant technical guidance, the licensing objectives and this Policy.

Applications for the Grant and non-minor Variation of Licences

- 4.3 When considering the application, and any relevant special licence conditions, the Authority will primarily focus on the direct impact of the licensable activities on members of the public living, working or visiting the area. The Authority acknowledges that the licensing function cannot be used for the general control of anti-social behaviour once customers are beyond the direct control of the individual, club or business holding the licence, but will require the licensee to take steps within his/her own premises to control the likelihood of such anti-social behaviour occurring.
- 4.4 The policy will not deter any person from making representations in respect of any application or seeking a review of a licence. The Authority will consider all representations that are relevant to the promotion of the licensing objectives that are not frivolous or vexatious.
- 4.5 Nothing in the policy will deter an individual making an application, and all applications will be considered on their merits but will be qualified by the following policy presumptions based upon the location of the premises.

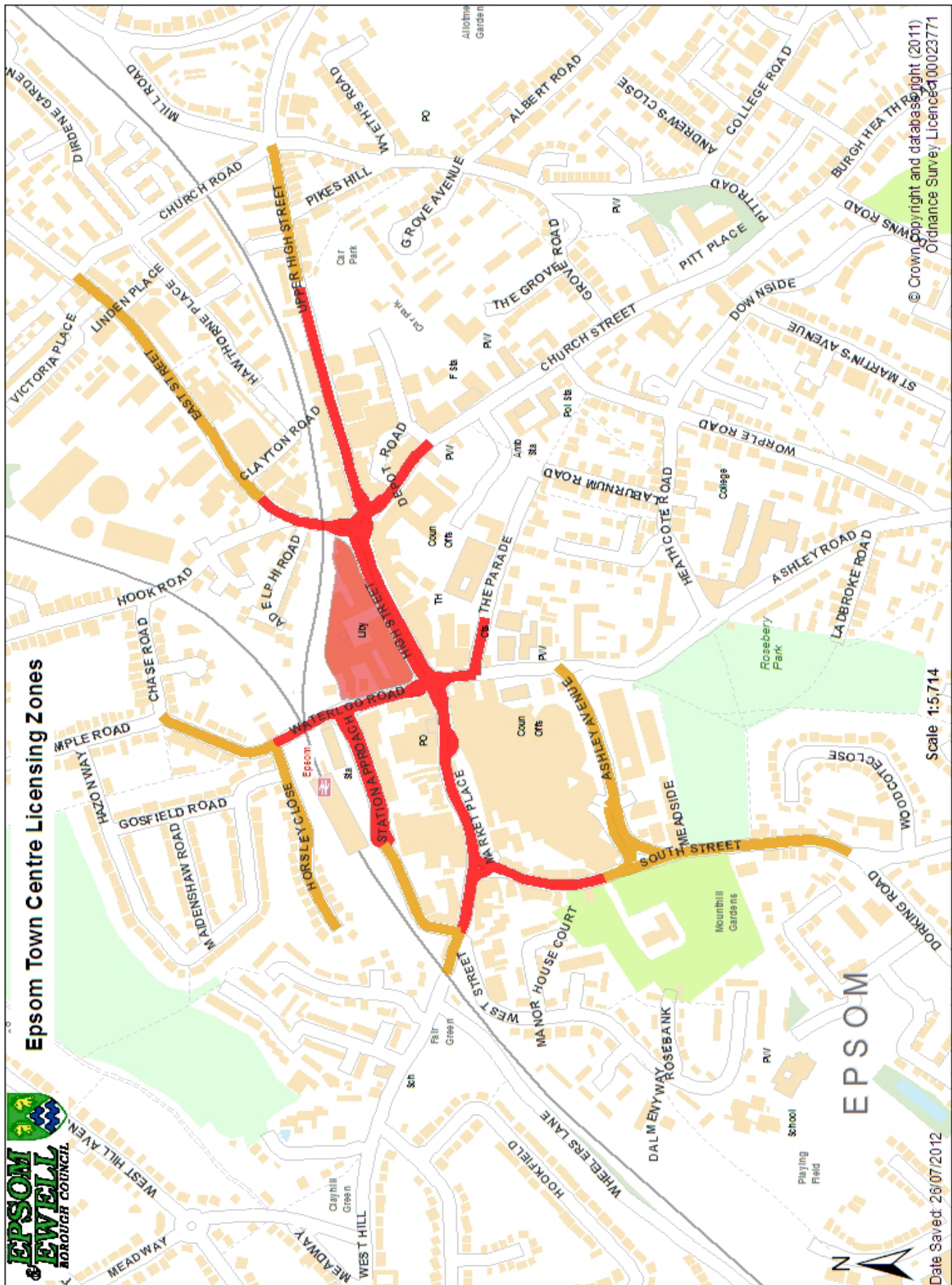
Licensing Red Zone (all premises fronting/within and on both sides of the following streets/roads in Epsom Town Centre)

- **High Street**
- **Derby Square and Oaks Square**
- **Waterloo Road** (to junction with Horsley Close)
- **The Parade** (to no.2)
- **Station Approach** (to Central Walk apartments)
- **West Street** (to junction with Station Approach)
- **Church Street** (to junction with Depot Road)
- **Upper High Street** (to entrance with Upper High Street Car Park)
- **Ashley Road** (to junction with The Parade)
- **South Street** (to junction with Saddlers Court)
- **East Street** (to the junction with Hook Road)

Amber Zone (Town Centre except the above, namely remaining parts of:)

- **West Street**
- **Upper High Street**
- **South Street**
- **Station Approach**
- **Waterloo Road and Horsley Close**
- **East Street**
- **Ashley Avenue**

Effective from 11 December 2018



Effective from 11 December 2018

Red Zone

Agenda Item 6 Annex 1

Within this area, there is already a **concentration of premises**, and whilst the Authority feels licensing plays a critical role to the well-being and character of the area the impact of those premises may be detrimental to public safety, confidence and the wellbeing of residents, business and/or other users.

The concentration of premises in the red zone will be a consideration in all applications for the grant and full variation of licences to maintain a balance in favour of the well being and character of the area.

New applications and full variations will accordingly be processed as follows:

Night Clubs and adult entertainment venues	Applications for licensable activities up to 1am only will generally be granted if the applicant satisfies the criteria listed below AND the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area. Applications beyond the 1am terminal hours will be refused unless it satisfies the criteria listed below AND the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area.
Pubs and café bars and other food-led establishments open beyond midnight	Application will be refused unless it satisfies the criteria listed below AND the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area
Pubs and café bars open until midnight	Will generally be granted, unless it can be shown that the application would undermine the licensing objectives.
Restaurants and Cafes;	Will generally be granted, (with the sale of alcohol for consumption off the premises permitted only until 11pm) unless it can be shown that the application would undermine the licensing objectives.
Qualifying Clubs	Will generally be granted, unless it can be shown that the application would undermine the licensing objectives.
Hotel Bars	Will generally be granted (to allow alcohol sales and late night refreshment to residents 24 hours a day), unless it can be shown that the application would undermine the licensing objectives.
Take aways open beyond 1am	Application will be refused unless it satisfies the criteria listed below AND the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area.
Take aways open up until 1am	Will generally be granted, unless it can be shown that the application would undermine the licensing objectives.
Off licences and stores with off sales beyond 11pm	Application must clearly demonstrate that the premises will not add to the cumulative impact for the area,
Off licences and stores with off sales up to 11pm	Will generally be granted, unless it can be shown that the application would undermine the licensing objectives.

Effective from 11 December 2018

Amber Zone

Within this area the Authority feels licensing plays a major role but the impact of these premises is less likely to impact on public safety, confidence and the well-being of residents without significant growth in this sector.

This area would be deemed suitable for increases in licensed premises, with the exception of pubs and clubs beyond midnight, where the policy presumption would be to refuse the application, unless the applicant can clearly demonstrate that the granting of the application would not add to the cumulative impact for the area, and it satisfies the criteria listed below.

Green Zone (The remaining parts of the Town Centre and Borough)

In this area factors outside of licensing such as residential usage only or parkland limit the growth and number of licensed premises in that area and no further licensing criteria are required at this time. There will be a policy presumption to grant the licence application unless relevant representations are received and it can be shown that the application would undermine the licensing objectives.

Criteria for Nightclubs, Pubs and Bars (take away premises criteria is marked with a “”)**

1. Location of entry and departure points.*
2. Door control.*
3. Control and prevention of queuing.*
4. Put in place robust systems to monitor and control the access of young people.*
5. Ensure door supervisors are trained and empowered to deal with underage drinking.
6. The premises age policy to include “challenge 25”.
7. The age policy on checking age to be displayed.
8. Consider whether the design and layout of the premises are likely to lead to local overcrowding.*
9. Put in place measures to discourage excessive drinking and drunkenness.
10. Put in place measures to promote ‘sensible drinking’ including measures to encourage the purchase of soft drinks including the pricing of soft drinks to below that of alcoholic drinks.
11. Regard paid to good practice guides and industry codes; e.g. on advertising, packaging, labelling and drink promotions.
12. Consider whether drinking vessels are made of toughened glass or plastic and are designed to not have a sharp edge when broken.
13. Consider whether drinks are to be supplied in glass bottles.
14. Consider whether the taking of drinking vessels or bottles outside the premises is proposed to be permitted.
15. Consider whether licensed door supervisors are to be deployed and their responsibilities for the prevention of disorder in the vicinity of the premises.
16. Consider whether suitable use of CCTV is proposed inside and outside the premises to provide recordings of a quality to be of use in prosecutions. [A fully operating and recording digital CCTV system shall be installed at the premises. At least one internal camera should achieve clear evidential images of all persons entering and exiting the premises. Access to images must be available to Police and any other responsible authority on request within 24 hours. CCTV recording shall be kept for a minimum of 28 days](#)

Effective from 11 December 2018

17. Put in place adequate measures to prevent the use and supply of illegal drugs.
 18. Put in place adequate search procedures to prevent the bringing of illegal drugs or weapons onto the premises.*
 19. Information displayed for staff and patrons and the training of staff on drug awareness including the spiking of drinks with drugs.
 20. Procedures agreed with the police, for searches, the surrender and seizure of drugs and weapons.
 21. Participation in the local pub watch scheme .
 22. Control of amplified and un-amplified music and voices.*
 23. Steps to be taken to achieve good behaviour within and outside the premises.*
 24. Communication with customers (signs, announcements and other means)*
 25. Management of the use of outdoor areas, (including smoking areas).
 26. Steps taken to ensure customers leave quietly.*
 27. Arrangements for dedicated taxi or licensed private hire vehicles to collect patrons in a manner so as to minimise any disturbance.
 28. Limits set on hours for servicing and deliveries.*
 29. Guidance to drivers to limit noise during deliveries.*
 30. Providing quiet means for storage and movement of waste and recycling materials.*
 31. Provisions to control noise emissions from doors and windows*
 32. Provision for control and monitoring of entertainment noise audible external to the premises*
 33. Provisions for management and control of noise and disorder from persons either in the premises or immediately external to the premises such as in a smoking area*
 34. Considerations on control of noise from fixed plant such as air conditioning and refrigeration hardware*
 35. Policy on emptying of rubbish including glass so as to limit the impact of associated noise*
 36. Policy on dispersal and procedures to ensure customers and staff leave quietly*
 37. Consideration of avoidance of nuisance through artificial lighting and littering*
 38. Consideration of structure borne/air borne and flanking transmission of entertainment noise*
 39. Where the premises form part of the same building structure, and/or where the designated outdoor area is coterminous with the footprint of the residential areas the steps taken to minimise nuisance to residents by way of noise, smoke and odours entering windows and doors of the residential unit(s)*.
- 4.6 Should representations be made against an application, additional special conditions may be imposed if the Licensing Committee or its Licensing Hearings Panel is satisfied that the imposition of the conditions are appropriate due to the nature of the representations made.
 - 4.7 The Authority will exercise and delegate functions in accordance with the table contained in **Appendix A**. This form of delegation does not prevent Officers referring an application to the Licensing Hearings Panel or the Licensing Committee if considered appropriate.
 - 4.8 The Authority recognises that a partnership approach is more likely to ensure the licensing objectives are achieved and maintained. Pre-application discussions between the applicants, the Authority and the other relevant agencies are strongly encouraged so that the licensing process itself can be as trouble free as possible. The Environmental Health Department would welcome discussions to address possible noise reduction measures that could be proposed.

Effective from 11 December 2018

5. PROMINENT PERIODS (TEMPORARY ACTION PLANS)

- 5.1 On occasion, where it is expected that there is significant risk of crime and disorder the Licensing Authority and Surrey Police would work with the premises to reach voluntary agreements, which could include; but not restricted to, the need for (additional) door staff, reduced opening hours or limits on the numbers of patrons for a specified time period. The agreement would only be in place for a time period agreed as appropriate by all parties. The intention being the temporary measures would negate the need for a standard or expedited review, and reduce the potential impact on the area.

6. THE POLICY STATEMENT

- 6.1 The Act requires that the Authority publishes a “Statement of Licensing Policy” that sets out the policies with respect to the exercise of its licensing functions. The Act also requires the Authority to consult various bodies before determining the policy. A list of the consultees is contained in **Appendix B**.
- 6.2 The Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and the Guidance issued under Section 182, and will be effective for a period of no more than five years. Within the five year period the Authority will keep the policy under review and will make amendments as it considers appropriate to support the licensing objectives. Any changes considered necessary between the five yearly reviews will be referred to the full Council, subject to consultation in accordance with the provisions of the Act.
- 6.3 Nothing in this Policy document should be regarded or interpreted as an indication that any requirement of licensing or other law may be overridden or added to their scope.

7. THE LICENSING OBJECTIVES

The Council’s Statement will promote the four licensing objectives, namely:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of Children from harm
- The prevention of crime and disorder

- 7.1.1 The Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions on, and to do all it reasonably can to prevent, crime and disorder in the Borough.
- 7.1.2 The Authority will also seek to discharge its responsibilities by linking to Government and Council strategies and policies so far as they impact on the objectives of the Act.
- 7.1.3 The Authority may, when relevant representations have been received, attach conditions to licences and certificates to prevent crime and disorder, and these may include Conditions relating to Crime and Disorder contained within the Guidance issued under Section 182 of the Licensing Act 2003. Any conditions imposed will be appropriate to the style and characteristics of the premises, the type of activities expected to take place there, and will reflect the local crime prevention strategies, and promote the four licensing objectives.

Effective from 11 December 2018

7.1.4 The Authority recognises that there are a number of mechanisms for addressing anti-social or unlawful behaviour which occurs both at and away from licensed premises. These include:

- The powers given under the Police Reform and Social Responsibility Act 2011, including the ability for a Licensing Authority as a Responsible Authority, to review licences (Section 103). It is not expected that the Licensing Authority will act on behalf of other Responsible Authorities, or on behalf of other persons such as local residents or community groups. However the Licensing Authority may apply for a review if it is concerned about licensed activities at a premises and wants to intervene early without waiting for representations from other parties.
- The power of the Police, other responsible authority, local businesses and residents (regardless of their locality to the premises in question), to oppose or seek a review of the licence or certificate in question.
- Planning controls
- Positive measures to provide a safer and clean town centre environment in partnership with local businesses, transport operators and other departments of the Council
- Powers to designate parts of the Borough as places where alcohol may not be consumed publicly, and powers for an Authority to designate Early Morning Restriction Orders.
- Police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices
- The power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question.
- Confiscation of alcohol from adults and others in designated areas by police officers.
- Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on the grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
- Anti Social Behaviour Act 2003 powers for Local Authorities to issue closure orders on premises for 24 hours for premises from which noise is causing a public nuisance

However, the Authority expects every holder of a licence, certificate or permission to make every effort to minimise the impact of their activities and anti-social behaviour by their patrons within the immediate vicinity of their premises. This includes, where appropriate, the provision of adequate refuse storage/collection facilities to reduce the potential for arson.

7.2 Public Safety

7.2.1 The Authority will, in appropriate circumstances, attach conditions to licences and certificates to promote public safety, and these may include Conditions drawn from the Model Pool of Conditions relating to Public Safety and Cinemas and Fire Safety contained within the Guidance issued under Section 182 of the Licensing Act 2003. Any conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place there.

7.2.2 The Authority will consider attaching a “safe capacity” to licences and certificates when it appears necessary to ensure public safety or to prevent crime and disorder. This will be decided and carried out in consultation with the Surrey Fire and Rescue Service.

Effective from 11 December 2018

- 7.2.3 The Authority will continue to liaise with Surrey Police and Surrey Fire and Rescue Service and when necessary and appropriate, will undertake joint inspections of licensed premises.
- 7.2.4 The Authority recognises that there are a number of ways to address public safety, these include the enforcement of current legislation by: Planning, Building Control, Surrey Fire and Rescue Service, Surrey Police and Environmental Health.
- 7.2.5 Applicants will be encouraged to seek advice from the Authority's Licensing Service and the Surrey Police and Fire and Rescue Services as well as taking into account other relevant local strategies, such as crime prevention strategies when preparing their operating schedules for submission.
- 7.2.6 The Regulatory Reform (Fire Safety) Order 2005, came into force on 1 October 2006 and affects virtually all premises in England and Wales other than single family dwellings. The legislation emphasises the prevention of fires and reducing risk and makes it the responsibility of the premises licence holder/company to ensure the safety of everyone who uses the premises or may be in the immediate vicinity and may be affected. The regulations require the responsible person to carry out a fire risk assessment and to act on the findings of the assessment and record them. In addition, it is necessary to review the premises Fire Risk Assessment either on a regular basis (recommended to be at least once a year), or if there is reason to suspect that it may no longer be valid, or there has been a significant change to the matters to which it relates.

Where as a result of any such review, the provisions of the fire risk assessment are shown to be inadequate, the findings must be acted upon and the responsible person concerned shall make a time specific corrective action plan to mitigate the risks. Information on the Regulatory Reform (Fire Safety) Order 2005 and the appropriate supporting guidance documents for your type of premises can be obtained from the following website: www.firesafetyguides.communities.gov.uk

7.3 The prevention of public nuisance

- 7.3.1 When relevant representations have been received, the Authority will take an objective view as to the potential for nuisance and may seek to attach appropriate and proportionate conditions to licences and certificates in order to promote the licensing objective. These may include Conditions drawn from the Model Pool of Conditions relating to Public Nuisance contained within the Guidance issued under Section 182 of the Licensing Act 2003.
- 7.3.2 In promoting this objective, the Authority will consider the impact of the licensable activities at the specific premises that are disproportionate and unreasonable, for persons living and working (including doing business) in the area.
- 7.3.3 Applicants will be recommended to seek advice from the Authority's Environmental Health Officers before preparing any plans and submitting any operating schedule, to ensure consideration is given to the criteria detailed in paragraph 4 (as appropriate).

7.4 The protection of children from harm

Effective from 11 December 2018

- 7.4.1 The Authority will consider the individual application before deciding whether it will be necessary to limit the access of children to any premises. The following are examples of premises that may raise concern:
- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
 - With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment or services of an adult or sexual nature are commonly provided.
- 7.4.2 The Authority will impose conditions to restrict children from viewing age-restricted films classified in accordance with the British Board of Film Classification guidelines.
- 7.4.3 The Authority will, in appropriate circumstances, attach conditions restricting the access of children to licensed premises in order to prevent harm. Such restrictions could include:
- Limit on the hours when children may be present
 - Limitations or exclusions during specific activities
 - Requirements for an accompanying adult
 - Full exclusion of people under the age of 18 from the premises when any licensable activities are taking place.
- 7.4.4 The Authority will, in appropriate circumstances, attach conditions to licences and certificates to prevent harm to children, and these may include Conditions drawn from the Model Pool of Conditions relating to the Protection of Children from harm contained within the Guidance issued under Section 182 of the Licensing Act 2003.
- 7.4.5 The Authority recognises and commends the Portman Group Code of Practice on the Naming, Packaging and promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. The Authority accepts the statement in the Guidance that the Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors. The Authority will also seek to discourage promotions which encourage excessive consumption of alcohol within a short time period.
- 7.4.6 The Authority expects personal licence holders, and others working under their supervision, not to serve alcohol to children under 18, except in the limited circumstances allowed for by Law. The Authority recommends that where necessary proof of a person's age is obtained by reference to a valid Passport, a Photocard driving licence issued in E.U. or a Proof of age card issued under the PASS accreditation scheme.

The Authority is aware of a number of fake identification being presented to licensed premises, and premises may wish to purchase a UV light to assist in the detection of such.

8. RELAXATION OF OPENING HOURS FOR LOCAL, NATIONAL AND INTERNATIONAL OCCASIONS

- 8.1 The Authority considers that applicants for premises licences and club premises certificates should be in a position to anticipate special occasions which occur regularly each year, such as Bank Holidays, and be in a position to incorporate appropriate hours for these occasions in their operating schedules.

Effective from 11 December 2018

- 8.2 On occasions, there may be an exceptional event of local, national or international significance arising, which could give rise to the need to vary the conditions of large numbers of premises licences and club premises certificates. In such circumstances it will be open to the Secretary of State to make a licensing hours order to provide for premises to open for specified, generally extended, hours on these special occasions, such as for a one-off festival, World Cup, Olympic Games or a Royal Jubilee.

9. PLANNING USE

- 9.1 In general, the Authority will expect that prior to the submission of a licensing application the appropriate planning permission will have been obtained in respect of the premises, and that any operating hours sought do not exceed those authorised by the planning permission. It is recognised that in certain circumstances a provisional statement licensing application may be sought alongside planning permission. A Licence shall not negate the need for appropriate planning permission to be in place for the use/hours.
- 9.2 In determining applications for licensing applications, there will not be a re-run of the planning application, and it will not cut across decisions taken by the Planning Committee or following appeals against decisions taken by that Committee. Similarly, the granting of applications by the Licensing Committee of any variation of a licence which involves a material alteration to a building would not negate the need for the applicant to apply for planning permission or building control where appropriate.

10. INTEGRATING STRATEGIES AND AVOIDING DUPLICATION

- 10.1 The Authority recognises the need to avoid duplication with other regulatory regimes so far as possible. However, some regulations do not cover the unique circumstances that arise in connection with licensing. The Authority may, for example, attach conditions to premises when it is considered necessary for the promotion of the licensing objectives and where there is no provision in any other legislation.
- 10.2 In undertaking its licensing functions, the Authority will be mindful of other legislation and strategies which may impact on the promotion of the licensing objectives. Whilst not exhaustive these will include:
- Police Reform and Social Responsibility Act 2011
 - Section 17 Crime and Disorder Act 1988
 - Human Rights Act 1998
 - The Health & Safety at Work Act 1974
 - The Environmental Protection Act 1990
 - Alcohol Harm Reduction Strategy for England
 - Home Office Action Plan for tackling alcohol related crime, nuisance and disorder
 - LACORS/TSI Code of Best Practice on test purchasing
 - Health Act 2006

11. TACKLING DISORDER AND PARTNERSHIPS

- 11.1 The Authority will continue to build on its links with Surrey Police, and will continue its active role in working parties to ensure the proper integration of local crime prevention, planning, transport, tourism and cultural strategies. The Police will utilise management data to record incidents within premises, and this data may guide interventions.

Effective from 11 December 2018

- 11.2 The Authority will continue to work to established protocols with Surrey Police on the enforcement of licensing law. These will provide for the efficient deployment of Police and Council Officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that resources are targeted at problem and high-risk premises.
- 11.3 The Authority will maintain a commitment to supporting the local PubWatch meetings.
- 11.4 The Authority will continue to work to joint inspection regimes with Surrey Police and Surrey Fire and Rescue Service, to ensure the promotion of initiatives such as the prevention of crime and disorder and public safety.

12. ENFORCEMENT

- 12.1 The Council will adopt a risk-based approach to the inspection of licensed premises. This will allow for the targeting of high-risk premises, or those where a breach would have serious consequences. Premises that are low risk and/or well run will be subject to a less frequent inspection regime.

Where necessary, appropriate enforcement (including prosecution) will be carried out in a fair and consistent manner in accordance with

- The Enforcement Concordat
- Epsom and Ewell Borough Council's Environmental Health Service Enforcement Policy
- The Regulators Compliance Code (Statutory Code of Practice for Regulators) December 2007. The Regulators Compliance Code stresses the need for regulators to adopt a positive and proactive approach towards ensuring compliance by helping and encouraging regulated entities to understand and meet regulatory requirements more easily; and responding proportionately to regulatory breaches.

The Council will endeavour to avoid duplication with other regulatory regimes so far as possible, and ensure that data is shared where possible and practicable.

13. ILLEGAL SALES OF AGE RESTRICTED GOODS

- 13.1 Surrey County Council Trading Standards Service and the Police take a very serious view on the illegal sale of alcohol and other age-restricted goods. The Trading Standards Service will continue to seek to ensure that there are no illegal sales of alcohol and other age-restricted goods and they see the licensing regime as a potentially effective way of tackling this issue.
- 13.2 The sale of alcohol to minors is a criminal offence and Surrey Trading Standards Service has, over time, worked to advise the off-licensed trade in particular about how to set up systems to avoid sales taking place. Trading Standards may conduct covert test purchasing exercises with volunteers in response to complaints and local intelligence.
- 13.3 The Authority will expect applicants for licences to demonstrate that they have ensured that all their frontline staff have received adequate training on the law with regard to age restricted sales and that this has been properly documented and training records kept, and must be made available for inspection by the Licensing Authority, Trading Standards or the Police if requested. Training will need to be refreshed periodically.
- 13.4 The Authority will expect staff training to include a basic understanding of the law and must include a requirement of checking identification (ID) for proof of age; paragraph 6.4.6 details

Effective from 11 December 2018

the forms of ID that the Authority recommends. Should such form of identification or other means of ID which may be approved subsequent to the adoption of the Policy proving the purchaser is over 18 years of age not be produced, the sale must be refused. The Authority together with Surrey Trading Standards promote Challenge 25 Schemes in licensed premises as an extra safeguard.

- 13.5 Employees themselves must be over 18 years of age to sell alcohol, unless the sale is authorised by someone who is over 18. If a sale is authorised in this way, the person making the authorisation is also responsible for ensuring that the purchaser is over 18. In addition, where employees have reason to suspect the purchase of alcohol is being bought for anyone under the age of 18, the sale must be refused.
- 13.6 Licensees or employees actually engaged in selling alcohol will need to have a reasonable understanding of English in order that they are able effectively to question purchasers so that they are satisfied that they are over 18 years of age.
- 13.7 The Authority will actively encourage licensees to keep registers of refused sales (refusals books) where sales of alcohol and any other age-restricted goods have been refused for any reason. Keeping such records will help to demonstrate that responsibilities for checking ages of purchasers are being taken seriously. Refusals books should be kept on the licensed premises and be made available for inspection by the Licensing Service, Trading Standards or the Police.
- 13.8 Particularly in premises where alcohol is not the main product sold, for example, food retailers and corner shops - the Authority will actively encourage the use of warning messages where an EPOS (electronic point of sale) system is in use. Such a warning system is of help to employees and it will prompt them to check the age of purchasers of alcohol or other age restricted products that are presented at the check out.
- 13.9 The work of Surrey Trading Standards Service will continue to take place under the Licensing regime. The Licensing Authority will take a very serious view of any transgression reported to it, whether or not a successful prosecution results, under the provisions of the Licensing Act 2003 or any Trading Standards legislation.
- 13.10 Surrey Trading Standards provide a free advice service on how to avoid selling age restricted goods. Contact details can be found in Annexe C in the Policy.

14. PROMOTION OF EQUAL OPPORTUNITIES

- 14.1 The Authority has published an Equal Opportunities Strategy. The Authority wishes to ensure equality of access to opportunities in the Borough and thereby avoid discrimination, including having regard to the nine protected characteristics, namely; age, disability, sex, religion or belief, marriage and civil partnership, pregnancy and maternity, race, gender reassignment and sexual orientation. The Authority has also produced a Race Equality Scheme, and will remain focused upon, and will work to promote this.

15. LATE NIGHT LEVIES AND EARLY MORNING RESTRICTION ORDERS

- 15.1 The Authority has considered the provisions made available under the Police Reform and Social Responsibility Act 2011, and following consultation with Surrey Police, has

Effective from 11 December 2018

determined not to implement these powers at this time, however this will be reviewed on an ongoing basis.

APPENDIX A

Matter to be dealt with	Council	Sub Committee	Officers
Application for personal licence		If an objection made	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases

Effective from 11 December 2018

Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.			All cases
Decision on whether to apply (as the Licensing Authority) for a review of a premises licence/club premises certificate			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases
Determination of a Police/Environmental Health objection to a temporary event notice		All cases	
Adoption of the Statement of Licensing Policy	All		

APPENDIX B

List of consultees

Surrey Police

Surrey Fire and Rescue Service

Surrey Trading Standards

Surrey Primary Care Trust

Surrey Chambers

Epsom & Ewell Planning Authority

Epsom & Ewell Environmental Health Department

Health and Safety Executive

Epsom Civic Society

Representatives of local residents

Effective from 11 December 2018

Representatives of the licensed trade

The Association of Licensed Multiple Retailers

Home Office Immigration

General public consultation by way of notification on the Council's website throughout the consultation period

APPENDIX C

Responsible Authorities

Licence applications must be sent to the Licensing Authority, and copies sent to the Responsible Authorities and other bodies prescribed by Regulation, as appropriate upon the type of application. The contact details of most of the Authorities are detailed below, and are correct as at April 2010. Applicants should therefore confirm with each Authority that the contact details are correct at time of application.

Licensing Authority

Licensing, Grants and HIA Service
Epsom and Ewell Borough Council
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

Telephone: 01372 732000 Fax: 01372 732452 Email: licensing@epsom-ewell.gov.uk

Surrey Police

Surrey Fire and Rescue Service

Effective from 11 December 2018

Licensing Epsom
Surrey
Police
PO Box 101
Guildford
Surrey GU1 9PE

Telephone: 01372 721212

Licensing Team
Service Headquarters
Croydon Road
Reigate
Surrey
RH2 0EJ

Telephone: 01737 733733

Primary Care Trust

Public Health Business Manager
Public Health NHS Surrey
Room G55
County Hall
Penrhyn Road
Kingston Upon Thames
KT1 2DN

Telephone : 01737 737109

Surrey Social Services

Joanne Booth
County Child Employment & Strategy Manager
Quadrant Court
35 Guildford Road
Woking
Surrey
GU22 7QQ

Telephone: 01483 517838

Health and Safety at Work etc Act 1974 Enforcing Authority

The enforcement function is undertaken by either the Local Authority or Health and Safety Executive dependant upon the nature of the premises. An overview is given below, but for specific guidance please contact the Environmental Health Service.

Environmental Health Service

(Public Houses, Restaurants, Churches and Church Halls, Shops, Sport Centres etc.)

Epsom and Ewell Borough Council
Environmental Health Service
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

Telephone: 01372 732000

Email: contactus@epsom-ewell.gov.uk

Health and Safety Executive

(Local Authority premises, railways, Police or Fire Authority premises, fairgrounds, agricultural shows etc.)

Health and Safety Executive
The Council Offices
Station Road East

Effective from 11 December 2018

Planning Authority

Planning Department
Epsom and Ewell Borough Council
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

Telephone: 01372 732000
Fax: 01372 732109
Email: planning@epsom-ewell.gov.uk

Home Office (Immigration Enforcement)

Alcohol Enforcement Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
Email: alcohol@homeoffice.gsi.gov.uk

Trading Standards

Surrey Trading Standards Service
Consort House
5-7 Queensway
Redhill
Surrey
RH1 1YB

Telephone: 08454 04 05 06
Email: trading.standards@surreycc.gov.uk

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ANNEXE 2

STATEMENT OF POLICY - LICENSING ACT 2003 PROPOSED AMENDMENTS TO THE EXISTING POLICY

- 1.1 Revised introduction.
- 4.1 Minor addition of the words “(as per those detailed within the operating schedule or after a Hearing).
- 4.5 Minor formatting amendments in the red zone paragraphs, and at point 16 in the Criteria additional wording relating to CCTV.
- 5 New section relating to Prominent Periods (Temporary Action Plans)
- 7.2 Removal of obsolete sentence.
- 11.5 Removal of reference to obsolete “Safer Pubs and Bars” scheme.
- 13.2 Removal of obsolete sentence.

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FILM CLASSIFICATION POLICY

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):	Annexe 1: Draft Film Classification Policy
Other available papers (not attached):	BBFC Film Classification Guidelines

Report summary

To consider a draft Policy for adoption regarding the classification of films by the Council.

Recommendation (s)	Notes
<p>(1) Approve the draft policy and procedure for dealing with the classification of films (attached as Annexe 1)</p> <p>(2) Delegate responsibility for the authorisation of films which have not already been classified by the BBFC to the Officers.</p> <p>(3) Delegate responsibility to grant exemptions from the payment of a classification fee to the Head of Housing & Community and the Licensing, Grants and HIA Manager.</p> <p>(4) That the Committee agree to recommend to Council the</p> <p>(1) adoption of a Film Classification Policy;</p> <p>(2) That the Head of Housing & Community Services and the Licensing, Grants and HIA Manager be authorised to determine the classification and re-classification of films including appeals in accordance with the Policy;</p> <p>(3) To set the level of fee for classification of a film (subject to exemptions) at £50, plus £1 per minute of the full length of the submitted film, plus any costs associated incurred to process the application (subject to the annual fees and charges review).</p>	

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

- 1.1 Adopting the policy will help the Council to meet the policy objectives of supporting businesses and our Local Economy

2 Background

- 2.1 The public exhibition of all films on licensed premises must be either classified by the British Board of Film Classification (BBFC) or authorised by the Licensing Authority under the powers of the Licensing Act 2003.
- 2.2 It is usual for the majority of films to be released nationwide and therefore be classified by the BBFC. However, where a local film festival is taking place showing films that are not on general release in the United Kingdom, they can apply to the local authority for that area to authorise/classify the film.
- 2.3 In addition, where a film distributor believes a film has been classified incorrectly, they can apply to the local authority for the area they wish to show the film in for a reclassification.
- 2.4 Whilst the British Board of Film Classification (BBFC) performs a national film classification role, the Council, as a Licensing Authority, is the classification body for the public exhibition of films shown in the Borough by virtue of the Licensing Act 2003. As such the Licensing Authority has the right to classify films that are shown in premises licensed under the Act such as cinemas, hotels, clubs and public houses.
- 2.5 The Licensing Authority may be required to classify a film that has not been classified by the BBFC. A typical example of this would be a locally made film to be shown at a film festival within the Borough. Therefore, the Licensing Authority must have a formal procedure in place to determine this classification.
- 2.6 The Licensing Act 2003 also provides for a number of exemptions for certain types of film such as those exhibited for the purposes of advertisement, information, education etc. If the premises and/or exhibition of a film is not regulated by the Licensing Act 2003, it may still necessary to comply with the recommendations issued by the BBFC or Licensing Authority regarding classification and the admission of children for example regarding community premises.
- 2.7 There is currently no formal procedure for the Council to deal with the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's (BBFC) decisions, or requests to reclassify films. As the Council's responsibilities in relation to film classifications are incorporated within the Licensing Act 2003 it is necessary to adopt such a procedure.

- 2.8 Views on the draft policy were sought from 16 May 2018 until 15 June 2018. (Responses received are attached as Annexe 2.)

3 Proposals

- 3.1 The Licensing Authority must have a formal procedure in place to determine this classification.
- 3.2 The proposed policy and procedure to be adopted is attached at Annexe 1.
- 3.3 The proposed classification fee is worked on the basis of cost recovery only. However, so as not to undermine the viability of films designed to be part of a film festival within the Borough, it is suggested that these instances be exempt from the payment of a classification fee. This should be operated through a determination process led by the Head of Housing & Community Services and Licensing, Grants and HIA Manager on a case by case basis.
- 3.4 The Committee is asked to agree the Policy and recommend to Council the adoption of the Film Classification Policy.

4 Financial and Manpower Implications

- 4.1 There is a cost to the Council to deal with any film classification requests, the fees proposed will recover this cost.
- 4.2 The adoption, implementation and application of the policy will be undertaken using existing resources.
- 4.3 **Chief Finance Officer's comments:** Any income generated from these fees is based on cost recovery so these charges are not expected to impact on the Council's finances

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

- 5.1 The purpose of the proposed policy to set a procedure for the determination of the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions, or requests to reclassify films. This will enable the Council to support, if needed any mandatory conditions imposed pursuant to section 20 of Licensing Act 2003 and also any other situation where the Council may be requested to authorise the showing of an unclassified file. Such examples could include a film festival covering a specific period of time, a one off screening of a film, a trailer for a film.
- 5.2 There is no right of appeal when a decision is made by the Council but any decision could be the subject of a judicial review. This risk is minimised by adopting a policy, following the BBFC guidance and ensuring that classification decisions are made in line with the Licensing Act 2003 Section 182 Guidance.

5.3 ***Monitoring Officer's comments: None arising from this report.***

6 Sustainability Policy and Community Safety Implications

6.1 None for the purposes of this report.

7 Partnerships

7.1 None for the purposes of this report.

8 Risk Assessment

8.1 There is currently no formal procedure or policy in place in relation to the classification of films. The introduction of a Film Classification Policy will ensure a robust and transparent procedure is followed.

9 Conclusion and Recommendations

9.1 That the Committee agree to recommend to Council the adoption of a Film Classification Policy.

Ward(s) affected: (All Wards);



Epsom & Ewell Borough Council

Film Classification Policy

POLICY FOR DETERMINING FILM CLASSIFICATIONS

1. Introduction

- 1.1 The public exhibition of all films on licensed premises must either be classified by the British Board of Film Classification (BBFC) or authorised by the Licensing Authority under the powers of the Licensing Act 2003.
- 1.2 Section 20 of the Licensing Act 2003 (the Act) provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the licence must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by the British Board of Film Classification (the BBFC) or by the Licensing Authority itself.
- 1.3 The purpose of this Policy is to set out the formal procedure for the Council as the Licensing Authority to determine the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions or requests to reclassify films.
- 1.4 Where a premises seeks or intends to exhibit film(s), that venue must be covered by a Premises Licence, Club Premises Certificate or Temporary Event Notice under the Licensing Act 2003.

2. Definitions

- 2.1 Children - any person under the age of 18 years.
- 2.2 Exhibition of a film - the exhibition of moving pictures.

3. Circumstances the Licensing authority may classify a film.

- 3.1 The Licensing Authority may be requested to authorise the showing of an unclassified film(s) within the Borough of Epsom & Ewell. Usually this will be for:
 - A film festival covering a specific period of time
 - A one off screening of a film
 - A trailer for a film
- 3.2 The Licensing Authority may also be requested to authorise a film that has already been classified by the British Board of Film Classification (BBFC) when:
 - (a) a distributor of a film wishes to appeal against the decision of the BBFC and request that the Licensing Authority re-classifies/authorises the film for local screening (with recommendations on age restrictions);
 - or
 - (b) An independent party may request that the Licensing Authority reclassifies or authorises the film for local screening (with recommendations on age restrictions)

4. Submission of film

- 4.1 Applications for authorisation of films shall be referred to and determined by the Licensing Department on behalf of the Licensing Authority.
- 4.2 Applications should be submitted to the Licensing Authority with a minimum of 20 working days before the proposed screening.
- 4.3 An application for authorisation should include the following information:
1. the film title, duration and genre
 2. the name of the film maker;
 3. a brief synopsis of the film
 4. any recommendation as may have been made by the film maker upon age limit for the intended audience for exhibition of the film;
 5. any existing classification issued by an existing classification body, whether within or outside the UK;
 6. information identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film.
 7. the premises name and address of proposed screening
 8. the language spoken in the film and whether there are subtitles in English.
 9. details of how any age restrictions will be enforced.
- 4.4 All requests shall be accompanied by the film(s) in DVD format to avoid delays, the cost to be borne by the applicant.
- 4.5 If the film contains dialogue in a language other than English an interpreter will be required for the classification. The Licensing Authority will arrange for a suitable interpreter and the applicant will be responsible for the cost of this.
- 4.6 Applicants must ensure that all material that is the subject of the application complies with the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.

5. Process

- 5.1 Requests will be dealt with as expeditiously as possible as it is appreciated that films are generally only shown in cinemas for a relatively short period.
- 5.2 The Licensing, HIA, Grants Manager will view the entire film and assess it against the BBFC guidelines and any national guidance. If the Manager is unable to make a decision then the classification for that film will be referred to a Head of Service.
- 5.3 The Licensing Authority shall issue a Notice of Determination of the authorisation within 5 working days from the date of viewing.
- 5.4 The Licensing Authority will formally advise the applicant and the licence holder of any recommendation(s) restricting the admission of children to the film(s).
- 5.5 Where the Licensing Authority has determined to refuse authorisation of a film clear

and concise reasons shall be given

6. Classification

- 6.1 The BBFC classifies films in accordance with published Guidelines, which are based on extensive research into public opinion and professional advice.
- 6.2 The National Guidance under Section 182 of the Licensing Act 2003 recommends that Licensing Authorities should not duplicate the BBFC's work by choosing to classify films themselves. The classifications recommended by the BBFC should be those normally applied unless there are very good local reasons for a Licensing Authority to adopt this role. Licensing Authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film
- 6.3 The Licensing Authority considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system and any amendments thereto, as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). It should be noted however that the Licensing Authority is not obliged to follow these guidelines.
- 6.4 Where a licensed premises seeks to exhibit a film that has not been classified by the BBFC then it will be the responsibility of the Licensing Authority to authorise that film.
- 6.5 The Licensing Authority recognises the principle within the Human Rights Act 1998 that adults should be free to choose their own entertainment. However material should not be in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 or has been created through the commission of a criminal offence.
- 6.6 In accordance with paragraph 10.31 of the National Guidance, the Licensing Authority shall concern itself primarily with the protection of children from harm. It will not use its powers to censor films save where there is clear cause to believe that this is required to promote the licensing objectives.

7. Protecting children from harm

- 7.1 In terms of film exhibitions and festivals, the most relevant licensing objective is the Protection of Children from Harm.
- 7.2 Paragraph 2.41 of the National Guidance states: The protection of children from harm includes the protection of children from moral, psychological and physical harm and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.
- 7.3 In line with the National Guidance, where a film is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted.

- 7.4 Where a film is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult.
- 7.5 Where the Licensing Authority authorises unclassified material to be shown the Licensing Authority will require an undertaking from the applicant that he has satisfied himself after proper enquiry that no material to be exhibited contravenes the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 7.6 The Licensing Authority shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law.
- 7.7 In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. With regard to the wording of such Notices, the Licensing Authority shall have regard to any national guidance, e.g.:
- (a) Persons Under the Age Of [insert appropriate age] Cannot Be Admitted To Any Part of The Programme
 - (b) Persons Under the Age Of [insert appropriate age] Can Only Be Admitted To The Programme If Accompanied By An Adult.

8. Authorisation

- 8.1 Any authorisations for the exhibition of film issued by the Licensing Authority shall only apply when the film is exhibited within the Borough of Epsom & Ewell and does not affect the authorisation or recommendations in any other borough.
- 8.2 Once authorised by the Licensing Authority a film will be authorised for a particular showing or festival only, subject to the recommendations imposed by the Licensing Authority (unless further application for re-classification is made). Details of the authorisation including any recommendations shall be available from the Council's Licensing Team.
- 8.3 The issue of any authorisation by Epsom & Ewell Borough Council is strictly limited to the authorisation within the Borough and it is assumed that all relevant third party consents and licences in respect of any and all copyright, confidential information and all other intellectual property rights have been obtained.
- 8.4 Where the Licensing Authority authorises unclassified material to be shown the Licensing Authority will require an undertaking from the applicant that he has satisfied himself after proper enquiry that no material to be exhibited contravenes the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 8.5 The Licensing Authority shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to

ensure that no film or trailer contravenes the law.

9. Exemptions

9.1 The provision of the exhibition of a film is exempt from regulation by the Licensing Act 2003 if:

It consists of or forms part of an exhibit put on show for any purposes of a museum or art gallery (the Licensing Act does not define a museum or art gallery so the ordinary meaning of the term is taken), or;

Its sole or main purpose is to:

- demonstrate any product,
- advertise any goods or services (excluding the advertising of films), or
- provide information, education or instruction.

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