

# Public Document Pack

Legal and Democratic Services



## LICENSING AND PLANNING POLICY COMMITTEE

Thursday 13 June 2019 at 7.00 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 David Reeve (Chairman)  
Councillor Clive Woodbridge (Vice-Chairman)  
Councillor Monica Coleman  
Councillor Lucie Dallen  
Councillor Neil Dallen

Councillor Chris Frost  
Councillor Liz Frost  
Councillor Rob Geleit  
Councillor Julie Morris  
Councillor Humphrey Reynolds

Yours sincerely

A handwritten signature in black ink, appearing to read "J.C. Beldan".

Chief Executive

For further information, please contact Sandra Dessent, tel: 01372 732121 or email: [sdessent@epsom-ewell.gov.uk](mailto: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 Servicers 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 March 2019 (attached) and to authorise the Chairman to sign them.

### **4. LOCAL PLAN REPORT UPDATE AND OVERVIEW (Pages 7 - 12)**

The Committee is asked to note the continued forward progress being made in preparing the new Local Plan.

### **5. LOCAL PLAN PROGRAMME 2019 (Pages 13 - 34)**

The Committee is asked to consider the draft Local Plan Programme June 2019 and agree to its publication on the Borough's Council website.

### **6. DRAFT STATEMENT OF COMMUNITY INVOLVEMENT (To Follow)**

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE  
held on 7 March 2019**

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**PRESENT -**

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

Absent: Councillor Robert Foote

Officers present: Amardip Healy (Chief Legal Officer), Gillian McTaggart (Head of Policy, Performance & Governance) (Left the meeting at 19.45), Ruth Ormella (Head of Planning), Karol Jakubczyk (Planning Policy Manager) and Sandra Dessent (Democratic Services Officer)

**42 QUESTION TIME**

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

**43 DECLARATIONS OF INTEREST**

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

**44 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Licensing and Planning Policy Committee held on 24 January 2019 were agreed and signed by the Chairman as a true record.

**45 CORPORATE PLAN: KEY PRIORITY TARGETS FOR 2019 TO 2020**

The Committee were presented with the Licensing and Planning Policy Committee Key Priority Targets for 2019/20 which sat under the framework for the 2019/20 corporate key priorities, namely; keeping the Borough clean and green, supporting our community, managing our resources and supporting businesses and our local economy.

The Committee noted that the planning application targets were set in line with national targets and it was anticipated they would be exceeded as they were in the previous year.

It was agreed that for clarification the target for the number of officer recommendations overturned by the Planning Committee should include a footnote stating '**Reporting** information only indicator'.

Accordingly, the Committee agreed its Key Priority Targets for 2019 to 2020 as set out in Annex attached to the report, subject to the amendment agreed by the Committee above.

**46** PROGRESS ON THE LOCAL PLAN

The Committee received a report detailing the progress on the Local Plan, including the latest Annual Monitoring Report (AMR) covering the period 2017-2018, and the recently published results of the Housing Delivery Test.

It was noted that the AMR was a historical document and data contained in the report was produced in light of the regulations and guidance that were applicable at that time.

Members considered the AMR and the following points were made:

Report Reference	Comment
Page 32, paragraph 4.26	<p>Clarification required on reference to affordable housing contributions of 1,000 sq metres - that refers to size of development not number of properties.</p> <p>NPPF guidance on affordable housing contributions to be made available to Planning Committee</p>
Page 35, paragraph 4.30	It was confirmed that viability assessments for affordable housing did not include the cost of land
Page 36, Table - Estimated future affordable completions by site	<p>Development site at Upper High Street (Lidl) appears twice – officers to investigate</p> <p>Updated position on affordable housing contributions for Lidl development to be investigated and communicated to committee members</p> <p>Ninth address down to read: Garages 1-9 <b>Ormonde Avenue</b></p>

Page 42, Table – List of housing completions 17/18	Clarification required that NEScot development has not been duplicated
Page 59, final paragraph	Windfall sites were not included because the Council cannot predict what size they will be or when they become available

The Committee:

- (1) Noted the continued forward progress made in preparing the Local Plan
- (2) Noted the contents of the Local Plan Annual Monitoring Report and approved it for publication on the Council’s website
- (3) Noted the outputs from the government’s Housing Delivery Test that will form the basis of a Housing Delivery Action Plan to be prepared for consideration by the Committee.

**47 STATEMENTS OF COMMON GROUND - THE SURREY WASTE PLAN**

To demonstrate effective joint working in line with National Planning Policy a Statement of Common Ground had been prepared by Surrey County Council for waste management. A draft management plan set out areas of common ground on strategic matter relating to the planning of waste management.

The draft waste plan set out a spatial strategy for delivering waste management facilities to meet future growth. Whilst the draft report set out possible areas within the County to develop new sites including Green Belt, it was confirmed that no new sites within the borough had been identified, and it sought to protect existing waste sites, including waste water sites.

It was recognised that the governance structure within the Surrey boroughs varied. The Committee discussed applicable signatories for Epsom & Ewell, and it was subsequently agreed to amend the recommendation set out in the report to read as follows:

The Committee agreed the Surrey County Council Statement of Common Ground for Waste Planning and authorised the Chairman of Licensing and Planning Policy or the Council’s Chief Executive (as appropriate) to sign the Statement on behalf of the Borough Council.

*The meeting began at 7.30 pm and ended at 8.45 pm*

COUNCILLOR GRAHAM DUDLEY (CHAIRMAN)

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## LOCAL PLAN REPORT UPDATE AND OVERVIEW

**Head of Service/Contact:** Ruth Ormella, Head of Planning

**Urgent Decision?(yes/no)** No

**If yes, reason urgent decision required:**

**Annexes/Appendices (attached):**

**Other available papers (not attached):** [Licensing and Planning Policy Committee 7 March 2019 Report on the Progress on the Local Plan](#)

### Report summary

**Progress on the new Local Plan continues to be maintained. Work on the supporting evidence base continues. Work on the Transformation Masterplan is also underway.**

**Following the election and constitution of the new Licensing & Planning Policy Committee this report provides a brief overview of the existing and emerging evidence base that is informing the preparation of the new Local Plan. This includes a brief overview of the Transformation Masterplan.**

### Recommendation (s)

**The Committee notes the continued forward progress being made in preparing the new Local Plan.**

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

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

## 2 Background

- 2.1 At the November 2018 Licensing & Planning Policy Committee, Members agreed to receive a regular report that provides an update on the progress being made on the preparation of the new Local Plan against the milestones identified by the Local Plan Programme (July 2018). This is the fourth Local Plan Progress report to the Licensing & Planning Policy Committee.
- 2.2 The Borough Council continues to make progress against the timetable and milestones set out in the Local Plan Programme. The current focus is on preparing a robust evidence base to ensure the new Local Plan meets the tests of soundness by being “justified”. Work on the evidence base is already advanced. The technical studies which have already been published and are available to view from our website include –
- [Strategic Housing Market Assessment v.1 \(2016\)](#)
  - [Strategic Housing Land Availability Assessment \(2017\)](#)
  - [Urban Housing Capacity Study \(2018\)](#)
  - [The Longmead and Nonsuch Industrial Estates Capacity Study \(2018\)](#)
  - [Traveller Accommodation Assessment \(2017\)](#)
  - [Primary Constraints Study \(2017\)](#)
  - [Strategic Flood Risk Assessment \(2018\)](#)
  - [Surrey Landscape Character Assessment \(2015\)](#)
  - [Epsom & Ewell Green Belt Study Stage 1 \(2017\)](#)
  - [Epsom & Ewell Green Belt Study Stage 2 \(2018\)](#)
- 2.3 Other technical studies, which compile a longer term overview of the development of the evidence base that informs the Local Plan is available to view from [our website](#).
- 2.4 This report provides the Committee with a summary of the technical studies that are currently in the process of either being commissioned or prepared. This report also provides an overview and update on the emerging Transformation Masterplan.

## 3 Forthcoming Technical Studies

- 3.1 The following schedule identifies the technical studies that are being prepared to inform the production of the new Local Plan. The schedule includes a brief summary of the work being undertaken. The majority of the studies will provide headline intelligence as they progress towards completion. This information will be used to inform the forthcoming Regulation 18 (Part 2) Consultation stage. It is anticipated that all of these studies will be in a complete final format by early 2020.

- Revised Strategic Housing Market Assessment – this study seeks to break down the housing need identified through the government’s standard method<sup>1</sup>. For example, it will identify the scale of affordable housing need.
- Strategic Development Viability Assessment – this will assess the financial viability of new development taking place during the plan period. It will front load a process that was previously applied to individual proposals through the development management process. This study will help inform our development strategy – particularly in relation to the delivery of new affordable housing. It will also help inform the review of our Community Infrastructure Levy Charging Schedule.
- Spatial Economic Development Strategy – this will evolve our existing approaches towards new economic development and place them within a geographic Local Plan context. It will inform our decision making as to the identification of the locations where we will concentrate and optimise future economic growth
- Retail Needs Study and Town Centres Health Checks – this study will provide an assessment of future food/ convenience retail need across the Borough. It will also make recommendations on how we will shape new policy that will manage proposals for new retail uses – particularly outside of existing retail centres. In addition to informing the new Local Plan it will provide valuable data to support the determination of retail related planning applications.
- Sports Facilities (indoor and outdoor) Assessment and Playing Pitch Strategy – these inter-related documents will provide a demand assessment of our sports facilities. This will encompass existing provision and the anticipated need to expand those facilities – in order to take account of population growth. The Strategy will set out how we will achieve this both operationally and through borough-wide growth.
- Open Space Study – this Study will provide an assessment of open space provision across the Borough. This work is being undertaken internally, with the Planning Policy Team receiving valued input from the Ranger Service, and the Countryside and Grounds Maintenance Teams
- Habitats Regulations Assessment – this technical study will provide an assessment of the impact of growth in Epsom & Ewell upon the Special Protection Areas (SPA) and Special Areas of Conservation (SAC) that lie beyond our administrative boundary<sup>2</sup> - there being no SPAs or SACs located in the Borough.

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<sup>1</sup> National Planning Policy Framework Paragraph 60 – the standard method is a nationwide methodology that all local planning authorities have to use and apply in order to identify the scale of their housing need. The government has already undertake the calculation, for all local planning authorities, and determined that the Borough’s housing need is expressed as being 579 new additional homes per annum.

<sup>2</sup> The closest of these being the Wimbledon Common Special Area of Conservation.

- 3.2 The above studies will be reported to the Committee as appropriate and will inform the preparation of the emerging new Local Plan.

#### **4 The Borough-wide Transformation Masterplan**

- 4.1 The Planning Policy Team started work on this project during February 2018 – it having flowed directly from previous housing capacity and supply studies undertaken by the Borough Council. The focus of the Masterplan is to identify the potential for delivering new sources of housing land supply, across the Borough that will deliver new types of higher density housing. This being a response to a changing housing market and the scale of housing need being identified through the standard method.
- 4.2 The Masterplan is being prepared with input from a wide variety of different technical professions, including architects; urban designers; masterplanners; economists and town planners. The Borough Council has secured much of this specialised expertise from external consultants, who are being led by Allies & Morrison<sup>3</sup>. The specification for the Masterplan was developed by the Planning Policy Team and was the subject of reports to this Committee and the Council's Strategy & Resources Committee.
- 4.3 Visualising the transformation process will be a key output from the Masterplan. The visual content will range from basic urban design treatments illustrating intensification (at appropriate locations) – comprised of projections showing mass, bulk and scale; through to detailed treatments that identify specific new housing types that will be recognised as being distinctive to Epsom & Ewell. Achieving high quality visual character and appearance from new development is a key output of this project.
- 4.4 The following are other outputs anticipated from the Masterplan –
- A clear and coherent vision of how the Borough will be transformed;
  - Visualisations of what the transformation will look like;
  - Evidence that the transformation is achievable and deliverable during the Local Plan period; and
  - Additional support to the Local Plan process – specifically at the examination stage.
- 4.5 Initially the Masterplan will sit alongside the Local Plan Pre-Submission Draft. It will help to demonstrate the Borough Council's commitment to responding to housing demand. Ultimately, it is likely that the Masterplan will become a planning policy document in its own right – guiding the evolution of residential development in Epsom & Ewell.

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<sup>3</sup> Allies & Morrison have previously contributed to the production of the Upper High Street, Depot Road and Church Development Brief – a supplementary planning document adopted by the Borough Council.

- 4.6 It is anticipated that initial outputs from the Masterplan process will become available in the early Autumn 2019. At that point, opportunities for Members to engage in the Masterplan will be identified.

## 5 Housing Delivery Test and Action Plan

- 5.1 The Housing Delivery Test is an annual assessment of the performance of local planning authorities in delivering their identified need over the previous three years. This is an annual Test that uses existing data, submitted as part of the Housing Delivery return. The Borough Council made its first return to this Test during the final quarter of 2018. The results of the Test were published on 19 February 2019. The results of the Housing Delivery Test have been published on [the Government's website](#).
- 5.2 The result of the Housing Delivery Test and its implications for the Borough Council were reported to the Licensing & Planning Policy Committee on 7 March 2019. The results of the Test show that we are not delivering a sufficient number of new additional homes. This was anticipated. On the basis that our housing delivery is below 85% housing requirement; the Housing Delivery Test indicates that we are at 57%; we will now be required to prepare a Housing Delivery Action Plan (within the next six months) and have an additional 20% buffer applied to our OAHN. There is no mechanism to appeal or challenge the outcomes of this test.
- 5.3 The Housing Delivery Action Plan will set out how the Borough Council will respond to under delivery. It will identify the interventions, both through planning policy and the development management process that will be introduced to raise delivery. The overall objective will be to secure a five year housing land supply. Work on a draft Housing Delivery Action is underway. It is anticipated that the draft version will be the subject of specific report to this Committee during the late Summer 2019.

## 6 Financial and Manpower Implications

- 6.1 The preparation and implementation of our new Local Plan imposes significant demands on staff in the Planning Policy Team and the wider Planning Department. The Local Plan Programme provides a relevant and appropriate series of performance indicators that can be utilised to monitor progress and identify whether additional resources will be required.
- 6.1 The increasing level of complexity to the local plan process (introduced through the revised NPPF), particularly in relation to the housing delivery test, review of the CIL schedule and strategic viability mean that further resources may be required. Approval from the Strategy & Resources Committee will be sought identifying the additional resources, whether staff or financial, required.
- 6.2 ***Chief Finance Officer's comments: none for the purposes of this report***

## **7 Legal Implications (including implications for matters relating to equality)**

7.1 The new Local Plan will need to demonstrate that it meets the four tests of soundness set out in national planning policy. By providing evidence that we have considered all reasonable and available sources of housing land supply, and the factors and constraints that impact upon supply, we will be able demonstrate that our new Local Plan has been positively prepared and is justified.

7.2 ***Monitoring Officer's comments: none arising from the contents of this report.***

## **8 Sustainability Policy and Community Safety Implications**

8.1 None for the purposes of this report.

## **9 Partnerships**

9.1 None for the purposes of this report.

## **10 Risk Assessment**

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

10.2 The preparation and production of the evidence base and the closely associated Transformation Masterplan will ensure that the new Local Plan is comprehensively supported by technical data. This will help us demonstrate that we have an appropriate and deliverable strategy for future growth. Failure to demonstrate the soundness of our strategy could result in our new Local Plan being found unsound.

## **11 Conclusion and Recommendations**

11.1 The Committee are requested to take note of the progress being made in preparing the new Local Plan. The Committee are also asked to note the scale and breadth of new technical studies being undertaken as part of the Local Plan evidence base production.

**Ward(s) affected:** (All Wards);

## LOCAL PLAN PROGRAMME 2019

**Head of Service/Contact:** Ruth Ormella, Head of Planning

**Urgent Decision?(yes/no)**

**If yes, reason urgent decision required:**

**Annexes/Appendices (attached):** Annex 1: Draft Epsom & Ewell Local Plan Programme May 2019

**Other available papers (not attached):** [Licensing & Planning Policy Committee Agenda Item 6 November 2018](#)

### Report summary

**A revised 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 2019 be adopted taking immediate effect and be published on the Borough Council's website.**

#### **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 forthcoming 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. Typically the Council's Programmes have set out 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 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 National Planning Policy Framework (NPPF); and consequential changes in our approach to plan-making.
- 2.3 Our last Local Plan Programme was published during June 2018. It was our ninth Programme since the adoption of the Core Strategy in 2007. Following a period of significant change in national planning policy, which included the publication of the revised NPPF, the introduction of the standard method (for calculating the scale of housing need) and the housing delivery test. Collectively these changes have required the Council to revisit its approach towards planning for the future growth of the Borough. This has required the production of further technical evidence to inform the Local Plan process; including the Borough-wide Urban Capacity Study, the Strategic Viability Assessment and the Transformation Masterplan among others.
- 2.4 The consequential impact of this additional work is that we are required to undertake further public consultation under Regulation 18 Town & Country Planning (Local Planning) (England) Regulations 2012.
- 2.5 In order to respond positively 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 2019 seeks to build upon its predecessor. 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 is realistic and requires focus. Particularly during the Autumn into the Winter 2019 when continuous progression from the Regulation 18 Final Issues and Options stage, onto the Pre-Submission Draft Consultation stage is envisaged. Our success relies on careful management and use of our resources; in terms of internal staff, and the commissioning of external expertise. 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 and associated site allocations.

3.3 The key milestones over the next twelve months are:

- Autumn 2019 - Final Issues & Options Consultation (Regulation 18 Part 2)
- Spring 2020 – Pre-Submission Public Consultation
- Summer 2020 – Submission to the Secretary of State
- Winter 2020 - Public Hearing
- Winter 2021 – Estimated date of Adoption

3.4 Member engagement will form a key part of the process mapped out by the key milestones identified above. Both consultation documents will be the subject of reports coming before the Licensing & Planning Policy Committee, as will the decision to progress to submission to the Secretary of State.

#### **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. The successful recruitment of a Senior Planning Policy Officer during the Summer 2018 and retention of existing staff has made a valuable contribution towards our ability to meet the challenge of preparing our new Local Plan.

4.2 Wider teams across the Council, including legal services, procurement and communications are key to assisting with the various elements of the work programme. Contributions from these sources will be particularly valuable during the public consultation and Duty-to- Cooperate stages of the process, when their input can be optimised.

4.3 ***Chief Finance Officer's comments: none for the purposes of this report***

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

5.1 The Local Planning Authority should ensure that its Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the local plan area, and the development and infrastructure requirements of the area.

5.2 The type of evidence and assessments that may be required to justify the statements in the local plan are set out in the NPPF. This is not a prescriptive list.

- 5.3 Regulation 18 of the Town & Country Planning (Local Planning) Regulations 2012, requires a Local Planning Authority to identify and engage all those who might be interested in the development or content of the local plan at an early stage in the local plan making process. As a part of this process the Local Planning Authority must notify the specified bodies and person of emerging options and invite them to make representations and then to take into account any representations. The Local Planning Authority is also required to comply with the consultation requirements set out in its statement of community involvement at the various stages of local plan preparation.
- 5.4 Planning decisions must be taken in accordance with the Local Plan, unless material considerations indicate otherwise. Therefore it is important to ensure the Local Plan is up to date.
- 5.5 ***Monitoring Officer's comments: none arising from the contents of this 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. The Licensing & Planning Policy Committee considered and agreed a Duty to Co-operate Engagement Plan during November 2018, which seeks to build relationships with neighbours with the objective of securing agreed statements of common ground.

## **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 continued absence of a 5 year housing land supply; the additional measures introduced through the outputs of the 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. The government encourages local planning authorities to up-date their Local Plan Programmes as often as necessary.
- 8.3 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 lean which could have implications for the Local Plan timetable. Recent experiences demonstrate that recruiting new staff, regardless of their experience, may prove challenging.

## **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);

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## Epsom & Ewell Local Plan Programme



**Contents**

1. Introduction.....3  
2. The new Epsom & Ewell Local Plan.....5  
3. The Evidence Base ..... 10  
4. Supporting Statement..... 11

## 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 new Epsom & Ewell Local Plan. It identifies a timetable for the preparation and production of the new Local Plan that serves as a framework for monitoring and managing progress. The Programme identifies and allocates 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 partners<sup>1</sup> 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 significant 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 continue to monitor and review the Local Plan Programme annually and update it accordingly. It is this monitoring process that has triggered this current review of the Programme.

### 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

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<sup>1</sup> 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 explore how the Borough could positively transform to respond to the scale of housing demand. It 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 could provide a supplementary planning framework that will contribute towards the sustained transformation of the Borough into the 2040s.
- 1.8 We anticipate that the design-related guidance contained within the above documents will be reviewed. A possible option is that 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 delivery 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 include the following policy components:

- An appropriate housing strategy that responds to the government's assessment of objectively assessed housing need<sup>2</sup>
- Revision of the Borough wide housing target to take account of objectively assessed housing need<sup>3</sup>; taking account of the relevant constraints affecting the ability of the development industry to deliver the scale of housing during the plan period
- An overview of how the Borough Council will work with its housing market area partners and others to address unmet need<sup>4</sup>
- A Strategic review of the Green Belt<sup>5</sup>
- A review of our affordable housing delivery policy<sup>6</sup>
- New policies setting out 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
- A new economic development strategy, which encompasses the continued evolution of Epsom Town Centre and the Borough's other retail centres.
- An appropriate infrastructure strategy that responds and complements the scale of new housing identified by the government's objectively assessed housing need calculation. 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 need<sup>7</sup>.

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

- Green Infrastructure<sup>8</sup>

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<sup>2</sup> 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.

<sup>3</sup> As currently set out in Core Strategy Policy CS7.

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

<sup>5</sup> As currently set out in Core Strategy Policy CS2.

<sup>6</sup> As currently contained within Core Strategy Policy CS9

<sup>7</sup> A new policy that will replace the approaches set out under Core Strategy Policies CS12 and CS16.

<sup>8</sup> 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.

- Housing delivery
- Employment sites
- Retail centres
- Education infrastructure
- Transport networks

2.3 Some of these policies and site allocations were originally intended for inclusion within the Site Allocations Document<sup>9</sup>. That Document had advanced to the Submission Stage.

### 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. The Local Plan period has been reset to start at 2017, which is the baseline date for the government's standard methodology; which identifies 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 and the specific sites across 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.

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<sup>9</sup> That document comprised non-housing site allocations.

## Timetable

- 2.6 The review of the Local Plan Programme has introduced an additional Regulation 18 Consultation, which seeks to build-upon earlier consultation conducted during 2017. The proposed scope of the Regulation 18 Part 2 consultation will be focussed on an appropriate housing strategy and the specific sites required to deliver its outcomes. The Final Issues & Options Consultation will also consider other aspects of growth – including economic development, retail and infrastructure provision. At the conclusion of the proposed consultation period, the Council anticipates that process will move seamlessly towards the pre-submission stage.

<i>Key Stages</i>	<i>Dates</i>
Issues & Options and Call for Sites Consultations (Regulation 18 Part 1)	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
Final Issues & Options Consultation (Regulation 18 Part 2)	October – December 2019
Pre-Submission Public Consultation	March – May 2020
Date of Submission to Secretary of State	June 2020
Pre-Examination Meeting	September 2020
Public Hearing	December 2020
Estimated Date for Adoption	December 2021

## Arrangement for Production

*Organisational Lead*  
Planning Policy Manager

## Political Management

- 2.7 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.
- 2.8 Full Council approval will be required for the final adoption stage.

### Internal Resources

Planning Policy Manager x 1 FTE  
Senior Planning Policy Officer x 1 FTE  
Planning Policy Officers x 0.89 FTE  
Planning Policy Administrator x 0.77 FTE

Other resources as required – likely to be deployed from within the wider Planning Department, and as necessary from across the Borough Council.

### External Resources

- 2.9 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.
- 2.10 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. The Habitats Regulations Assessment is being undertaken externally.

### Stakeholder Resources

- 2.11 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 during the plan period (potentially because of insufficient housing land supply or infrastructure capacity) we will work with our neighbours and other strategic partners to identify solutions as to how this could be addressed across a wider area. It is anticipated that this will form a critical part of the new Local Plan and will require the deployment of relevant resources from across the Borough Council.
- 2.12 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.
- 2.13 We will work closely and positively with landowners and the development industry to deliver the appropriate housing strategy that will be identified by the new Local Plan. Whilst the Borough Council, as the local planning authority, carries the responsibility for securing housing delivery in response to the challenge of the government's objectively assessed housing need calculation, the industry is expected to shoulder some of this burden. In

particular, the Council will require the industry to positively respond to the scale of growth in timely manner (during the plan period).

- 2.14 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**

- 2.15 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 <sup>10</sup>	October 2016
Green Belt Study Stage 1	February 2017
Strategic Housing Land Availability Assessment (SHMA) <sup>11</sup>	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
SHMA version 2	September 2019
Transformation Masterplan	September - October 2019
Duty to Co-Operate Position Statement	October 2019
Indoor & Outdoor Sports Facilities Assessment and Playing pitch Strategy	January 2020
Open Space Audit Review	January 2020
Retail Needs Study and Centre health Check	January 2020
Spatial Economic Development Strategy	January 2020
Strategic Viability Assessment	January 2020
Habitats Regulations Assessment	April 2020

- 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.

<sup>10</sup> Originally prepared in partnership with Royal Borough of Kingston, Elmbridge and Mole Valley Borough Councils.

<sup>11</sup> 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 process has not had 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 should the United Kingdom leave 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 0.88 FTE<sup>12</sup>
  - Planning Policy Administrator x 0.77 FTE
  - Other occasional staff resources to be deployed either from with the Planning Service or from other corporate services as required
- 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 in the East Surrey local authorities, and have a positive relationship with

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<sup>12</sup> There are current two post holders in part time roles that collectively comprise a single 4/5 full time post.

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 Many of the Surrey local planning authorities are signatories 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 forging new relationships with our neighbours to the north through continued active involvement in the London Plan process. The first stage of the Duty to Co-operate process<sup>13</sup> has developed our strategic planning relationship with our immediate neighbours in Greater London. This will be evidenced in detail in the Duty to Co-Operate Position Statement, which we anticipate publishing at the Regulation 18 Part 2 stage of the process.
- 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 could be interpreted as a disincentive 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 continues to be 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.

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<sup>13</sup> The Borough Council's Licensing and Planning Policy Committee considered a [Duty to Co-operate Engagement Plan](#) on 15 November 2018. This noted that initial meetings, starting from Autumn 2018, with the Royal Borough of Kingston; Elmbridge; Mole Valley; the Greater London Authority; the London Borough of Sutton and Reigate & Banstead would identify and confirm the strategic issues relevant to that discussion.

## Council Procedures

4.17 For matters relating to the new 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 potential loss of experienced members of staff continues to be 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. There are diminishing number of Officers with local plan inquiry or examination experience – in respect of preparing and presenting evidence to the Inspector. We remain mindful that any loss of our experienced 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 constitutes 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 (should it happen) 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.

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