



LICENSING AND PLANNING POLICY COMMITTEE

Thursday 14 November 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 (Chair)
Councillor Clive Woodbridge (Vice-Chair)
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 "K. Beldan".

Chief Executive

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

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- Do not stop to collect personal belongings;
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- Do not re-enter the building until told that it is safe to do so.

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Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at Democraticservices@epsom-ewell.gov.uk.

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Questions from the Public

Members of the public who live, work, attend an educational establishment or own or lease land in the Borough may submit a written question to, or ask a question verbally at meetings of the Committee on matters within the Committee's Terms of Reference. Please note questions relating to matters listed on a Committee Agenda cannot be asked.

Written questions must be submitted to the Council's Chief Legal Officer, who can be contacted via the following email address: Democraticservices@epsom-ewell.gov.uk. The written question must arrive by noon on the tenth working day before the day of the meeting. For example, for a meeting on a Tuesday, the request must therefore arrive by noon on the Tuesday two weeks before the meeting.

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 5 - 12)

The Committee is asked to confirm as a true record the Minutes of the Meetings of the Committee held on 12 and 23 September (attached) and to authorise the Chairman to sign them.

4. STATEMENT OF COMMUNITY INVOLVEMENT 2019 (Pages 13 - 56)

The Committee is asked to consider and agree the proposed amendments to the Statement of Community Involvement (SCI) and agree for the Statement to be adopted and published on the Epsom & Ewell Borough Council website along with the adoption statement.

5. LOCAL PLAN - GROWTH AND HOUSING STRATEGY (Pages 57 - 78)

The Committee is asked to consider and agree the Six Principles setting the strategic direction for the new Local Plan Growth Strategy and agree to revisit the Principles in light of further changes to the National Planning Policy Framework or new evidence.

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**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held on 12 September 2019**

PRESENT -

Councillor David Reeve (Chair); Councillor Chris Frost (Vice-Chair); Councillors Monica Coleman, Lucie Dallen, Neil Dallen, Liz Frost, Rob Geleit (from 19.25), Julie Morris and Humphrey Reynolds

In Attendance: Michael Arthur (Honorary Freeman)

Absent: Councillor Clive Woodbridge

Officers present: Amardip Healy (Chief Legal Officer), Ruth Ormella (Head of Planning), Karol Jakubczyk (Planning Policy Manager), Wai-Po Poon (Senior Planning Policy Officer) and Sandra Dessent (Committee Administrator)

7 APPOINTMENT OF VICE CHAIR

In the absence of the Vice-Chair, with the agreement of the Committee Councillor Chris Frost substituted for the meeting.

8 QUESTION TIME

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

Following a request for a question to be put on an agenda item, which is not permissible under the Council's Constitution, the Chairman agreed for a written response to be sent instead.

9 DECLARATIONS OF INTEREST

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

10 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Licensing and Planning Policy Committee held on 13 June 2019 were agreed and signed by the Chairman as a true record.

11 DRAFT HOUSING DELIVERY ACTION PLAN 2019

The Draft Delivery Action Plan identifies 24 actions designed to drive increased housing delivery in the Borough. The Action Plan is required by Government as a result of the Borough failing to deliver 95% Housing delivery for the previous three years. The Housing Delivery Test result identified that the Borough achieved 57% of the requirement placing it 22nd (in terms of under performing) in a list of 105 authorities who are also obliged to prepare an action plan.

It was acknowledged that in light of the high housing requirement it was likely that the Council would fail the Housing Delivery Test (which would be carried out annually) for a number of years and until it could be demonstrated that 95% of the housing had been delivered in addition to this a 20% buffer would be applied to the five year land supply figure until the Council can demonstrate 85% of the housing has been delivered. Whilst it was not possible to predict when a five year housing supply would be achieved, Officers reiterated their commitment to working with members to implement the actions set out in the plan.

The Committee noted the contributing causes for under-delivery and considered the actions required to stimulate growth, and the following points were raised:

- Action 1 – Clarification sought on the member representative for the LEP
- Action 2 - Clarification sought on the Epsom Property Network
- Action 12 – Whilst it was noted that a policy statement had been published regarding the efficient use of land for optimising housing delivery, it was agreed to add a further statement on the website clarifying the position height restrictions.
- Action 17 – Officers confirmed that it was not possible to predict CIL contributions until a Strategic Development Viability Assessment had been carried out
- Action 22 – It was confirmed that the existing Car park working group would be involved in the preparation of a Car Park Strategy aimed at identifying any spare land capacity to deliver additional housing.

Accordingly, the Committee approved the Housing Delivery Action Plan

Postscript: Following the meeting information was submitted regarding Actions 1 and 2, as follows:

Action 1: There is no members representation from Epsom & Ewell. The members of the Coast to Capital board can be found on their webpage:

<https://www.coast2capital.org.uk/the-board/>

Action 2: The Epsom Property Network is organised by Peacocks & Co Solicitors. It is an event held every quarter at different venues around the

Borough. It aims to bring together those in property industry in Epsom, attendees include commercial property agents / owners; estate agents; property lawyers; property finance brokers. The meeting is attended by senior officers of the Council.

12 LOCAL PLAN REPORT UPDATE AND OVERVIEW

The Committee received a report outlining the progress made towards the preparation of the Local Plan.

The three areas covered in the report were:

(1) Progress on technical studies

It was noted that the following technical studies were being prepared to support the emerging Local Plan, which included:

- Strategic Development Viability Assessment
- Spatial Economic Development Strategy
- Retail Needs Study and Town Centre Health Checks
- Sports Facilities Assessment and Playing Pitch Strategy
- Open Space Study
- Habitats Regulation Assessment

It was confirmed that when the studies were available they would be reported to the Committee.

(2) Study to Support the Evolution of Car Parking Standards

It was reported that following approval being sought to use part of the Planning Delivery Grant for a review of the car parking standards in the Borough, a technical study would be commissioned and brought to the Committee for consideration.

(3) Elmbridge Local Plan Regulation 18 Consultation

Members were informed that Epsom & Ewell's neighbouring borough Elmbridge had commenced the consultation on their emerging local plan and officers presented an outline of the five options put forward.

A draft letter responding to the five options was circulated to Members at the meeting congratulating Elmbridge on their clear and concise Issues and Options paper and expressing the Council's support for option 3 – the optimising of urban areas and release of green belt which demonstrated that Elmbridge could meet

its requirement and need. This was important for Epsom & Ewell as this option negated the need to transfer any unmet need.

The Committee discussed the response which was agreed with the addition of the following in the penultimate paragraph:

'We both face challenging housing requirements that have been imposed from central government **and has led to your needing to include green belt in your options.**'

Having considered the Update Report, the Committee:

- (1) Noted the progress being made in preparing the new Local Plan.
- (2) Authorised the commencement of a revision of the Borough wide car parking standards.
- (3) Considered the options set out in the Elmbridge Local Plan Regulation 18 Consultation and the Borough Council's draft response. Subject to the amendment agreed as set out above, approved the draft response as the Borough Council's formal position on the Elmbridge draft Local Plan.

13 STRATEGIC HOUSING MARKET ASSESSMENT UPDATE 2019

The Committee received a copy of the updated Strategic Housing Market Assessment (SHMA) a technical study commissioned by the Council to update the SHMA for Kingston Upon Thames and North East Surrey Authorities 2016. The SHMA would form part of the Council's evidence base for its emerging Local Plan.

It was established that the SHMA is a complex technical study comprising of statistical analysis. Whilst it outlines some objective suggestions it is not a policy document, its purpose is as an evidence base to inform future policy.

From the Executive Summary the Committee noted that the objective housing need calculation took into account 'market signals' and requested a definition of the term.

Accordingly, the Committee noted the contents of the Strategic Housing Market Assessment Update 2019 as a technical study that will form part of the evidence base for the emerging Local Plan.

The meeting began at 7.00 pm and ended at 8.30 pm

COUNCILLOR DAVID REEVE (CHAIR)

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held on 23 September 2019**

PRESENT -

Councillor David Reeve (Chair); Councillor Chris Frost (Vice-Chair); Councillors Lucie Dallen, Neil Dallen, Liz Frost, Julie Morris, Humphrey Reynolds and Clive Smitheram (as nominated substitute for Councillor Clive Woodbridge).

In Attendance:

Absent: Councillor Clive Woodbridge, Councillor Monica Coleman and Councillor Rob Geleit

Officers present: Damian Roberts (Chief Operating Officer), Ruth Ormella (Head of Planning), Karol Jakubczyk (Planning Policy Manager) and Sandra Dessent (Committee Administrator)

14 QUESTION TIME

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

Following a request for a question to be put on an agenda item, which is not permissible under the Council's Constitution, the Chairman agreed for a written response to be sent instead.

15 DECLARATIONS OF INTEREST

No declarations of interests were made by Councillors regarding items on this agenda.

16 DRAFT EPSOM & EWELL MASTERPLAN

The Committee received a draft of the Epsom & Ewell Masterplan which set out a growth strategy to deliver the housing, employment, shops and infrastructure. The Masterplan forms part of the evidence for the emerging Local Plan.

Members made the following comments and suggestions:

- In order to add clarity to the visualisations it was agreed to add information on the densities per hectare of the different types of properties proposed and a comparison with the existing dwellings on the sites identified in the Masterplan.

- The Council's ability to meet its housing target could not be assessed through the Masterplan alone, however it would form part of the evidence to inform the Local Plan.
- It was acknowledged that factors outside the control of the Council effected housing delivery such as developers land banking and the Housing Delivery Action Plan sought to tackle such issues.
- The anticipated increased demand for transport services, in particular trains and buses was highlighted and the necessity to emphasize the greater infrastructure need through the emerging Local Plan.
- It was noted that from planning permission to building completion can be as much five years for major developments and this could impact housing delivery against government targets. The public needed to be aware that the Borough was required to build 11,500 dwellings in 15 years and it was agreed that an appropriate method to endorse the message would be through infra graphics and text.
- It was envisaged that the visualisations in the Masterplan being used for the Regulation 18 consultation would prompt public interest in the Local plan and support increased engagement. To facilitate comprehension of the Local Plan process it was agreed to produce a public document setting out all the key components of the Local Plan to assist with understanding that the Master Plan was a single element that would be combined with many other pieces of evidence to produce the Local Plan
- It was noted that the government's plans to reduce car ownership in the future would be challenging. However it was acknowledged that the evolution of transport infrastructure would take place gradually over the whole plan period
- The importance of tree planting was emphasized and it was noted that Surrey County Council had acknowledged this by announcing a review of their policies and that the Council were committed to working with them to promote the Council's ecological agenda.
- It was acknowledged that the visualisations for Town Ward were based on the existing Plan E Utilities site plans in contrast to the Stoneleigh Station visualisation which was not based on an existing development proposal. It was reiterated that the visualisations were not to be viewed as development proposals and were not based on planning applications.
- It was agreed to include specific reference to the role and function of conservation areas in the Borough and how they form part of the overall vision for Epsom & Ewell.

Officers confirmed that all comments and feedback from Members would be taken back to the Consultant who produced the Masterplan to be worked in to

the final version which would be considered by the Licensing and Planning Policy Committee at a future meeting.

Having considered the Epsom & Ewell Draft Master Plan the Committee:

- (1) Noted the content of the Draft Masterplan and welcomed receiving the final version for approval at a future Committee;
- (2) Endorsed the Vision for Growth set out within the Masterplan (under Part B, Section 3, page 41);
- (3) Agreed the principles (under pages 42 and 43) that had been identified as shaping the Masterplan's Strategy and for these to be taken forward into the emerging Local Plan; and
- (4) Agreed to the use of the proposed visualisations contained throughout the document as part of the Regulation 18 Local Plan public consultation in the Autumn 2019.

The meeting began at 7.00 pm and ended at 8.25 pm

COUNCILLOR DAVID REEVE (CHAIR)

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STATEMENT OF COMMUNITY INVOLVEMENT 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 SCI
Annex 2: SCI Comments and Suggested Actions
Annex 3: Draft Adoption Statement

Other available papers (not attached):

Report summary

During June 2019 the Licensing & Planning Policy Committee approved a draft Statement of Community Involvement (SCI) for the purpose of public consultation.

Consultation on the draft Statement of Community Involvement has now concluded. This report provides the Committee with an overview of the responses submitted to the consultation and the changes proposed.

Recommendation (s)

- (1) That the Committee agree the proposed amendments to the Statement of Community Involvement**
- (2) That subject to the proposed amendments being made, agree that the statement of community involvement 2019 is adopted and published on our website along with the adoption statement.**

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

- 1.1** The delivery and implementation of the Planning Service and its policy and development management functions contributes towards all of the Council's Key Priorities. The Statement of Community Involvement is a critical part of the Council's commitment to the community.

2 Background

- 2.1 The Council is required¹ to prepare a Statement of Community Involvement (SCI) setting out how local communities, businesses and other interested groups can be involved when we prepare our planning policies and determine planning applications.
- 2.2 The SCI is a statutory document which sets out the ways in which the council will engage with residents, communities, businesses, local organisations and other groups to ensure as many people as possible are able to have a say in planning decisions that affect them. It provides guidance on how the planning system works and sets out how the Council will inform, consult and involve people in planning decisions within the Borough. A copy of the Draft SCI is enclosed under Annex 1.

3 Responses to the Consultation

- 3.1 The consultation ran from 28 August to 18th October for a period of 7 weeks. An email was sent to over 1,000 consultees on our consultation database, plus local planning agents who have recently submitted two or more applications. Notification was placed on our website (front page and planning pages) and the documents were made available to view at the Town Hall and local libraries. Responses were received from 24 different respondents consisting of:

- 12x Local Residents
- 1x Residents Association Group
- 3x Councillors
- The Environment Agency
- Transport for London
- Historic England
- Highways England
- Natural England
- Phab (Charitable organisation)
- A planning agent
- The RAC Club

¹ The requirement comes through the Planning and Compulsory Purchase Act 2004.

- 3.2 Following the consultation the responses have been reproduced in Annex 1, together with any suggested amendments. It is suggested that the following amendments are made to the SCI 2019:
- A) Page 8: Paragraph 2.4.2. Remove '*both thematic and site specific*'.
 - B) Page 12: Paragraph 2.7.3. Add '*hard to reach*' before groups.
 - C) Page 12: Paragraph 2.7.3 Add '*For example a spoken word version of a consultation document for the visually impaired can be produced and for public exhibitions we will ensure that the consultation premises are fully accessible*'.
 - D) Page 13: Paragraph 2.8.3. Add '*For example for young people it may be preferred to take the consultation to meeting places such as the sixth form or college.*'
 - E) Page 15: Remove three duplicate paragraphs 3.3.1 3.3.2 3.3.3
 - F) Appendix 1: Add after 'Older persons groups' a bracket (For example age concern and local care homes)
- 3.3 Many of the responses from residents to this consultation are unrelated to the SCI document and are either in relation to specific sites in the Borough or to the Draft Epsom and Ewell Masterplan that was discussed at Licencing Planning Policy Committee of the 23rd September 2019. These comments have been noted but as they did not directly relate to the document, they have not resulted in proposed amendments.

4 Financial and Manpower Implications

- 4.1 The preparation and production of the draft Statement of Community Involvement and the subsequent public consultation has been undertaken using existing internal resources. This has had minor resource implications that have been contained and managed within the Planning Policy Team.
- 4.2 **Chief Finance Officer's comments:** None arising from the contents of this report.

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

- 5.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires every local planning authority to have a Statement of Community Involvement. This must cover the preparation of planning policy documents, and the exercise of functions of the control of development including planning applications and development orders.
- 5.2 **Monitoring Officer's comments:** None arising from the contents of this report.

6 Sustainability Policy and Community Safety Implications

6.1 None for the purpose of this report.

7 Partnerships

7.1 None for the purpose of this report.

8 Risk Assessment

8.1 Having an up to date Statement of Community Involvement is a requirement for the Planning Service and ensures engagement is being undertaken in accordance with legislative requirements and good practice.

9 Conclusion and Recommendations

9.1 The Statement of Community Involvement Consultation has resulted in six recommended amendments to the text of the document.

9.2 The Committee are asked to consider the responses (set out in full in Appendix 1) and suggested amendments to the document set out above.

9.3 Subject to agreement of the proposed amendments, the Committee are asked to agree that the Statement of Community Involvement 2019 is adopted and published on our website along with the Adoption Statement.

Ward(s) affected: (All Wards);

Community Involvement 2019



LOCAL
DEVELOPMENT
FRAMEWORK

Table of Contents

1	Introduction	
1.2	Policy Framework	3
1.2	General Consultation Principles	4
1.3	Planning Responsibilities of Officers and Councillors	5
2	Planning Policy Documents	
2.2	Development Plan	6
2.3	Local Plan	7
2.4	Supplementary Planning Documents	8
2.5	Neighbourhood Plans and Neighbourhood Development Orders	9
2.6	Other documents	11
2.7	Who will we consult in plan-making?	13
2.8	How will we consult in plan-making?	13
3	Planning Applications	
3.2	Pre-application Advice	15
3.3	What happens when a planning application is received?	17
3.4	How is a planning application determined?	18
3.5	Assisting the Local Planning Authority	18
3.6	Post decision	19
3.7	How will we consult on Planning Application Proposals	19
	Advertisements in the local press	19
4	Review of the SCI	
	Review	22
	Appendix 1 - Consultees	22
	Glossary of Terms	24

1 Introduction

- 1.1.1 The council is committed to engaging with local people, organisations and businesses to get their views on different aspects of its work. This insight helps improve council services and is a key part of making good policy decisions. Planning directly affects the places where people live and work and meaningful public consultation and engagement on all aspects of planning is vital. It allows communities to have an input in the Planning system and by maintaining community involvement at the centre of what the council does, we can gain a real understanding of our communities' priorities. This helps the council to develop the right policies and proposals for the future.
- 1.1.2 The Statement of Community Involvement (SCI) relates to planning only. It outlines the consultation and engagement methods that the council will use to involve interested residents, groups, organisations, businesses, other representatives and individuals in the planning process. It explains who will be consulted, when and how. The document describes how the council will involve the community and stakeholders in the preparation and review of planning policy documents (chapter 2) and also the consideration of planning applications (chapter 3).
- 1.1.3 The SCI complements the council's broader commitment to effective consultation and engagement, access to information, and openness. The SCI is also guided by the Government's Consultation Principles: Guidance (last updated 2018) which provides guidance on how consultations should be conducted in general, by adopting a more proportionate and targeted approach.

1.2 Policy Framework

- 1.2.1 The duties to engage the community in planning matters and to prepare the SCI arise from the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.
- 1.2.2 This legislation requires the Local Planning Authority to prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications.
- 1.2.3 There is a clear emphasis through national policy on encouraging early and consistent community involvement. The National Planning Policy Framework (NPPF) refers to early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area (section 3). The NPPF also reflects the importance of community engagement before planning applications are submitted (section 4).
- 1.2.4 The role of consultation in the planning system is pivotal. The legislation sets out the minimum standards for publicity and consultation which are set out in the relevant sections below. The council will always meet these requirements and, where appropriate and resources allow, will seek to go beyond them to secure wider-ranging involvement in plan-making.

1.2 General Consultation Principles

- 1.2.5 When carrying out formal consultations, the council follows the Government's Consultation Principles guidance (2018), which give general guidance on how consultations should be carried out. Importance is placed on trusted channels of communication and consultation that should be used to engage effectively with all groups of stakeholders, including individuals.
- 1.2.6 The council also recognises that planning material is often technical in nature, so consultation documents will be as clear and concise as possible, with minimal use of 'jargon' to avoid detracting from the complexities of issues involved.
- 1.2.7 The council will ensure that it meets the public sector equality duty (Equality Act 2010), which aims to promote equality, eliminate discrimination and encourage good relations between different groups associated with age, disability, gender/gender reassignment, race, religion and other protected characteristics. Engaging with residents and other stakeholders is key to meeting this duty to better understand the needs of diverse groups.
- 1.2.8 The council expects and encourages its partners, relevant statutory and non-statutory bodies and applicants to undertake timely consultation which is appropriate, accessible, targeted and on-going.



1.3 Planning Responsibilities of Officers and Councillors

- 1.3.1 Council officers are responsible for preparing relevant evidence in order to develop planning policies and proposals for development through planning policy documents and making a recommendation on planning applications. These must be supported by sound technical advice on matters including but not limited to; highways, drainage, and conservation. The needs of the community will also be taken into account. Planning officers work closely with other teams in the council, in order to formulate policies and development options.
- 1.3.2 The council also works closely with statutory consultees such as Surrey County Council in respect of its statutory planning functions and its role as local highways authority, local education authority and lead local flood authority.
- 1.3.3 Most planning applications are dealt with by council officers under the scheme of delegation. The Epsom & Ewell Constitution sets out the circumstances under which applications will go before the Planning Committee to be determined by councillors. Anyone can request to speak at Committee in line with the Constitution.
- 1.3.4 Elected Councillors are ultimately responsible for decision-making in the council, as set out in the Council's Constitution. They are involved in all stages of the production of planning policy documents, through the established Committees. Where appropriate, subcommittees or steering groups of members provide focused input on detailed planning matters.
- 1.3.5 Councillors make up the Licensing and Planning Policy Committee, and the Planning Committee. The Planning Committee meets to determine planning applications which are not determined under delegated powers. Both Councillors and officers are required to act within the Code of Practice which is part of the council's Constitution.



2 Planning Policy Documents

2.1.1 There are various planning policy documents prepared by the council, all with different processes for preparation and public involvement. Legislation details the minimum standards for publicity and consultation. The council will always meet these requirements and, where suitable, will seek to go beyond them to secure wider-ranging involvement. The SCI sets out the council’s policy for discharging its duties by setting out how and when the local planning authority will engage and consult.

2.2 Development Plan

2.2.1 The existing Development Plan for Epsom & Ewell Borough comprises the:

- Surrey Minerals Plan,
- Surrey Waste Plan,
- Core Strategy 2007,
- Plan E 2011: Area Action Plan for the Town Centre
- Development Management Policies (2015).

Sitting alongside these are various Supplementary Planning Documents and guidance. Figure 1 sets out diagrammatically how all these documents fit together.

2.2.2 In Surrey, planning policies relating to minerals and waste are prepared by Surrey County Council. Planning applications for minerals and waste developments are determined by Surrey County Council. The County Council is responsible for preparing and maintaining a Minerals and Waste Plan, providing the policy framework for new operations in the County. Epsom & Ewell Borough Council engages with the County in this process. Further details about the programme for preparing these plans and opportunities for involvement in the process are published on Surrey County Council’s website.



Figure 1 Diagram showing the hierarchy of documents within the Development Plan

2.3 Local Plan

2.3.1 Epsom & Ewell Borough Council is currently working on a new Local Plan. The Local Plan (or Development Plan Documents) is the statutory plan setting out the principal policies and proposals for land use and development in the borough. It contains the overall vision and objectives, the development strategy for the area, allocates sites for development and sets out a suite of policies used in decision making on planning matters.

2.3.2 Figure 2 provides further detail of the relevant stages involved in preparing a new development plan document and sets out the opportunities for stakeholder engagement as early as the evidence gathering stages through to adoption and implementation.

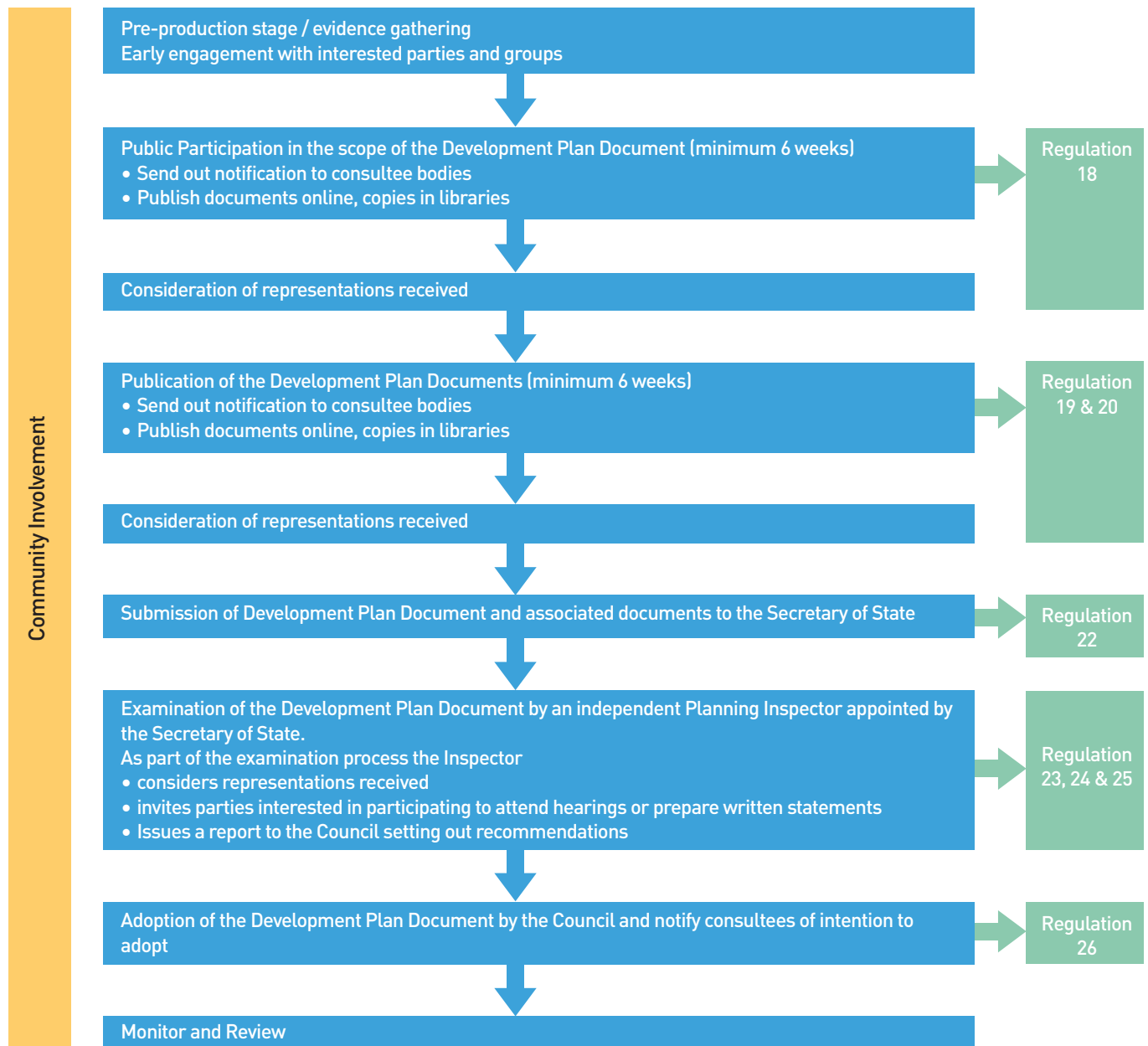


Figure 2 - Preparing Development Plan Documents ¹

¹The Town and Country Planning (Local Planning) (England) Regulations 2012

2.3.3 The programme for the preparation and review of planning policy documents is set out in a Local Development Scheme (LDS) which lists the planning documents that the council intends to produce and the timetables for their preparation. When the LDS is updated it will be published on the council's website.

2.3.4 Each Development Plan Document is accompanied by a Sustainability Appraisal (SA) /Strategic Environmental Assessment (SEA) which shows how the policies reflect sustainable development objectives. The council also prepares an Annual Monitoring Report (AMR) on an annual basis to assess whether adopted planning policies are being successfully implemented and achieving the intended aims and objectives.

2.4 Supplementary Planning Documents

2.4.1 Supplementary Planning Documents (SPDs) provide supplementary information in the form of site based or topic based guidance to support specific Local Plan policies. The council's policy for consultation and engagement on the development of new SPDs is set out in Figure 3.

2.4.2 SPDs may cover a range of issues, both thematic and site specific, which support policies in the Local Plan. They do not set new policy or allocate land. SPDs may take the form of design guides, area development briefs, masterplans or issue-based documents. Whilst there is a formal process for preparing SPDs, and are adopted formally by the council and are material considerations in the determination of planning applications; they do not form part of the development plan.

2.4.3 The level and extent of consultation required in the preparation of a SPD is generally less than that for a Development Plan Document and the methods used will vary, proportionate and relevant to its content. If the SPD is a technical document, the emphasis may be more focused, on established forms of consultation with stakeholders that are relevant to the topic involved, including statutory consultees, specialist bodies, local groups. If the matter is specific to a location, in addition to the above, the council will aim to engage with local residents and groups through meetings/workshops or via Borough wide publications. Figure 3 below sets out the key stages in preparation and the opportunities for engagement at each stage.

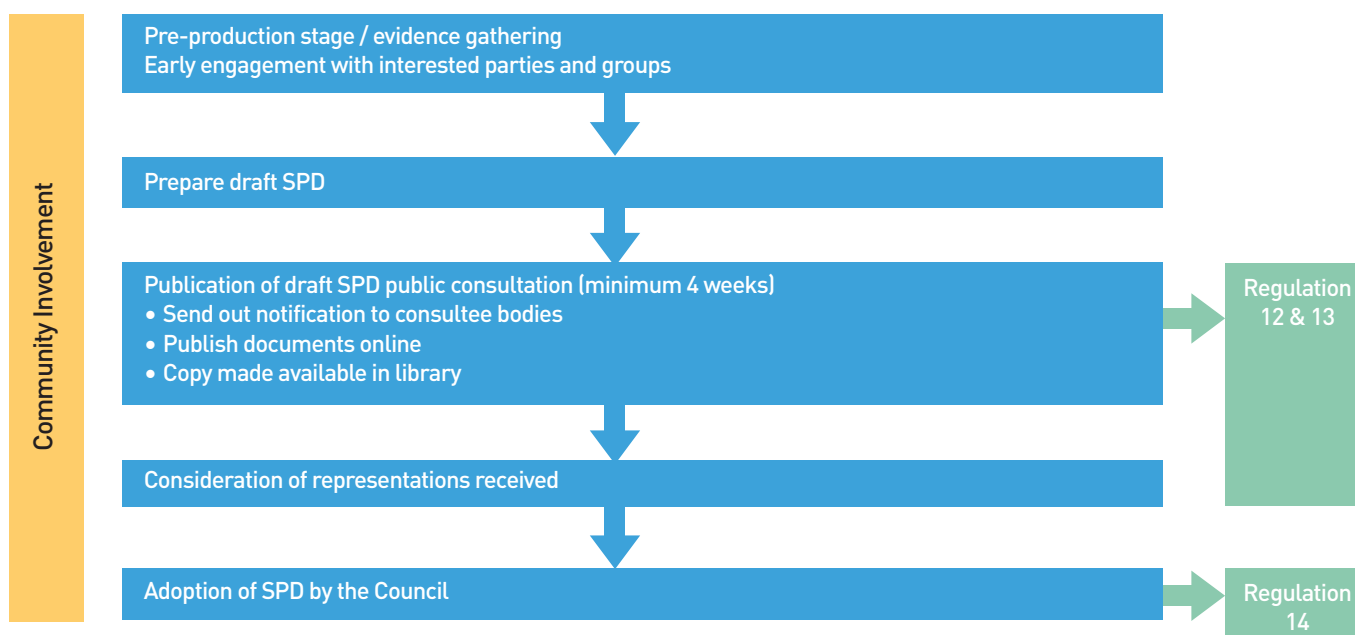


Figure 3 - Preparing Supplementary Planning Documents (SPD) ²

²Town and Country Planning (Local Planning) (England) Regulations 2012

2.5 Neighbourhood Plans and Neighbourhood Development Orders

2.5.1 Neighbourhood Plans and Orders are an alternative means of developing policies and proposals at the local neighbourhood level.

- **Neighbourhood Plans** allow communities to establish general planning policies for the development of land in the area. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. This means that the council and planning inspectors will need to take the plan into consideration when making planning decisions.
- **Neighbourhood Development Orders** (including community right to build orders) grant planning permission for a specific type of development in a particular area. This could be either a particular development or a particular class of development such as housing or retail.

2.5.2 These can be prepared by a duly constituted 'neighbourhood forum'. The council has a duty to support neighbourhood planning. Figure 4 for the key stages.

2.5.3 The neighbourhood forum is responsible for public consultation and engagement in the earlier stages of the process, whilst the council undertakes consultation on the final draft version of the Plan or Order (Submission stage and organises the referendum). Following a positive referendum result a Neighbourhood Plan will form part of the development plan for the borough and will have the same weight as other development plan documents such as the Local Plan.

2.5.4 Neighbourhood planning was introduced by the Localism Act (2011). It is a way for communities to decide the future of the places where they live and work by having more of a say in where new homes, businesses, shops and community facilities should be placed in their local area, along with being able to allocate sites for development. Where they choose to, local people can draw up a plan or a development order.

2.5.5 Like local plans, regulations cover Neighbourhood Plan/Orders preparation, including consultation requirements. Regulations also cover the referendum stages. The council's role is to provide advice and support to groups developing a plan. It is the neighbourhood forum's that is responsible for public consultation and engagement in its preparation of a plan up to submission of the final draft ('proposed submission').

2.5.6 Figure 4 below sets out the various stages in preparing Neighbourhood Plans/Orders, the opportunities for engagement and whether consultation is being carried out by the Neighbourhood Forum or the borough council.

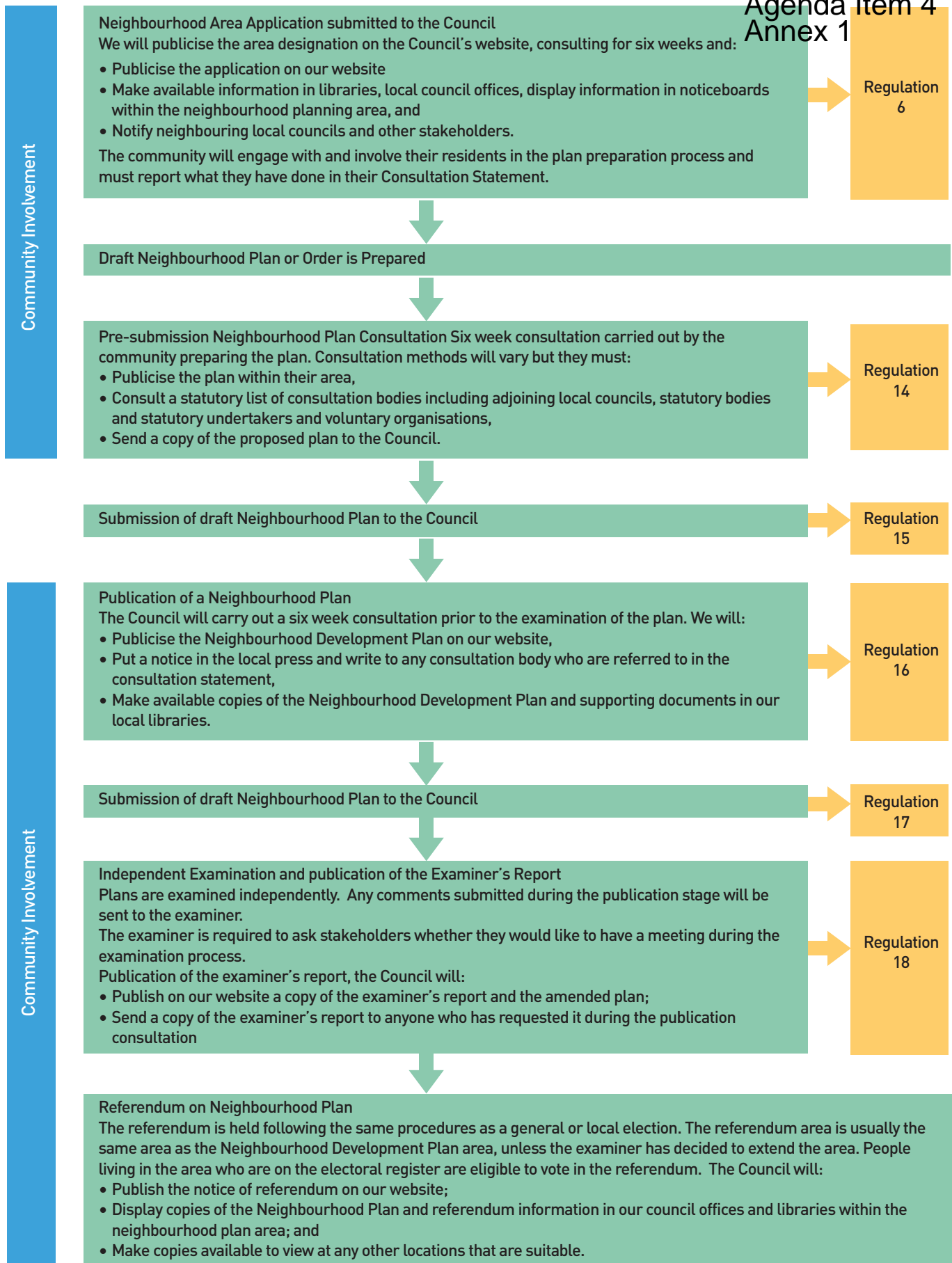


Figure 4 – Preparing Neighbourhood Plan

2.6 Other documents

Community Infrastructure Levy

2.6.1 Community Infrastructure Levy is a charge that allows local authorities to raise funds from most types of new development in their area to fund essential infrastructure. Local authorities who decide to introduce a CIL are known as charging authorities and must produce a Charging Schedule which sets out the levy rate (s) that the authority will charge Figure 5 sets out the process and opportunities for engagement in establishing and reviewing the Community Infrastructure Levy.

2.6.2 The Community Infrastructure Regulations 2010 (as amended) sets out the procedure that charging authorities must follow prior to adopting a Charging Schedule.

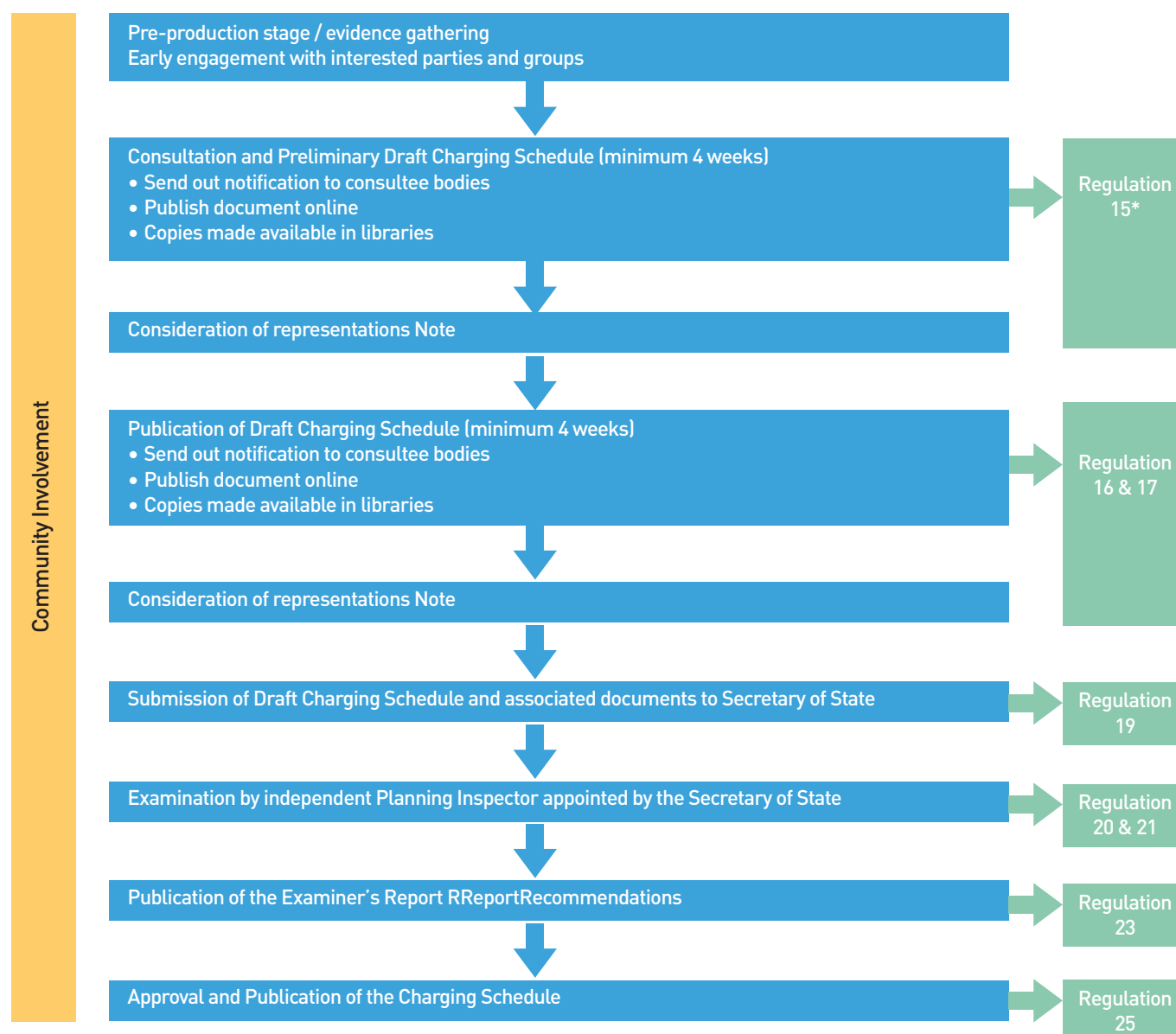


Figure 5 - Preparing Community Infrastructure Levy ³

³The Community Infrastructure Levy Regulations 2010

* Note: Recent MHCLG consultation for revised regulations Reforming developer contributions: Technical consultation on draft regulations (Dec 2018) that will see the removal of Reg 15 consultation.

- 2.6.3 Epsom & Ewell Borough Council adopted its CIL in 2014. It is intended to review approximately every three years and/or in tandem with the preparation of the Local Plan. Consideration will also be given to a review of CIL should there be significant changes in the costs and values of development. In the event of a review of CIL, it will be necessary to repeat the processes outlined above.
- 2.6.4 It is intended to provide details of CIL income received through the Council's Monitoring Report and the budget setting process that is undertaken each year. This will highlight the amount received each year, as well as providing details of the overall CIL received, and spent over the longer-term.

Evidence Base

- 2.6.5 The council maintains an evidence base to support the Local Plan/Development Plan Documents. This evidence base is wide ranging and includes evidence relating to housing, employment and retail requirements, land supply assessments, landscape, biodiversity, green infrastructure, flood risk and infrastructure. The council will undertake targeted consultation on evidence base studies where suitable to the topic and provide notifications when new evidence is published. The complete set of evidence base documents will be published and maintained on the council's website.

Registers

- 2.6.6 The council also has a duty to publish a Brownfield Land Register of previously developed land suitable for housing. Proposals to give any of the land on the register Permission in Principle will be the subject of consultation in line with the regulations.

2.7 Who will we consult in plan-making?

- 2.7.1 All planning policies and decisions have the potential to affect a number of people, including many who are not directly involved. The level of impact would depend on the nature of the proposals. It is important, therefore, to ensure that opportunities for involvement in the decision making process are as wide as possible. Interested parties can range from individuals living next to a proposed development, to a local interest group or parish council, a service provider, a government department or a neighbouring authority.
- 2.7.2 Regulations specify which bodies/organisations that local planning authorities must consult when preparing planning policy documents.. They include 'specific consultation bodies' and various types of 'general consultation bodies'. Specific consultation bodies include utility companies, government agencies, and local authorities. General consultation bodies include voluntary bodies active in the area and those bodies which represent the interests of different racial, ethnic or national groups, different religious groups, disabled persons, and persons carrying out business in the area. The council also has a legal 'duty to co-operate' with other local councils and infrastructure providers in relation to strategic cross boundary issues. These bodies/organisations are set out in Appendix 1.
- 2.7.3 In addition to the individuals and organisations referred to above, it is recognised that some parts of the community are not always adequately represented such as gypsy and traveller communities in the area, the young and the elderly. The council will work closely with relevant organisations that have experience in a particular matter to find the best way of consulting and liaising with these groups.

2.8 How will we consult in plan-making?

2.8.1 The council considers wide engagement to be important so suitable methods to engage and consult need to be considered in order to meet and build on the statutory regulations. The council will carefully consider how consultations are run in order to ensure that all members of the borough's diverse community are made aware of relevant planning proposals and opportunities in order to comment on them. The council will use a range of consultation techniques during periods of public consultation, building on those methods of communication that are already used but also using new and evolving methods. The following outlines some of the different methods of consultation which will be utilised.

Online engagement

2.8.2 The type of online engagement used will depend on the issues that are being considered.

- Website: The council's website will be regularly updated with information about the Local Plan and other planning policy documents. The council will advertise all consultations on its website and upload electronic versions of documents online to view on dedicated pages.
- Social media: The council will make use of social media where appropriate and will post information on Facebook, Twitter and other social media platforms to promote consultations, as suitable. Whilst social media will be used to publicise formal periods of consultations, representations will not be accepted via social media.

Face-to-face engagement

2.8.3 Sometimes speaking directly to someone is the best way to understand a person's point of view. The following face-to-face engagement will be used, depending on the issues involved:

- Manned exhibitions: will be held on significant consultations, such as those associated with the Local Plan, where suitable, to engage people in shaping plans for the borough. This technique allows people to speak directly to officers involved in planning. The aim will always be to locate such exhibitions in close proximity to the areas most likely to be affected.
- Smaller exhibitions: these may be held for significant consultations, or if proposals relate to a particular locality. They will be held in locations that people are likely to visit regularly such as town and local centres, libraries or the Town Hall. These may be unmanned and/or in drop-in session format.
- Meetings/engagement with particular groups: these will be used to get in-depth comments on specific planning issues from a small cross section of individuals. They are useful to bring different perspectives together to discuss a particular theme in a structured way. Meetings may be appropriate to discuss issues of a technical nature, such as with specific statutory bodies and service providers, or with key stakeholder groups.

Written notifications

2.8.4 For all statutory consultations, the council will contact all known consultation bodies (including those listed in Appendix 1) directly, either by email or letter, along with anyone who has asked to be notified when consultation is taking place. Details of consultation and the availability of documents will be set-out in this communication.

2.8.5 Individuals can ask to be added to the planning policy consultation database at any time by contacting the planning policy team or filling in a form on the council's website.

Publicising consultations

- 2.8.6 The council will publicise consultations through a variety of means, including articles in Borough Insight magazine, which is circulated to all homes in the borough. As suitable, the council will also produce consultation materials, such as leaflets to help publicise significant consultations.
- 2.8.7 Public notices will be published in local newspapers when appropriate and press releases and/or briefings to convey information to wider audiences will also be used where appropriate.

Making consultation material available

- 2.8.8 The council will, as well as publishing draft documents and consultation material online, provide hard copies for inspection at the Town Hall and at libraries across the Borough.

3 Planning Applications

3.1.1 Our Development Management Team handles around 1800 planning applications each year, carrying out notification and consultation as set out in this document. This ensures that any person or group interested in a planning application has the opportunity to view and comment on the proposals. We are committed to ensuring that any views given on material planning matters are considered when determining a planning application.

3.1.2 This section details:

- The pre-application procedure, and advice available from the council
- What happens when a planning application is received?
- How a planning application is determined?
- What happens once a planning application is determined?
- How we will consult on planning applications

3.1.3 It also sets out how the council handles larger or more significant planning applications, which may impact on a greater number of people and guidance for developers in informing neighbours and other interested parties.

3.2 Pre-application Advice

3.2.1 Applicants or developers are encouraged to consult with the local community before submitting planning applications which are likely to generate public interest. Such consultation should be accessible and clear to the whole community.

3.2.2 The council welcomes and encourages discussions with applicants before planning applications are submitted. Receiving considered advice prior to the formal submission of a planning application can ensure that the quality of a development is improved and that certainty in the outcome can be increased for the applicant.

3.2.3 Seeking pre-application advice gives applicants the opportunity to discuss the principle of the development proposals with an officer. It also enables officers to identify any potential issues and provides a number of benefits:

- Providing an opportunity to better understand how an application will be judged against the policies in the development plan and other material considerations.
- Identifying, at an early stage, where there is a need for specialist input such as with regard to listed buildings, trees, landscape, green Infrastructure and natural green space noise, health, contaminated land or archaeology.
- Providing the opportunity to modify a proposal to make it potentially more acceptable to the council and anticipating other regulatory requirements.
- Improving the design and quality of the finished scheme.
- Indicating at an early stage if a proposal is unacceptable, saving the cost of pursuing a formal application.
- Avoiding rejection at registration stage or early refusal of permission because of inadequate or insufficient information.
- Allowing discussions on and the preparation of legal agreements, where appropriate, in advance of an application being received and for negotiations to consider land value constraints.

- 3.2.4 Further information on this service, which is subject to a charge can be found under Planning Performance Agreements webpage on the Council's website.
- 3.2.5 According to the size and nature of the proposals, there are a number of pre-application options available:
- Duty planning service - offers verbal advice and informal small scale domestic (excluding new dwellings) and small scale business projects only.
 - Written submission - is another available route for those proposals which fall outside of the scope of the duty planning service.
- 3.2.6 Formal written submissions are charged and the council will endeavour to provide a written response within 25 working days and agreed longer timeframes with larger or more complex developments.
- 3.2.7 The service provided is multidisciplinary and proactive, with ready access to professional advice and guidance from internal officers involved in the development process.
- 3.2.8 Larger and significant or complex planning applications may also require involvement of external statutory bodies such as Surrey County Council (as the Local Highway Authority and Lead Local Flood Authority), the Environment Agency, Natural England, Historic England, Highways England and water companies who operate their own pre-application advice services. The Local Planning Authority will advise if contact should be made directly with these bodies when providing their written response.
- 3.2.9 The council additionally encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application, as advocated in the National Planning Policy Framework. Such consultation could be with key groups, neighbouring properties or interest groups local to the development site and include methods such as a public exhibition or meeting/discussions with affected individuals. Although developers are not statutorily required to undertake this consultation, benefits include:
- providing an opportunity for developers / applicants to explain proposals,
 - identify any local issues, clarify elements of the proposals and identify any additional information needed;
 - assisting in saving time in obtaining a decision on a planning application;
 - creating a more sustainable and acceptable development through understanding of local community needs;
 - avoid appeals and call-in procedures.
- 3.2.10 Under the Freedom of Information Act, the council may consider pre-application submissions, which are commercially sensitive, as confidential. A public interest test will be applied to decide whether a proposal can be deemed as confidential. Should the information fall outside of this category or a planning application is submitted on the site for a similar scheme, the information may be made available to the general public.

3.3 What happens when a planning application is received?

- 3.3.1 All planning applications are checked to ensure the necessary plans and details are provided, upon which the application can be determined. When an application has been validated, neighbours (those occupying buildings adjoining the site) are notified by letter. Consultees are also notified (as relevant, depending on whether the application is major or minor) such as Natural England and the Environment Agency along with infrastructure providers such as water companies.
- 3.3.2 All planning applications are placed on the council website for public view ⁴. In some cases, there is a requirement for a notice to be placed in the local press. Full details of the notification undertaken are provided in Figure 6.
- 3.3.3 Comments are invited on planning applications for a period of 21 days, which is a statutory period set by government. A notification does not need to have been received in order for a member of the public to make comments to an application. All comments received prior to the determination of an application, even if outside of the 21 day publicity period will be taken into consideration. In most cases a site notice is provided for planning applications and this should be displayed for 21 days.

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⁴ Planning applications date from the mid-1980s onwards. In some instances the information on the website may be limited therefore the council also holds further information on microfiche

3.4 How is a planning application determined?

- 3.4.1 Whilst a planning application is determined primarily against the Development Plan and National policies, material consideration is also given to:
- representations of objections and support,
 - advice from external specialist advisors such as Historic England or the Environment Agency
 - government guidance
 - any other material considerations which can include supplementary planning guidance
- 3.4.2 The council will determine planning applications on the information submitted. There may however be some circumstances whereby, at the discretion of the council, amendments can be accepted prior to a determination to resolve outstanding issues. In these instances, the case officer will provide the necessary time in order to provide the applicant with an opportunity to amend the application depending on the degree of change.
- 3.4.3 Amendments may be subject to re-consultation with neighbours and other consultees. Significant amendments which notably alter a development are unlikely to be accepted following registration and the applicant will be invited to withdraw and resubmit a fresh application so as to reduce delay as much as possible.
- 3.4.4 Following review and analysis of all the information and submissions to a development proposal, a report is prepared on the acceptability of the development. The decision as to whether or not to grant planning permission is made either under delegated powers by the Head of Planning, or by the Planning Committee. The route for determining an application is governed by the type of application with all major applications being determined by the Planning Committee and whether a councillor has requested that the matter be determined by the Committee.
- 3.4.5 Should an application be referred to the Planning Committee, the applicant, agent, and any person who wishes to speak can attend the Planning Committee and register an interest to speak prior to the meeting.
- 3.4.6 There is opportunity for parties to present their representation to the Members of the committee at the meeting, subject to a time limit, which is set out in the council's Constitution.
- 3.4.7 Once a planning application is determined, a Decision Notice is issued. This is either a Notice of Refusal or a Notice of Approval and is sent to the applicant or their agent. A copy of the officer report is made available on the council's website, in addition to the Decision Notice.

3.5 Assisting the Local Planning Authority

- 3.5.1 The council expects planning applications to be determined within timescales set by national guidance unless an alternative period has been agreed (in writing) with an applicant to allow positive and proactive discussion. The national targets are as follows:
- Major applications accompanied by an Environmental Impact Assessment – sixteen weeks
 - Major applications – thirteen weeks
 - Minor and other applications – eight weeks

3.6 Post decision

- 3.6.1 If a planning application has been refused, the applicant may choose to appeal against this decision to the Planning Inspectorate. Where comments of objection or support have been made on a planning application which is subsequently refused and where an appeal is lodged, the responders are contacted to inform them of the appeal.
- 3.6.2 The grant of planning permission is commonly subject to planning conditions which may require the submission of further information to the council for approval. This may address matters such as materials, landscaping, natural green space and green infrastructure provision or management, tree protection, contaminated land or highway requirements.
- 3.6.3 The council will seek to deal with such applications within eight weeks from the date of receipt. Submissions made for the approval of details are not subject to publicity.
- 3.6.4 A breach of planning control can be reported confidentially to the council's planning enforcement team to investigate via a complaint form on the council's website. Should this lead to legal proceedings, necessary disclosure may apply.

3.7 How will we consult on Planning Application Proposals

- 3.7.1 The requirements for notification of planning applications are set out primarily in the Town and Country Planning (Development Management Procedure) Order 2015. We comply with these minimum requirements, and exceed them where appropriate as set out in Figure 6 to ensure that all affected and interested parties have opportunity to make comment.

Advertisements in the local press

- 3.7.2 Advertisements are placed in the local printed press to advise of new development proposals in the area. These appear in the newspaper on a weekly basis.
- 3.7.3 Advertisements are also published on the website (www.epsom-ewell.gov.uk) and can be found using a number of different search criteria. The submitted documents can be viewed online.

Site notices

- 3.7.4 Site notices are printed by the Council and displayed on the site for 21 days (the first date of display is recorded by the case officer). This is a legislative requirement, and has to be satisfied for the application to be considered and determined. It is the applicant / land owners' responsibility to maintain these notices for the consultation period.

Neighbour notification

- 3.7.5 Neighbour notification of an application is in the form of a letter giving brief details of the proposal, details of where and when the application may be seen, and the last date for comments (normally 21 days from the date of the letter). Letters are addressed to 'the occupier/owner'. Neighbours notified are those occupied buildings adjoining the site and those which may be affected by the development. The decision on which properties 'may be affected by the proposed development' is made by the Case Officer. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site.

The local authority recognises that some periods of the year neighbours may not be present due to holiday periods. The consultation process is required to commence once the application is validated. Due to strict central government targets a delay in neighbour consultation periods cannot be agreed.

Additional notifications

- 3.7.6 Any request for additional notification of an application is considered by the Case Officer, however a notification does not need to have been received in order for a member of the public to make comment, and this would always be stressed when any request is received. Qualifying Bodies will be notified of any planning applications or alterations to planning applications in their area where there is an advanced Neighbourhood Plan (a plan which has been examined) and the qualifying body has not confirmed in writing to the Local Planning Authority that it does not wish to be notified.

Pre-decision Amended Plans

- 3.7.7 At the request of a developer / applicant pre-decision amendments can be accepted, at the discretion of the Case Officer. Re-notification for 14 days may occur, but normally only if the amendments are significant alterations or increase the size of the proposal. If the proposal remains very similar, or would reduce in size and impact, then re-notification would not normally occur.

Post-decision Amended Plans

- 3.7.8 Post-decision amendments are only accepted if the amendments are very minor, and are considered on a case by case basis.
- 3.7.9 In circumstances where amendments are accepted, the amendments will not be the subject of publicity. This is because there is no provision within the legislation for post-decision amendments, and thus only very minor alterations are accepted by this Authority.

TYPE OF APPLICATION	METHOD OF PUBLICITY				
	Press notice	Site notice	Neighbour notification with boundaries abutting an application site	Internal and/or External Consultation	Online planning register
Major (10+ homes, Development of 1,000m2 or more or Site area of 1ha or more)	✓	✓	✓	✓	✓
Application accompanied by an Environmental Statement	✓	✓	✓	✓	✓
Departure from the Development Plan	✓	✓	✓	✓	✓
Minor Development (1-9 homes or development of less the 1,000m2)	✓	✓	✓	✓	✓
Householder Developments			✓	✓ where applicable	✓
Development affecting the setting of a Listed Building	✓	✓	✓	✓	✓
Development affecting the characters or appearance of a Conservation Area	✓	✓	✓	✓	✓
Permitted Development rights prior notification and approvals			✓ Only if a prior approval application	✓ Only if a prior approval change of use application	✓

Figure 6 - Table showing the categories of planning applications and the method of publicity used

4 Review of the SCI

- 4.1.1 The SCI will be kept under regular review and be updated when necessary to correct factual changes not material to its principles. It is anticipated that this SCI will last at least five years. The need for a full review of the SCI will be explored through the Authority Monitoring Report (AMR) which will monitor its effectiveness. Account will be taken of the overall number and types of participants involved as documents are progressed and any feedback received about the success or otherwise of the involvement techniques used.
- 4.1.2 Changes to the SCI may also be instigated by further revisions of the regulations which govern publicity and involvement in the planning policy preparation and planning application processes.
- 4.1.3 Any necessary changes will be made following appropriate public consultation, having regard to emerging best practice guidance and/or changes in legislation.

Appendix 1 - Consultees

Duty to Co-operate Organisations

Organisations which Epsom & Ewell Borough Council has a duty to cooperate with:

- Surrey County Council
- Mole Valley District Council
- Elmbridge Borough Council
- Reigate and Banstead Borough Council
- London Borough of Sutton
- Royal Borough of Kingston Upon Thames
- The Environment Agency
- Historic England
- Homes England
- Clinical Commissioning Groups
- NHS England
- Highways England
- Transport for London
- Local Enterprise Partnership
- Local Nature Partnership
- Civil Aviation Authority

Specific Consultation Bodies

Organisations who have been identified under the requirements of the town and Country Planning (Local Planning) (England) Regulations 2012 that may have an interest in the proposals within a Development Plan Document are set out below. There is duplication with the prescribed authorities for the purposes of the Duty to Cooperate requirements. Where bodies listed cease to exist, successor bodies will be consulted.

- Local Planning Authorities:
- Surrey County Council
- Mole Valley District Council
- Reigate and Banstead Borough Council
- Elmbridge Borough Council

- London Borough of Sutton
- Royal Borough Kingston Upon Thames
- Other organisations and bodies
- The Coal Authority
- The Environment Agency
- Historic England
- Natural England
- Network Rail Infrastructure Ltd
- Highways England
- NHS Trusts and Clinical Commissioning Groups
- Utility companies including gas and electricity, sewage and water, and telecommunications operators
- Homes England
- Police and Crime Commissioner
- Sport England
- National Amenity Societies

General Consultation Bodies

In addition to the specific consultation bodies listed above, the council / qualifying body will involve as many people and groups as possible in preparing Development Plan Documents and Supplementary Planning Documents.

- | | |
|--|---|
| <ul style="list-style-type: none"> • General Consultation Bodies: • Local political parties / associations • Older persons groups • Religious groups • Transport providers / operators • Housing interest groups • Gypsy and Traveller and Travelling Show people organisations • Crown Estate • Other voluntary bodies | <ul style="list-style-type: none"> • Epsom Civic Society • Environmental groups • Tree Board • Council for the Protection of rural England • Minority ethnic groups • Youth groups, schools and colleges • Royal Mail Group • Other relevant groups |
|--|---|

Neighbourhood Development Orders and Community Right to Build Orders require qualifying bodies to notify specific bodies depending on the specific location of the proposed Order. The full list is set out in the Neighbourhood Planning (General) Regulations 2012 (Schedule 1).

Planning applications

The full list of statutory consultees is set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Glossary of Terms

Authority Monitoring Report (AMR): assesses the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

Community Infrastructure Levy: A levy that local authorities can choose to charge on new developments in their area. The charges are based on formula relating to the size and type of new development and money can be used to fund infrastructure that the Council or community want.

Development Plan: Documents which set out the policies and proposals for the development and use of land.

Duty to Co-operate: The Localism Act 2011 places a legal duty on Local Planning Authorities, County Councils, and public bodies to actively engage on an on-going basis on Local Plan preparation in the context of strategic cross boundary matters.

Environmental Impact Assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Evidence Base: Information gathered by the Local Planning Authority to support the Local Plan and other Development Plan Documents.

Habitat Regulations Assessment: Used to assess the impacts of proposals and land-use plans against the conservation objectives of European Protected sites to ascertain if the plan/proposal would adversely affect the integrity of the site.

Local Development Document: The collective term for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI)

Local Development Scheme (LDS): Provides a project plan identifying which development plan documents will be produced and when.

National Planning Policy Framework: Introduced in 2012 and updated in 2018, this framework sets out the government's planning policies and how these are expected to be applied.

Neighbourhood Development Order: An order made by a local planning authority through which parish councils and neighbourhood forums can grant permission for specific development proposals or classes of development.

Neighbourhood Plans: Neighbourhood Plans are a way for communities to allocate land for new homes, shops or offices to be built, and to have a say on what those new buildings should look like and the type of infrastructure which would be provided.

Planning policy consultation database: consultation database maintained by the planning policy team which includes anyone who has requested to be consulted on the preparation of planning policy documents.

Proposals Map: Illustrates on a base map (reproduced from, or based upon a scaled map base) all the policies contained in Development Plan Documents,

Qualifying Body: Town or parish council or designated neighbourhood forum (in areas where there is no town or parish council)

Strategic Environmental Assessment (SEA): A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

Supplementary Planning Documents (SPDs): Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability Appraisal (SA): tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and are required to be undertaken for all local development documents.



Community Involvement 2019

Epsom & Ewell Borough Council
Town Hall, The Parade, Epsom, Surrey KT18 5BY

    
@EpsomEwellBC

Statement of Community Involvement- Summary of responses and actions.				
Ref	Respondent/ Organisation	Response	Comments	Actions
SCI.1.	Charles Muriithi/ Environment Agency	The Environment Agency have provided generic comments on the consultation that include a copy of their external consultation list and guidance setting out what types of planning consultations they want to be consulted on.	Noted	
SCI.2.	Richard T Smith	Were you aware that section 3.3 and subsequent subsections 3.3.1, 3.3.2 and 3.3.3 are duplicated on page 17?		Remove 3x duplicate paragraphs 3.3.1 3.3.2 3.3.3
SCI.3.	Karina Singh	The sci document is detailed and comprehensive and discharges the obligations of the legislation. However it could be strengthened in 2 ways: By being more specific in annex A of the groups EEBC will proactively consult on the neighbourhood plans and large developments. At the moment this list is generic and not meaningful. Who are we actually consulting with when we say older and younger resident groups? Are we consulting with schools/ care homes/ age concern? It is not clear. By linking larger planning decisions and documents more clearly to the local and neighbourhood plans. For example the 29 unit development on station approach is currently consulting completely out of context of the local – presumably previously agreed local plans	There are currently no Neighbourhood Plans in Epsom & Ewell. The current and emerging Local Plan documents are available on our website. All decisions of the Planning Department are available to view on our website and each application is accessed against our Local Plan policies and the National Planning Policy Framework. These policies are referenced in every permission or refusal.	Appendix 1: Include brackets here after 'Older persons groups' of (age concern and local care homes). Paragraph 2.8.3. Add 'For example for young people it may be preferred to take the consultation to meeting places such as the sixth form or college.'
SCI.4.	Richard Carr/ Transport for London	Thank you for consulting Transport for London (TfL). We are pleased to note that TfL is included in the list of Duty to Co-operate Organisations in appendix 1. As a result I can confirm that we have no comments to make on the draft Statement of Community Involvement (SCI).	Noted	
SCI.5.	Karen Haizelden/ Archadia Architects and Planners	Agree with the draft SCI 2019. Paragraph 2.8.2 and 2.8.8 should also be considered applicable to section 3 as on line engagement as well as publicly available hard copies of some planning applications would be appropriate in the planning applications procedure. As specialist designers of housing for elderly and disabled people the Archadia Practice has a degree of expertise that can be utilized with regard to specific sites and general policies in the future. We would welcome being consulted and would be happy to offer feedback on specific policies and procedures with regard to this specialist housing.	Paragraph 3.3.2 states that all planning applications are placed on the Council's website for public view. We also provide a computer that is available for public access at the Town Hall where an Officer can assist the public in viewing the plans if required.	

SCI.6.	Paul Snoddy/ Royal Automobile Club	<p>I have a comment on paragraph 3.2.10 which states that the Council will determine what information submitted by applicants is on a confidential basis and they release if an FOI request is made.</p> <p>My concern is that the document does not go on to provide a definition of the EEBC's 'public interest' test or that you will not inform the applicant of your decision before the information is released.</p> <p>In future planning applications there are potential documents that the Royal Automobile Club may not want released to the general public as they may contain commercially sensitive information.</p> <p>This email is a marker to assist with any future 'confidential documents' discussions with the Head of Planning and individual planning officers on applications submitted by the Royal Automobile Club in connection with the Woodcote Park Estate, KT18 7EW.</p>		Waiting for Information Governance Officer comments – Amendments unlikely
SCI.7.	Julie Morris (Councillor College Ward)	<p>Is it really sufficient to advertise planning matters/applications on just the website and in the press? There's sometimes no local press at all. Should the council be using social media to do this as well and setting up a dedicated Twitter site (or similar) which people could follow. Second point is that neighbour notification should not be left to just one case officer. In College ward there have been problems with this on three applications in as many months. The better policy would be for the case officer to get neighbour notification addresses rubber stamped by a second case officer. Yes, it's a pain, but the council should be absolutely sure that the right people have been notified to avoid problems in the future and two heads are better than one. To be honest a lot of the document was incredibly wordy and could have been shortened if it's for public consumption.</p>	<p>The planning department does not have the capacity to advertise all planning applications on social media. Where there is obvious public interest in an application or agenda item then we would potentially advertise details of the meetings on the Council's Twitter/ Facebook or Linked In accounts. The E-Borough Insight also contains links to committee items and is regularly updated. Neighbour Notification- It would not be practical for two officers to check every neighbour notification list and we do not have the capacity. The decision on which properties 'may be affected by the proposed development' is made by the Case Officer. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site. The Development Management Procedure Order states what is necessary for Councils to fulfil their duty and should be adhered to.</p>	
SCI.8.	Mrs Jean Steer, MBE, Chairman, West Ewell & Ruxley Residents Association	<p>I have studied and noted the contents of the Statement of Community Involvement (SCI) on behalf of the Committee of the West Ewell & Ruxley Residents Association. I understand this document will be submitted to the Government in future as part of the Borough's Local Plan. I confirm the Committee's support for this document to go forward as outlined in the consultation being carried out by the Planning Department.</p>	Comments Noted	

SCI.9.	Ian Booker	<p>The draft documents I have read give a history of Epsom & Ewell together with a map locating the borough in relation to adjacent London boroughs. Two things strike me that are misleading to the casual reader. Firstly I would refer you to referendum that was conducted in Epsom & Ewell back in the 1960's which asked if the residents wanted the borough to be part of the then newly formed GLC or be a part of Surrey. The vote was to remain in Surrey as residents felt they would simply be absorbed into the large metropolitan GLC which would erode their independence as expressed in having an independent RA Council. The map suggests that E&E is part of London which it is not.</p> <p>Secondly it is crucial to record that E&E Council has always voted in an independent Council. Unique in this area and is a clear statement that Residents wish to manage their local affairs and not be subject to large political party doctrine. So where does this lead me? Well residents have fiercely protected their borough from becoming like Sutton (for instance) which is now dominated by high rise blocks of flats. Sutton is now becoming Croydon and residents here in Epsom & Ewell do not wish to follow suit. We expect indeed require the Planning Department to respect that wish and not simply sway to the wishes of central government planning. High rise buildings above the 16m local policy will incur the wrath of local residents.</p>	Comments noted. There is no map within the SCI and these comments do not relate to this consultation. No action required.	
SCI.10.	Councillor Nigel Collin	<p>The SCI is comprehensive and encompasses that which is required. I would like to see better publication of changes in planning policy as per the LPP May 2018 amendments which were not well known by residents.</p>	<p>In May 2018 the Council confirmed and published the document 'Making Efficient Use of Land- Optimising Housing Delivery'. This is publicised on our website and within the Committee minutes. This decision did not change or amend planning policy but explained the weight of the new National Planning Policy Framework versus the Council's existing local policies.</p>	
SCI.11.	Mr David Gulland (Cllr)	<p>Summarised as: - can we find other ways of letting people know to go and look at the website (train stations, bus stops, leafleting etc?) - can we automatically go further than the minimum 21 days? - suggested adding in role of the Manager in the process - asked a question about this Neighbourhood Planning - is it of interest in EEBC, should we go more to promote??</p>	<p>The Planning Legislation is clear in what form we are required to communicate. At present this is via a letter to adjoining land owners, and or a site notice (with very specific wording) and if necessary advertisement in the newspaper. In addition we are required to maintain a register of applications that can be viewed. Over and above this is the weekly list published on the website and also the planning register.</p> <p>It is difficult to ascertain what or where greater information could be disseminated and whether the cost would bring about benefit, assuming we had a budget for doing so. We would also have to consider this cost against the balance of amenity harm of further posters, site notices and what benefit that it may bring. It is not clear that placing adverts at hubs as you describe would necessarily bring further interest.</p> <p>The 21 days is a prescribed period set out by Planning Legislation. We, like many Council's do not treat the 21 days as a cut off. We as a Council continue to accept comments</p>	

			up to the date that we make a decision. Officers encourage responses even if the time is elapsed. We cannot state this so explicitly and have to keep to the regulation requirements and set a date of 21 days.	
SCI.12.	J Bennett	Absolutely awful..over 300 people objected to building on the green belt and the R.A ignored them, they run the local council not the government. Need to change the name from residents association to ignore association!	These comments do not relate to the SCI- No Action Required.	
SCI.13.	Jane Pemberton	3.2.1. I haven't seen any sign of any pre-application consultation on development plans such as that of the corner of West Street and Station Approach (13 storey building proposed). I spent time engaging with the Epsom 2040 consultation when all the feedback I heard was to keep Epsom an attractive market town. The proposed 13 storeys will be totally out of keeping with the 2040 vision as it will obviously mean that other equally overbearing structures will be built.	As stated in paragraph 3.2.9 the Council encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application. This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up fo any pre-application advice and engagement with the local community. This can not be insisted upon and is not a statutory requirement.	
SCI.14.	Julia Giles/ Epsom & Ewell Phab	It is good to see the proposals to involve disabled people and young people in consultations. For disabled people it is important that consultations are in appropriate formats - for example, a spoken word version for the visually impaired, and that consultation premises are fully accessible - for example, with any displays at variable levels for those in a wheelchair.For young people, it is important to take the consultation to them where they meet, for example in sixth form departments and colleges. Also, having council representatives to explain the content of the consultation and ensuring young people understand the relevance to them.		Paragraph 2.7.3 Add ' <i>For example a spoken word version of a consultation document for the visually impaired can be produced and for public exhibitions we will ensure that the consultation premises are fully accessible</i> '. Paragraph 2.8.3. Add ' <i>For example for young people it may be preferred to take the consultation to meeting places such as the sixth form or college.</i> '

SCI.15.	Alan Byrne/ Historic England	<p>Thank you for your email of 2 September 2019 inviting comments on the above document.</p> <p>The consultation process detailed in the SCI should be adequate in meeting the requirements of the Local Development Regulations 2004. It will be important to ensure that stakeholder organisations with interests and responsibilities in the historic environment, at national and local levels, are fully involved throughout the consultation process. To this end, it is important to consult with both the Council's own conservation officer or team and local amenity societies. In terms of the general requirements of consultation in relation to the historic environment, I attach a Note on Consultation with the Heritage Sector and a list of national amenity bodies.</p>	Comments noted. No Action Required.	
SCI.16.	Kayley Smith/ Highways England	<p>Thank you for your email of 28 August 2019 inviting Highways England to comment on the above consultation and indicating that a response was required by 17 October 2019.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and, as such, Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs, as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN.</p> <p>We note that the Draft Statement of Community Involvement 2019 states Highways England are a Duty to Co-operate Organisation and a Draft Statement of Community Involvement and therefore we must be consulted within the planning process.</p> <p>Having examined the Draft Statement of Community Involvement 2019, we are satisfied that its policies will not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109). Accordingly, Highways England does not offer any comments on the consultation at this time.</p>	Noted. No Action Required.	
SCI.17.	J and G Goddard	<p>We have no confidence in EEBC Consultation proposals: anyone researching the history of surveys which claim to be "consulting with the community" schemes in the Borough will appreciate why residents hold this view.</p>	Comments noted. We are committed to engaging with local people, organisations and businesses in meaningful consultations. We hope that clearly setting out our future methods of consultation with the community in this SCI review will ensure that residents are more satisfied in the future.	

SCI.18.	Natural England	<p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.</p>	Noted. No Action Required.	
SCI.19.	Nikki Rov	<p>I welcome Epsom & Ewell Borough Council's commitment to greater community involvement which I believe is long overdue. In section 3.1.3 it is stated that for significant planning applications EEBC encourages developers to consult with the public prior to application. In my recent experience I do not believe that this is currently taking place, and it was only following public outrage that the Developers consulted with residents. Can you confirm that in all future significant planning application where EEBC have pre-application meetings with developers there will also be consultation with the public affected by such applications? 3.2.10: Can you give me some examples of what might be deemed commercially sensitive? I checked the website for the evidence base, when will the evidence for infrastructure be available?</p>	<p>3.1.3 It is not possible to confirm that this will happen in all future 'significant' planning applications as it is not a statutory requirement. The National Policy Framework (paragraph 40) states that Local Planning Authorities cannot require that a developer engages with them before submitting a planning application but encourages it. As stated in the SCI (3.2.1), the Council will encourage consultation with the public but cannot insist on it. 3.2.10 This could be confidential information in relation to finances or landowners details. the Infrastructure Delivery Plan is on the website evidence base page but the link at the top is currently broken.</p>	
SCI.20.	Natalie Rogers	<p>As an RA led council the document describes the minimum when it comes to engagement and communication with residents. Other LA's are setting the standard by their starting position being about community engagement and communication enshrined in a charter to achieve this. The current document needs to include how EEBC will reach "hard to reach groups" in our community and give them the opportunity to express their views via non-standard consultation arrangements. I would also like to see different communications channels being identified rather than the traditional ones on here, again other LA's seem to be setting the standard, can I suggest that EEBC follows their lead on this?</p> <p>Neighbourhood plans and forums section 9-11- EEBC needs to consider in more detail how it will support communities to achieve this. Again other LA's have put considerable effort into describing this and what specific actions they will take to support residents who want to do this.</p>	<p>The Council is always keen to explore new ways of engaging and communicating with residents and businesses. As stated in the document (paragraph 2.8.1) we will use a range of consultation techniques and those listed are examples. The council's role is to provide advice and support to groups developing a plan. It is the neighbourhood forum's that is responsible for public consultation and engagement in its preparation of a plan up to submission of the final draft ('proposed submission'). If residents were keen to establish a Neighbourhood Forum and prepare a neighbourhood plan, the Council would undertake the steps required as set out in Figure 4 of the SCI.</p>	<p>The document sets out how we will engage with hard to reach groups in Paragraph 2.7.3. This can be strengthened by adding 'hard- to- reach' before groups in the last sentence and adding 'For example a spoken word version of a consultation document for the visually impaired can be produced and for public exhibitions we will ensure that the consultation premises are fully accessible'. Paragraph 2.8.3. Add 'For example for young people it may be preferred to take the consultation to meeting places such as the sixth form or college.'</p>
SCI.21.	John Pulford	1.1.2 The Statement of Community relates to planning only (but it also refers to setting (Community Infrastructure Levy in 2.6)	The Community Infrastructure Levy is prepared alongside the Local Plan by the planning department as the Charging Authority.	
		1.2.6 Perhaps if E&E want to use this paragraph they should find another word for "Thematic" on page 8, 2.4.2 which I have never heard of and I imagine most residents have not either, which is contrary to the idea of the Para. (Minimal use of Jargon)		Suggest amendments to paragraph 2.4.2 to remove 'both thematic and site specific'.

		<p>1.3.1 It states “The needs of the community will be taken into account”. “Planning officers will work closely with”. As we have heard already EEBC is hardly positive about this new legislation. Currently, they are trying to circumnavigate the Law by removing Policies that protect the community (height and massing of buildings). Much of this new legislation has been talked about for ten years and E&E should have been more positive about this Legislation. How do we ensure they comply with Legislation? There needs to be “Performance Indicators of how E&E perform in their duties.</p>	No amendments to the SCI generated by this comment	
		<p>2.2.1 We need to understand what the Development Plan comprises of. What I am thinking about is what happens if a Neighborhood Plan would clash with the Development Plan.</p>	The development plan comprises of the documents listed within this paragraph. These documents consist of planning policies This can not be detailed in this document but can be found on our website or within the Local Plan Programme that is reviewed regularly and available on our website. See NPPF para 28-30.	
		<p>2.2.2 Look how low Community Involvement sits in the Picture. It’s not visually given any level of importance</p>	No Action Required	
		<p>2.3.2. It would be a good idea if examples were given of key issues.</p>	This document focuses on Community Involvement. More details can be found on our Website	
		<p>2.3.3 The use of the LDS...Local Development Scheme. “Is this the same as Development Plan? This is the first time it has been used. It states “When the LDS is updated it will be published..... Are we involved in the update before issue?</p>	The Local Development Scheme or LDS is the timetable for the preparation of the Development Plan. This is updated by Officers.	
		<p>2.4 The Neighbourhood Plan is found under, Supplementary Planning Documents, Other Documents as per Figure 1. So it hardly is given the level of importance that it deserves.</p>	No Action required	
		<p>2.4.2 Use of word “Thematic” as mentioned in 1.2.6 I have no idea what it means</p>		Suggest amendments to paragraph 2.4.2 to remove 'both thematic and site specific'.
		<p>2.5.1 Can you include examples of the Neighbourhood Plans and Development Orders?</p>	We do not have any neighbourhood plans in this Borough. Guidance can be found at the link below: https://www.gov.uk/guidance/neighbourhood-planning--2	
		<p>2.5 Figure 4 shows the steps in the Preparation of a Neighbourhood Plan. Where it refers to Consult a statutory list of consultation bodies including adjoining local councils, statutory bodies and statutory undertakers and Voluntary organisations, will contact details be provided or are we left to find this ourselves. Is there a standard form for making contacts and introductions? Will there be a budget for this.</p>	Some of these are detailed in Appendix 1. This question is detailed in relation to the preparation of neighbourhood plans and not for this consultation. The Council does not fund the creation of neighbourhood Plans.	
		<p>2.6 Other Documents-Community Infrastructure Levy. I think this is included for information. Is the Neighbourhood forum involved in setting the CIL?</p>	CIL is set by the charging authority that is the Local Authority and is subject to Examination in Public as set out in Figure 5.	
		<p>2.8 How will the Neighbourhood Forum be consulted in plan making?- I am just making sure I understand, although the Neighbourhood Forum will have been established with a defined perimeter (area), the Council will still involve the Neighbourhood Forum in other matters inside that perimeter and outside of the same.</p>	If a Neighbourhood Forum was to be established they would be consulted in the same way as other local consultees on plan- making.	

		2.8.3 Manned Exhibitions will be held on significant consultations... What is significant.....After the “words Local Plan” is the words “where suitable” What does that mean The same questions arise in the next para regarding smaller exhibitions and later in the para “These may be unmanned” It’s all very unspecific and leads to a lot of misinterpretation	Flexibility is required so as to enable the Authority to undertake consultations that include manned exhibitions which would be over and above the regulatory requirements.	
		2.8.7 Public notices will be published in Local newspapers “when appropriate” and press releases and/or briefings to convey information to wider audiences will be used “where appropriate”. If a notice is Public I would think it should always be shown in local newspapers not just when appropriate.	When appropriate is referring to the different stages in the preparation of the Local Plan where a notice is required by the regulations.	
		2.8.8 Making consultation material available. I would have thought that all data would have been made available electronically. People can’t keep jumping into their cars and going to the Council offices. Please explain	All data will be made available electronically. As stated, this will be 'as well as' publishing the documents online because some people still prefer to view a hard copy at the town hall.	
		3.2.1 Applicants or developers are” encouraged” to consult with the local community”. Should this be “required”? Otherwise there appears no point in the Neighbourhood Plan.	This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up of any pre-application advice and engagement with the local community. This can not be insisted upon and is not a statutory requirement.	
		3.2.2 The council welcomes and encourages discussions with applicants. Should this not be “required”. Should it not also say “between the applicants and the community or more specifically the Neighbourhood Forum”	This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up of any pre-application advice and engagement with the local community. This cannot be insisted upon and is not a statutory requirement.	
		3.2.9 The council additionally encourages developers and applicants to undertake a level of consultation again shouldn’t this be “required”. I recognize that councils will not look kindly on developers who do not consult with Neighbourhoods, but they did not do it for Stoneleigh even though the idea of Neighbourhood Planning had been talked about for ten years.	As stated in paragraph 3.2.9 the Council encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application. This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up of any pre-application advice and engagement with the local community. This cannot be insisted upon and is not a statutory requirement.	
		3.3 What happens when a planning application is received? This section has been duplicated lower down on the page		Noted- delete duplication

SCI.22.	Shannon Cramer	<p>2.3 LOCAL PLAN</p> <p>Generally.... it is unrealistic to expect hard pressed Council Tax Payers (your employers) to be constantly engaged with EEBC via the EEBC website. It is also unrealistic to expect Council Tax Payers (your Employers) to read Insight Magazine from cover to cover unless they are told that there are important surveys inside which require their input because the surveys will later be used to form Council Policy. IF it is unrealistic to expect the Council to write to residents on a one-to-one basis to garner opinion (personally I think this is the preferred route), then important periods of participation should be timetabled to coincide with times when the Council DOES engage with residents on a one to one basis - ie when EEBC sends out Council Tax bills.....the Council certainly seems to know our names and addresses for THAT exercise. Could a note not be added to a Council Tax bill telling residents that you need their opinion on, say, guiding the Local Plan for the next 5 years? Instead the Council seems to prefer to hide such surveys inside a 2017 Insight Magazine which, presumably, only 668 of 79,000 residents actually noticed. I have certainly never met anyone who saw the 2017 survey.</p>		
		<p>Face to Face Engagement 2.8.3 This area should be toughened up. MORE exhibitions MUST be held for significant consultations. Large manned ones at times when the community gathers...firework night, Christmas market, at the Playhouse, at Stoneleigh Lights on Broadway etc. etc. Additionally Smaller exhibitions MUST (not may) be held. Since the Council is currently targeting railway stations for higher/denser development, these locations would be a perfect place for manned or smaller exhibitions. Community halls, larger supermarkets, leisure centres, large post offices and libraries could all host smaller unmanned exhibitions.</p>	<p>Agree with all of these locations for exhibitions.</p>	
		<p>Written Notifications 2.8.5 Please PUBLICISE the fact that you have this Planning Policy Consultation database. No-one I know knows about it. Again, mention it when you contact each household on a one-to-one basis.....At council tax bill time..... at Christmas revised bin emptying time..... These are times when virtually every householder engages with the Council.</p>	<p>Noted</p>	

		<p>3. Planning Applications</p> <p>It is pretty evident that there is currently huge public concern in the Borough about recent large (and, in the view of most residents, inappropriate) planning applications for high/dense developments which are being 'foisted' on residents. The Community Involvement 2019 document should take a tougher line and REQUIRE (not just encourage) 3.2.3 'developers to consult with the local community before submitting applications which are likely to generate public interest' before they are submitted.</p>	<p>The Council encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application. This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up of any pre-application advice and engagement with the local community. This cannot be insisted upon and is not a statutory requirement.</p>	
		<p>3.2.9 Again, the Council must do more than encourage. It must REQUIRE developers to undertake a (high) level of public consultation. Additionally, Methods of Publicity (Figure 6) should be much more onerous for Major Developments than for minor developments. It is ridiculous that a householder should have to publicise their domestic development to the same extent as a Developer.</p>	<p>The Council encourages developers and applicants to undertake a level of public consultation prior to submitting a planning application. This is advocated in paragraph 40 of the National Planning Policy Framework which also states that local planning authorities should 'encourage' take-up of any pre-application advice and engagement with the local community. This cannot be insisted upon and is not a statutory requirement.</p>	
		<p>3.7 Consulting on Planning Applications</p> <p>EEBC must FURTHER EXCEED the minimum requirements set out in T&CP (DMP) Order 2015 which are an insult to people potentially affected by a development. For Major Developments more Notices and letters should be required - perhaps to every house and every lamp post within a 100m radius of the proposed development. The cost of these notices/letters should be borne by the Developer.</p>	<p>The Planning Legislation is clear in what form we are required to communicate. At present this is via a letter to adjoining land owners, and or a site notice (with very specific wording) and if necessary advertisement in the newspaper. In addition we are required to maintain a register of applications that can be viewed. Over and above this the weekly list published on the website and also the planning register.</p> <p>There is no mechanism available to us to be able to insist that developers take these types of costs.</p>	

SCI.23.	Michail Michalakopoulos	<p>Your 2019 masterplan has a paragraph re. Stoneleigh, right at the end of the document (p65): "A detailed study should be undertaken to help explore how redevelopment could help to deliver much needed housing in a high density format in this highly sustainable location."Whom are you kidding? You already know what it is you want to do with Stoneleigh: densify it to oblivion.. and you source for all of this? a flawed survey with a less than 1% response rate.It pains me to explain to you the so many ways your documents are flawed. Hopefully the documents/letters you have been receiving lately from upset residents have been explaining this to you. How you have completely misinterpreted the NPPF and cherry picked (and still managed to get wrong), pieces of that document to suit your carriers development, not the borough's communities and prosperity. How you have completely misinterpreted the NPPF and cherry picked (and still managed to get wrong), pieces of that document to suit your carriers development, not the borough's communities and prosperity.</p> <p>Densification can be thoughtful and still respect the surroundings, but your document is entirely misleading showing three and four storey buildings next to parks and green areas (masterplan 2019). Artists impressions completely fail to convey the uglification process you have embarked on with parts of the borough. The council should be fighting back irrational housing demands, and where densification is required (questionable but for the sake of argument, let me accept this), the council should be meaningfully engaging with the residents to get something positive and meaningful out of it.</p>	These comments are not specifically related to this consultation. No Action Required.	
SCI.24.	Sue Hibbs	<p>The level of engagement all sounds very impressive and the tone of the document suggests that a lot of the consultation is happening now rather than a wish list for the future. However, the impressive sounding levels of engagement do not stack up against the number of high-rise planning applications that appear to be flooding Epsom and Ewell with little or no consultation. A glossy looking 25 page document is all very well but there needs to be proper action, not just words.</p>	Noted.	

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Epsom & Ewell Local Plan

ADOPTION STATEMENT

Statement of Community Involvement

XDateX 2019

Planning and Compulsory Purchase Act 2004 And the Town and Country Planning (Local Planning) (England) Regulations 2010

Notice is hereby given that on XX November 2019 Epsom & Ewell Borough Council adopted the Statement of Community Involvement for Planning. The report to the Licensing & Planning Policy Committee can be viewed at (hyperlink).

The Statement of Community Involvement for Planning sets out how the Council will involve interested parties and communities in the preparation of planning policy and the determination of planning applications.

The Statement of Community Involvement for Planning replaces the document Your Involvement in Planning dated December 2016. The new Statement of Community Involvement reflects current legislation and places greater emphasis on meaningful community engagement.

A copy of the Statement of Community Involvement is available for inspection at the Council Offices (The Parade, Epsom KT18 5BY), between 9am and 5pm Monday to Friday. Copies are also available for viewing at all the Borough's public libraries during library opening hours. It can also be viewed on the Council's website: www.epsom-ewell.gov.uk.

For further information about the Statement of Community Involvement or about the Epsom & Ewell Local Plan please contact the Planning Policy Team at the Town Hall (LocalPlan@epsom-ewell.gov.uk).

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LOCAL PLAN - GROWTH AND HOUSING STRATEGY

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

Urgent Decision?(yes/no) No

If yes, reason urgent decision required:

Annexes/Appendices (attached): Annex 1: MHCLG Letter 9 October 2017
Annex 2: MHCLG Letter 6 September 2019
Annex 3: MHCLG Letter 2 October 2019

Other available papers (not attached):

Report summary

The National Planning Policy framework has been amended and a new way of calculating the housing requirement for local areas has been nationally implemented. This has had implications for the Borough, and the work programme for the new Local Plan. In addition, communications from the Ministry of Housing, Communities and Local Government have both informed and confused the national policy position.

To help to shape the strategic direction on key questions in the Borough, this report seeks to clarify key matters that are relevant in the production of the new Local Plan for the Borough.

Recommendation:

The Committee is asked to agree:

- (1) the Six Principles setting the strategic direction for the new Local Plan's growth strategy, and**
- (2) they will revisit these Principles in light of any further changes relating to the National Planning Policy Framework or new evidence coming forward through the Local Plan process.**

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 In 2016 the Borough Council commenced the production of a new Local Plan as the existing Core Strategy was no longer sound. Critically this is because the Core Strategy's overall growth¹ and housing strategies² are not based on an objective assessment of housing need. For that reason, our current Local Plan is unsound – not being positively prepared, justified or consistent with national policy³.
- 2.2 In the absence of an up-to-date Local Plan, national planning policy requires decisions to be taken with a presumption in favour of sustainable development⁴. Within the context of our Core Strategy's out-of-date growth strategy and associated housing strategies, this could lead to proposals for development of a scale and upon sites that our current Local Plan does not consider appropriate. Without an up-to-date local plan the Borough Council may find it difficult to defend decisions that refuse such proposals – subject to them demonstrating that they constitute sustainable development as defined by national planning policy. With that possibility, the Borough Council has actively pursued the preparation and production of a new Local Plan that, once submitted, could be found sound at examination and be subsequently adopted.
- 2.3 National planning policy requires that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence⁵. Securing an up-to-date evidence is key in demonstrating that a new local plan's growth strategy and policies are justified.

Steps taken

- 2.4 Our first step in this process was to jointly commission, along with our housing market area partners⁶, the preparation of a new Strategic Housing Market Assessment (SHMA).

¹ Core Strategy Policy CS1 Creating Sustainable Communities in the Borough.

² Core Strategy Policy CS7 Housing Provision and Core Strategy Policy CS8 Broad Location of Housing Development.

³ As set out under the National Planning Policy Framework Paragraph 35.

⁴ As set out under National Planning Policy Framework Paragraph 11 c) and d).

⁵ As set out under National Planning Policy Framework Paragraph 31.

⁶ These included the Royal Borough of Kingston, Elmbridge and Mole Valley.

- 2.5 The new SHMA (2016) was the subject of a report [to the Committee on 6 September 2016](#). The SHMA (2016) was prepared in accordance with national planning policy that was current at the time⁷. It used its own bespoke methodology to calculate need and drew upon the then recent Communities and Local Government household projections 2012. The new SHMA (2016) identifies an objectively assessed housing need (OAHN) of 418 additional new homes per annum.
- 2.6 On [23 February 2017 the Licensing & Planning Policy Committee](#) received a verbal report on the government's Housing White Paper "Fixing our Broken Housing Market". The White Paper was significant because it signalled the government's intent to have a standard methodology for calculating OAHN that all planning local authorities would be required to use. The Committee were informed that all Members would receive a detailed briefing on the implications of the White Paper on 30 March 2017.
- 2.7 [The April 2017 Licensing & Planning Policy Committee](#) received a full report on the proposals contained in the government's White Paper. The report stated that in order to secure a rolling supply of housing land the White Paper proposes significant changes to how local planning authorities plan and manage housing demand. This placed the emphasis on local planning authorities to facilitate a significant increase in housing delivery at all costs. The report stated concern that the White Paper envisages urban areas in England becoming more densely populated than ever, with cities expected to build upwards rather than outwards, and for homes to get smaller.
- 2.8 The [April 2017 Committee also received a report on the Local Plan Annual Monitoring Report for period 2015/16](#). This was the last time the Borough's local plan performance was assessed against the delivery of the Core Strategy growth and housing strategies. This was the last Annual Monitoring Report that was able to demonstrate at least a five year supply of housing land based upon 181 dwelling units per annum. Subsequent reports have shown progressively diminishing supply.
- 2.9 During [July 2017 the Licensing & Planning Policy Committee](#) received a report on the Borough-wide Strategic Housing Land Availability Assessment (SHLAA). This is a key document that forms part of the evidence base that informs the preparation and production of the new Local Plan. The SHLAA seeks to identify and account for future potential sources of housing land supply and identify a five year supply of specific deliverable sites. The SHLAA was able to identify a 5.7 years of supply when assessed against the target identified by Core Strategy Policy CS 7. However, it was only able to identify 1.3 year supply when assessed against the OAHN identified within the recently published SHMA.

⁷ The National Planning Policy Framework 2012 and associated planning practise guidance.

- 2.10 The report on the SHLAA is significant because it provided the Committee with a clear insight into the scale of the challenge facing Borough in terms of meeting the OAHN and at the same time securing at least a five year supply of housing land. The Committee agreed the publication of the SHLAA; that subsequent Local Plan Annual Monitoring Reports would assess housing delivery against the OAHN and that the outputs of the SHLAA would inform the emerging new Local Plan.
- 2.11 The [July 2017 Licensing & Planning Policy Committee also received a report on the Primary Constraints](#) present across the Borough. This was an important report as it identifies the specific constraints that influence plan making and in particular the supply of new housing land.
- 2.12 [The Licensing & Planning Policy Committee considered the Local Plan Issues & Options Paper on 14 September 2017](#). On the same day, the Government published its proposals for revisions to national planning policy. This included their proposals for a standard method for calculating OAHN. The proposals included an OAHN calculation for all local planning authorities. In contrast, to the outputs of the Borough Council's SHMA, the standard method using more recent data⁸ identified a housing requirement of 579 new additional homes per annum for the Borough. Furthermore, the government signalled that the OAHN calculated through the standard method would serve as an "at least" starting point. Previously it had been thought that OAHN could be managed downwards to take account of local constraints (to housing land supply).
- 2.13 [On 26 October 2017 the Licensing & Planning Policy Committee received a report entitled "Planning for the right homes in the right places – the Council's response"](#). This report set out the Council's response to the government's proposed changes to national planning policy. This included the Borough Council's position on the standard method for calculating OAHN, and signalled the challenge of meeting the Borough's identified OAHN in full.
- 2.14 [During January 2018 the Committee received a report setting out the responses submitted to the Local Plan Issues & Options Consultation](#). It highlighted that the responses were broadly supportive of Option 4, a balanced approach to accommodation future growth through intensification and modest use of land currently located in the Green Belt. Detailed reading of the responses shows that support for urban intensification was widespread among all respondents. The responses also confirmed the importance of green infrastructure, open spaces, transport networks, education provision and design quality as key elements of the plan making process that many believed needed to be incorporated as part of a future growth strategy. The responses from the consultation exercise have informed the preparation of the new emerging Local Plan – specifically in relation to the growth and housing strategies.

⁸ Specifically the 2014 Population Projections.

- 2.15 In response to changes in national planning policy; specifically in relation to meeting housing demand, development densities and building; the Licensing & Planning Policy Committee received a report entitled [“Making efficient use of land – optimising housing delivery”](#). Changes to national policy now had major implications for the Borough Council’s adopted policies on housing development density and building height. The Committee had to acknowledge the need to optimise development land and that due weight be attached to these matters when assessing planning applications against current adopted local policies.
- 2.16 As a result of all the national changes around driving growth, by the Summer 2018 the Borough Council was required to undertake additional work in order to demonstrate that all possible growth options; particularly in relation to development land supply; had been explored.
- 2.17 Two strands of evidence would explore this area further – those being the Urban Housing Capacity Study and the Epsom & Ewell Masterplan. The commissioning of the latter document was the subject of a [report to the Licensing & Planning Policy Committee on 7 June 2018](#). The report set out the importance of the Masterplan, in the context of preparing a new Local Plan, and sought the Committee’s agreement that a further report be set before [the Strategy & Resources Committee to secure funding for this work](#).
- 2.18 The objective of the work was to identify an appropriate strategy and mechanisms that responded to the Borough’s OAHN. The Masterplan was also then tasked with providing a visualisation of how the Borough could change. That visualisation exercise took full account of responses from residents⁹, which highlighted the importance of green infrastructure, open spaces and design quality in respect of the Borough’s future growth.
- 2.19 Following the publication of the revised national planning policy the Licensing & Planning Policy Committee received [a report on 27 September 2018](#) that set out the implications for planning and decision taking in the absence of a five year housing land supply. The Committee was required to agree that future decisions would accord with revised national planning policy.
- 2.20 During [November 2018 the Licensing & Planning Policy Committee received two reports](#):
- 2.20.1 One setting out the findings of a study that assessed the potential housing capacity of the Borough’s two strategic employment sites.

⁹ These were responses made in respect of both the Local Plan Issues & Options Consultation and the Future40 Visioning exercise.

- 2.20.2 The second confirming that a new Infrastructure Delivery Plan would be prepared to take account of the Borough's OAHN and sought to identify the scale of new infrastructure investment that would be required and come from that level of growth.
- 2.21 [On 24 January 2019 the Licensing & Planning Policy Committee received Epsom & Ewell Urban Housing Capacity Study](#). The study concluded that the Borough could achieve 49% of its OAHN within the existing area at its optimal level. This outcome suggests that at least half of the OAHN need will need to be met elsewhere.
- 2.22 During February 2019 the Borough Council were informed by Ministry of Housing, Communities and Local Government that it had only delivered 57% of its housing requirement and as a consequence it had failed the Housing Delivery Test. As a result a report was required to be taken to set out how the Borough Council was intending to address this. This report went to the [12 September 2019 Licensing & Planning Policy Committee](#).
- 2.23 The Committee received a report on [the Draft Epsom & Ewell Masterplan on 23 September 2019](#). The draft masterplan set out an appropriate strategy for meeting half of the Borough's OAHN by focussing growth at sustainable and accessible locations across the Borough. It was agreed that a future report to the Committee would identify potential site options that would respond to the residual unmet need.

Implications of National Policy Changes

- 2.24 The chronology of reports evidences the pressures the Borough Council has been under to meet the Government's constantly changing policy framework.
- 2.25 By drawing out key aspects for particular attention, a clear picture of these pressures emerges:
- National planning policy identifies a standard method for calculating OAHN. That calculation is the minimum starting point for identifying a location's housing requirement. The government's expectation is that the housing requirement will be no less than the OAHN identified through the standard method;
 - National planning policy requires a local plan's growth strategy explore and assess all available and deliverable options for meeting OAHN and other components of development need;
 - National policies require Local Plans to identify at least a five year supply of housing. The Borough can currently only identify just over one year of supply.

In terms of the evidence bases:

- The majority of those responding to the Borough Council's Local Plan Issues & Options Consultation expressed a view that the balanced option for growth, utilising urban and greenfield sites, be pursued. The consultation responses also demonstrated that a sample of our residents supported intensification within the urban area;
- The evidence from the SHLAA, Urban Housing Capacity Study and the Call-for-Sites exercise demonstrates that available, deliverable and developable sites within the existing urban area can only deliver between about 40 – 50% of our OAHN; subject to the capacity of those sites being optimised;
- The Epsom & Ewell Masterplan identifies an appropriate and sustainable strategy for growth and housing delivery. That strategy seeks to optimise and prioritise the delivery of growth at sustainable locations across the existing urban area;
- The Borough Council has followed a sequential process of assessing all available, deliverable and developable options for meeting our growth requirements.

3 Messages from the Ministry for Housing, Communities and Local Government

- 3.1 During the time period covered by the above chronology, the Ministry for Housing, Communities and Local Government (MHCLG) has published a suite of letters that have sought to expand upon national policy. These being responses from the Minister to specific questions posed either directly by local planning authorities to the MHCLG or indirectly as a consequence of their plan-making. In almost all cases the messages included in the letters from the MHCLG have been opaque. This has led to confusion and mixed messages as to the technical and legal interpretation of national planning policy, which has caused unease and concern among our residents and communities.
- 3.2 For example, one of the earliest communications was a letter from the then Minister (the Rt Hon Sajid Javid) to the local MP, dated 9 October 2017 (see Annex 1). Within this letter, the Minister explained that the OAHN calculated through the government's standard method formula was not a housing target but the "starting point in the plan-making process, not the end" and that would be for local planning authorities to determine how much need they could meet

- 3.3 The letter fails to address that national planning policy considers the OAHN to be a baseline level of need; with an assumption that authorities deliver more new homes, rather than less than their OAHN. That position is an implication of the government's commitment to deliver 300,000 additional new homes per annum, which is only possible if local planning authorities exceed their OAHN. The Minister did not expand upon the requirement that local planning authorities prepare appropriate strategies for delivering new housing that also address any resulting unmet need. That message was only clarified through the Castlepoint Local Plan examination clarified in December 2016, which failed due to the local planning authority (and neighbouring authorities) not having an agreement as to how unmet need would be delivered.
- 3.4 This letter, and subsequent communications, also stressed the government's commitment to national Green Belt policy. The Minister (and his successor) noting that national planning policy places the responsibility for reviewing Green Belt boundaries with local planning authorities, subject to there being exceptional circumstances that justify such decisions. For clarity, national planning policy states that meeting housing need in full falls under the definition of "exceptional circumstances".
- 3.5 A letter from an MHCLG officer (dated 6 September 2019), provides a response to a question posed to the Rt Hon Robert Jenrick MP (see Annex 2). In the letter reiterates the point that the OAHN that emerges from the standard method is not a target but a starting point that local planning authorities use to identify their housing need. As with the previous letter, this letter does not clarify the position that national planning actually requires. This failing has led to confusion and for some to misinterpret the policy position set out in this letter.
- 3.6 The letter continues by reiterating that Green Belt boundary may only be reviewed in exceptional circumstances. It is regrettably silent on the fact that an area's inability to meet their housing requirement in full constitutes an exceptional circumstance for such a review. Again this omission has caused confusion and concern.
- 3.7 Most recently, the current Minister (the Rt Hon Esther McVey), contacted Broxstowe Borough Council following the Inspector's fact check report of their recent local plan examination. [In her letter dated 2 October 2019](#) (Annex 3) the Minister stated that the government believes that local councils and their communities are best placed to take decisions on planning matters in their area without unnecessary interference from government. This letter could be read as a license for local planning authorities to pursue agendas that are not in accordance with national policy.

- 3.8 In this case, the Minister has provided some clarity in highlighting that prior to considering sites currently designated as Green Belt land, local planning authorities must first demonstrate that they have fully explored “sequentially preferable locations outside of the Green Belt”. This clarification reinforces the often quoted – “look under every stone” analogy that Inspectors apply within this context. The chronology set out in the section above provides evidence of how we have sought to meet that requirement.
- 3.9 With all of the letters referred to in this report MHCLG are silent on the penalties which could be imposed on Authorities that do not have a five year housing land supply, omitting to mention the housing delivery test, the requirement for a Housing Delivery Action Plan and the imposition of the 20% buffer. The 20% buffer imposes the penalty of needing to deliver more housing, taking the OAHN figure to 695 units per annum until there is a five year housing land supply.

4 Infrastructure Needed for the Borough

Education

- 4.1 There is an identified need for an additional five primary forms of entry and eight secondary forms of entry. However, the larger uplift in the secondary sector is in part attributable to historic increases in the birth rate. Provision to meet this need would be likely to take the form of a new ‘all the way through’ school, comprising two forms of entry at primary level and eight forms of entry at secondary level. Additionally a new three form of entry primary school or fully utilising the existing capacity in four of the Borough’s existing primary schools would be required.
- 4.2 Future investment in our education provision will be heavily influenced by our strategy for future housing growth. The determining factor in whether the Borough needs new addition schools, or whether demand can be absorbed through expansion of existing schools, will be the scale of housing to be delivered through the new Local Plan. It is noted that early engagement with providers identifies a need for an additional three primary forms of entry and five secondary forms of entry based on delivering of a lower growth scenario. This infrastructure would need to be funded from the development.

Transport

- 4.3 The Borough is fortunate in being a highly accessible place, with a comprehensive highway network, excellent rail links (particularly into London) alongside an abundance of local facilities. However, it is becoming increasingly apparent that our travel habits need to evolve to respond to prominent issues such as the adverse impact of climate change; deteriorating air quality; and mounting highway congestion. The emerging new Local Plan provides an opportunity to address these issues and an important element will be the inclusion of a transport strategy.

- 4.4 Evidence has shown that many parts of the existing highway network are at capacity, particularly at pinch points around junctions. It is clear that no amount of further investment in these particular areas is likely to have a positive impact on their capacity. As such, the main focus of the transport strategy is likely to be on the provision of genuine sustainable transport options and capturing the opportunities and benefits from evolving technology.
- 4.5 The level of investment into the Borough's transport infrastructure is likely to be primarily driven by development in terms of site-specific investments and CIL contributions. For example the accessibility improvements planned for Stoneleigh Station are to be part funded by CIL contributions which were successfully used to attract significant match funding from the Network Rail Access for All programme.

Other Infrastructure

- 4.6 The commitment to deliver more homes over the new Local Plan period will require investment in other areas of infrastructure. Although healthcare and the emergency services are continually making efficiencies and streamlining services, an increased population will generate additional demand.
- 4.7 The Surrey Heartlands Clinical Commissioning Group have identified that future development in healthcare will aim to consolidate and expand existing sites or replace existing sites with new larger facilities on either NHS owned property or within large development sites. The delivery of our OAHN in full potentially requires an increase in provision of about 0.5 new full time equivalent GP positions per annum, which would equate to 10 new GP's over the 20 year plan period.

5. Effects on the Borough

- 4.8 As a result of the implications of the changing national growth strategy, it was both anticipated and felt necessary that the Borough Council's Local Plan Programme (June 2019) would require the draft Local Plan to be the subject of a further public consultation¹⁰ during Autumn 2019.
- 4.9 The increasing level of local public awareness and understanding of the possible implications for the Borough – particularly in respect of visual impact of higher intensity development upon the Borough – has led to public calls for the Borough Council to reconsider how it brings forward an appropriate strategy for future growth.

¹⁰ In accordance with the Town & Country Planning (Local Planning) Regulations (2012), under Regulation 18.

- 4.10 In an effort to ensure the Local Plan development process aligns with local context, the Committee are asked to agree a set of principles which will drive the strategic direction on key questions affecting the Borough. This will then inform the growth strategy for the production of the new Local Plan for the Borough.

5 Key Principles

Principle 1 – Character of the Borough

- 5.1 Planning policies should support the “desirability of maintaining an area’s prevailing character and setting” (NPPF para 122(d). In addition developments should ‘function well and add to the overall quality of the area [be] visually attractive ... sympathetic to local character, including the surrounding built environment and landscape setting ... [and] create places ..with a high standard of amenity for existing and future users’ (NPPF para 127).

Principle 2 – The focus for Development

- 5.2 As outlined in the approved draft Masterplan, we will focus housing development in the following locations:
- Epsom Town Centre
 - Other centres and stations
 - Principal movement corridors
 - Strategic employment sites
 - Intensification of the urban area
 - Urban edge of green belt

Principle 3 Design

- 5.3 Design Policies will require developers to deliver design quality with an emphasis on green and family friendly, and which ensures that each development is ‘of Epsom’ reflecting the local character and setting.

Principle 4 – Heights and Density

- 5.4 Policies will also address the density and height of developments and place a height restriction [storeys] which reflects each localities character and setting based on the NPPF.

Principle 5 – Climate Change

- 5.5 The Local Plan policies will reflect the Council’s commitments in the Environmental Action Plan (Climate Change Action Plan).

Principle 6 - Infrastructure

- 5.6 The Local Plan policies will address the issues of necessary infrastructure to ensure that new developments are sustainable.

6 Delivering the Growth and Housing

- 6.1 The Borough is currently without a five year housing land supply. In its absence, national planning policy requires that decision-taking presume in favour of sustainable development. This means proposals that are now coming before the planning authority that accord with the national planning policy objectives of sustainable development should be granted. There is a genuine risk that development proposals that the Borough Council considers to be of inappropriate nature and in unsustainable locations will be granted. The most defensible act of mitigation against this risk is to prepare and submit a sound Local Plan that meets our OAHN in full and secures at least a five year housing land supply. On the basis of our evidence, the securing of a five year housing land supply will require the identification of at least one major site.
- 6.2 A strategy that concentrates new growth within the existing urban area is likely to take longer to deliver. This position is established by evidence that demonstrates that previously developed sites, and sites with urban areas are more complex and consequently take longer to deliver. The implication is that such strategy will not be able to demonstrate at least a five year housing land supply. The evidence prepared in support of our new Local Plan suggests that this is an area of high risk.
- 6.3 The Local Plan has sought to meet local housing needs through new development. The greatest area of housing need being for additional new affordable housing provision. Changes in national planning policy have progressively made securing new affordable housing through new housing development challenging. Significantly, the Borough Council can no longer seek contributions towards affordable provision from minor developments, neither can it seek contributions in situations where they render development financially unviable. A strategy that relies upon sites within the existing urban area will invariably be based upon smaller sites. When considered alongside a possible lower growth scenario it is likely that future affordable housing delivery will be significantly reduced.
- 6.4 The possible implications for future infrastructure investment have been set out above. It is envisaged that the opportunities to secure investment in our transport networks, education facilities and green infrastructure (among others) will be limited by a low growth scenario. This would have long term consequences for the Borough.

7 Financial and Manpower Implications

- 7.1 There continues to be a requirement to prepare a sound local plan that is positively prepared, justified, effective and consistent with national planning policy. Our new Local Plan will need to have an appropriate strategy that delivers future growth. The Planning Policy team are focussed on the preparation and production of the Regulation 18 Consultation paper and evidence base.
- 7.2 The Six Principles set out a strategic approach towards future growth. Further understanding on the soundness of the approach will emerge as the work towards a new Local Plan continues.
- 7.3 **Chief Finance Officer's comments:** *A £156k budget for producing the Local Plan was agreed by S&R Committee in July 2019, funded from the Planning Delivery Grant Reserve. A further £75k budget for a public consultation was approved by S&R in September, funded from additional 2019/20 planning income in the first instance, with the remaining balance met from the Corporate Projects Reserve.*

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

- 8.1 National planning policy requires that new Local Plans include strategic policies that set out the overall strategy for the pattern, scale and quality of development, making sufficient provision for new growth, necessary supporting infrastructure, community facilities and the natural and built environment¹¹. The Six Principles could form the basis for the strategic policies included in the new Local Plan.
- 8.2 New Local Plans are required to meet the tests of soundness. This means that as minimum they meet the identified OAHN. Any potential strategy that comes out of the proposed Six Principles will need to demonstrate how our OAHN will be met. A strategy that results in unmet OAHN will need to demonstrate how any unmet housing will be delivered.
- 8.3 The policies within local plans also need to meet the test of being justified in terms of the evidence used to support their introduction and that reasonable alternatives have been considered. Should the Borough Council find itself with more than one justifiable growth strategy, it will need to ensure that its preferred approach is defensible.

¹¹ This is set out under NPPF Paragraph 20.

- 8.4 When preparing growth strategies that look beyond the existing urban areas to deliver housing, local planning authorities are required to have first considered all opportunities available within existing urban areas and on previously developed land¹². The Borough Council can demonstrate that it has met this requirement through a sequential evidence building process that includes the SHLAA, the call-for-sites consultation exercise, the Urban housing Capacity Study, the Strategic Employment Sites Capacity Study and the Epsom and Ewell Masterplan.

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

9 Sustainability Policy and Community Safety Implications

- 9.1 Any strategic policies that emerge from the subsequent development of the proposed Six Principles will be subject to the wider Local Plan sustainability appraisal reporting process.

10 Partnerships

- 10.1 Our Local Plan will need to satisfy all of the tests of soundness, including demonstrating that it is effective. Any strategic policies that emerge from the proposed Position Statement will need to demonstrate a level of broad support from our partners in neighbouring local planning authorities, with the expectation that we will deliver the Borough's OAHN. Engagement with neighbouring authorities will be secured through the on-going duty to co-operate process. This will be evidenced through a statement of common ground between partners.
- 10.2 For clarification, the Surrey authorities that did submit local plans with lower housing targets (than their OAHN) did so during the transitional period permitted by national planning policy. Our new Local Plan will not benefit that transitional period. It is worth noting that local plans submitted under those arrangements will have short lifespans.

11 Risk Assessment

- 11.1 The areas of risk which need to be managed with the emerging new Local Plan, these include:
- the emerging growth strategy will need to be sound so as to meet the requirements of the Secretary of State at examination, they won't make additions to the sites;
 - meeting our OAHN is key to securing a sound Local Plan, the absence of a sound housing strategy could lead to costly delays as modifications and further evidence is produced;

¹² The MHCLG has recently brought this requirement to the attention of local planning authorities through the form of an open letter to Broxstowe

- our existing evidence base will become dated if delays eventuate, which could stall the whole process;
- delays in securing a five year housing land supply, through a sound Local Plan will have the potential for the Borough to be planned by planning applications and appeals rather than policies in our control;
- reputational damage from having an unsound Local Plan may have far reaching consequences;
- not all growth strategies deliver the infrastructure that the Borough needs.

12 Conclusion and Recommendations

- 12.1 The Committee are asked to consider the key matters that have been identified as being relevant to the production of the new Local Plan.

Ward(s) affected: (All Wards);

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Department for
Communities and
Local Government

The Rt Hon Chris Grayling MP
House of Commons
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The Rt Hon Sajid Javid MP
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Our Ref: 3494471

9 October 2017

Thank you for your letter of 21 September about housing provision. As I said in my Statement on 14 September, the existing approach to calculating housing need is complex and lacks transparency, resulting in unnecessary preparation time and cost. It is also hard for people to understand. We are therefore proposing a new, simpler standard approach. The consultation, *Planning for the right homes in the right places*, will run until 9 November 2017:

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>.

We would value your, and your constituents', comments.

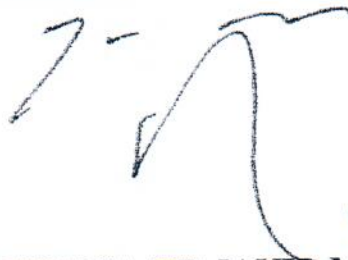
Alongside this consultation we published a table, applying the new method to housing need in each local authority area. For Epsom and Ewell, the estimated need is 579 dwellings a year; slightly up on the current estimate of 418 dwellings a year. I must emphasise that our proposals do not amount to a local housing target. Understanding housing need is the starting point in the Plan-making process, not the end. Local authorities then need to determine whether there are environmental designations or other physical or policy constraints (such as Green Belt) which prevent them meeting this housing need.

I do note your concern about the Green Belt. However, it is for each local authority, working with the community, to assess local housing need over the lifetime of the Local Plan, and to submit any new Plan policy based on that assessment, together with the supporting evidence, for examination by a planning inspector. Central government does not tell local authorities how many houses to build or where to put them. It is for the

local authority to decide where necessary development should go, and how particular land should be used. Local authorities also need to engage with other authorities, under the Duty to Cooperate, to determine how needs that cannot be accommodated locally will be redistributed over a wider area. Our latest consultation contains proposals to further strengthen co-operation between authorities when assessing housing need.

This Government is retaining strong protections for Green Belt land. Only in exceptional circumstances may a local authority alter a Green Belt boundary. Earlier this year the Housing White Paper, *Fixing our broken housing market*, underlined our commitment to Green Belt, and proposed for consultation measures to clarify the situation where release of Green Belt land is proposed. We have been carefully considering the responses to that consultation. We will announce our conclusions on both consultations in due course.

I do hope you find this information useful.

A handwritten signature in black ink, appearing to be 'S. Javid', written over a horizontal line.

RT HON SAJID JAVID MP



Ministry of Housing,
Communities &
Local Government

Agenda Item 5
Annex 2

Ministry of Housing, Communities & Local
Government
3rd Floor,
Fry Building
2 Marsham Street
London SW1P 4DF

Paul Bartlett

Email: correspondence.pesp@communities.gov.uk

www.gov.uk/mhclg

Our Ref: 4408373

Your Ref:

Date: 6 September 2019

Dear Mr Bartlett,

Thank you for your letter of 19 August to the Rt Hon Robert Jenrick MP about the standard method for calculating local housing need which is set out in the National Planning Policy Framework. We have been asked to reply on behalf of the Secretary of State, as our Team has responsibility for national planning policy on housing.

We would start by emphasising that a housing need figure is not a mandatory target. Local authorities should make a realistic assessment of the number of homes their communities need, using the standard method as the starting point in the process. Once this has been established, planning to meet that need will require consideration of land availability, relevant constraints such as Green Belt, and whether the need is more appropriately met in neighbouring areas.

We would also advise that the use of the standard method is not mandatory. Our planning practice guidance sets out that local authorities may use an alternative approach where it is felt that circumstances warrant this. However, local authorities can expect this approach to be scrutinised more closely by the Inspector appointed to examine the Local Plan. There is an expectation that the standard method will be used, and that an alternative approach will only be used in exceptional circumstances. The relevant guidance is available here:
<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

The circumstances in which the Secretary of State may wish to intervene in plan making were set out in the Housing White Paper '*Fixing our Broken Housing Market*' in February 2017. Based on these criteria, the then Secretary of State wrote to 15 of the worst performing local authorities in November 2017, in order to notify them that they were at risk of intervention.

To date, the Secretary of State has commenced intervention action in two authorities (Wirral and Thanet), and a decision on Castle Point will be made in due course. Plan making progress for the remaining 12 authorities continues to be monitored. There are no plans to extend that programme to include other local planning authorities at present. The Housing White Paper can be accessed at the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing our broken housing market - print ready version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)

The revised Framework maintains the policy that only in exceptional circumstances may a Green Belt boundary be altered, using the Local Plan process of consultation with local people, followed by examination of the revised Plan. The Framework also now makes such exceptional circumstances clearer: a local authority can propose to alter a Green Belt boundary only if it can show evidenced justification that it has examined all other reasonable options for meeting its identified development needs. This includes making the most efficient use of land and exploring whether neighbouring authorities can accommodate this need. The Planning Inspectorate should have regard to these policies both in determining planning appeals and in examining Local Plans.

Thank you, once again, for writing.

Yours sincerely,

Paul Hollings

THE PLANNING POLICY AND REFORM DIVISION



Ministry of Housing,
Communities &
Local Government

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Agenda Item 5
Annex 3
The Rt Hon Esther McVey MP
Minister of State for Housing

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2 October 2019

Dear Mr Radulovic

Broxtowe Local Plan Part Two

I have read with interest the Inspector's fact check report on the Examination of Broxtowe's Part Two Local Plan, which I have seen through our arrangements with the Planning Inspectorate. I welcome the progress that the Council has made in producing this Plan, which identifies the sites needed to deliver on the ambitions in the Greater Nottingham Aligned Core Strategies. The Government attaches great importance to the need for local authorities to have plans in place to ensure that development is positively planned with strong community engagement, rather than the result of speculative applications. Plans are essential to meet the growth and other ambitions for a local area, providing the clarity that communities deserve about where new homes should be built.

The Government is clear that councils and their communities are best placed to take decisions on local planning matters in their area without unnecessary interference from central government, and I would like to offer my full support to the Planning Inspectorate, whose inspectors play a vital role in examining plans impartially and in public. In this instance, I am grateful to the Inspector for her work on this Plan and would like to make clear that I am not commenting on the merits of her recommendations but rather am responding on how the local authority intends to implement the Plan once adopted.

I note that the Council have proposed a number of alterations to its Green Belt boundaries. The National Planning Policy Framework is clear that Green Belt should only be altered in exceptional circumstances through the preparation or review of a Local Plan. Where it is necessary to consider revision of the Green Belt, this review should be robust in its justification for any alteration. In this instance, the Inspector has concluded that the need for housing, the lack of alternatives in sequentially preferable locations outside of the Green Belt, and the limited impact that the alterations will have on the openness and purposes of the Green Belt constitute the exceptional circumstances required.

However, I would like to take this opportunity to remind you of the importance this Government attaches to maximising the potential of previously developed land for new development, ensuring the efficient and appropriate use of land when planning to meet housing need. My key priority is to ensure that this vital resource is put to productive use, to

support the regeneration of our cities, towns and villages, and to limit the pressure on undeveloped Green Belt land. I note from your Housing Delivery Action Plan (August 2019) that the Council have identified increasing the rate of house building on brownfield sites as a critical corporate objective, emphasising the seriousness in which you are approaching this matter, and I welcome the positive actions that you have set out to address the specific challenges faced in Broxtowe. However, in the context of the Green Belt releases proposed in your Local Plan, I am seeking further reassurance that the Council will be making every possible effort to prioritise delivering redevelopment on previously developed land going forward. I would be particularly interested to understand more about the challenges you are facing in bringing forward brownfield sites for development, and would encourage the Council to engage with my officials on how we can best support you in meeting this objective.

I also wish to emphasise the critical importance of early and meaningful engagement and collaboration with communities in producing Local Plans, particularly where this involves altering Green Belt boundaries. I welcome the positive engagement demonstrated by communities in Broxtowe, in particular through their ongoing work on the Toton and Chilwell Neighbourhood Plan. This demonstrates how Neighbourhood Plans can be used by local people to positively shape development in their area, including establishing principles for how former Green Belt sites are developed. I would strongly encourage the Council to continue to engage in the Neighbourhood Plan and wish to be kept updated on its progress.

Note that, as my letter raises matters that are not exclusive to Broxtowe, I will be making this letter available publicly.

THE RT HON ESTHER MCVEY MP