

Epsom & Ewell Local Plan Programme



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1. Introduction

The form and content of the Local Plan Programme

- 1.1 The Local Plan Programme sets out a timetable for the preparation and production of the new Local Plan and serves as a framework for monitoring and managing progress on it. The Programme identifies and allocates resources necessary to achieve our targets; and possible risks and constraints.
- 1.2 The Programme is designed to provide a rolling three-year project plan - that informs the process and all of the interested parties and partners¹ about how and when the Local Plan will be brought forward. It will be periodically reviewed in response to circumstances necessitating a change.
- 1.3 Previous Local Plan Programmes (Local Development Schemes LDS) have been reviewed having been triggered by significant changes in national planning policies, such as the revocation of regional plans and the publication of the National Planning Policy Framework (NPPF); and consequential changes in the Council's approach to plan-making. Our progress against the milestones in the Programme is monitored each year in the [Annual Monitoring Report \(AMR\)](#).
- 1.4 The current review of the Programme is in part due to the challenges associated with the pandemic and also various proposed planning reforms published by MHCLG including the Planning for the Future White Paper in August 2020.

The current statutory Development Plan for the Borough

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

The Local Plan

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

Surrey-wide Documents

- Surrey Waste Plan 2019-2033
- Surrey Minerals Plan Core Strategy 2011

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

1.6 In addition to the above documents, there are a number of supplementary planning guidance documents. These provide further detail to the policies and proposals of the Local Plan. The main role of these documents is to clarify and support local policy and it may be taken into account as a material consideration in relation to the determination of planning applications. These include the following documents:

- Single plot and other types of residential infill development 2003
- Householder Applications 2004
- Solar Panel Guidance for Domestic Installation 2011
- Biodiversity and Planning in Epsom & Ewell 2012
- Shopfront Design Guide 2012

2. The new Epsom & Ewell Local Plan timetable

Proposed Content

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

- A Borough-wide growth strategy that plans for growth across all land uses – including new housing, employment, retail, green infrastructure, sustainable travel and other essential infrastructure networks.
- The emerging strategy will incorporate six key principles that have been identified that ensure that proposals for the development recognise the desirability of maintaining an area's prevailing character and setting ;
- An appropriate approach to housing that responds to the government's assessment of objectively assessed housing need;
- An overview of how the Borough Council will work with its housing market area partners and others to address unmet need;
- A review of our affordable housing delivery policy;
- New policies on the historic environment and heritage assets
- An approach to economic development which encompasses the continued evolution of Epsom Town Centre and the Borough's other retail centres;
- An appropriate approach to infrastructure provision
- New policy/policies on Design Codes
- New policy/policies on Climate Change
- New policy/policies on Biodiversity
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2.2 We also anticipate that the new Local Plan will include new site allocation policies relating to:

- Green Infrastructure¹
- Housing delivery
- Employment sites
- Retail centres
- Education infrastructure
- Sustainable transport networks
- Design Codes

Coverage

2.3 The document covers the whole of the Borough. The Local Plan will cover the period between 2017 (the baseline date for the government's standard methodology) to 2037.

Conformity

2.4 The new Local Plan will be in conformity with the NPPF. It will set out the scale of local housing need and the broad areas and the specific sites across the Borough that will be brought forward to deliver future housing. It will also

set a range of policies on addressing employment and commercial development need, infrastructure, open space and green infrastructure through the development management process.

Timetable

- 2.5 The review of the Local Plan Programme has introduced an additional Regulation 18 Consultation, which seeks to build-upon earlier consultation conducted during 2017. The proposed scope of the Regulation 18 Part 2 consultation will be focussed on confirming a Borough-wide growth strategy; and the specific sites required to deliver its outcomes. The additional Regulation 18 Consultation will also consider other aspects of growth – including economic development, retail, infrastructure provision, green infrastructure, biodiversity and climate change.

<i>Key Stages</i>	<i>Dates</i>
Issues & Options and Call for Sites Consultations (Regulation 18 Part 1)	September – December 2017
Consideration of Consultation Responses	December 2017 – March 2018
Preparation and Production of the Masterplan for Epsom & Ewell	June 2018 – June 2019
Final Issues & Options Consultation (Regulation 18 Part 2)	November 2021 - January 2022
Consider consultation responses and prepare revised draft Local Plan	February 2022– June 2022
Report to LPPC Reg.19 Publication Version of the Draft Local Plan	June 2022
Pre-Submission Public Consultation	July – September 2022
Date of Submission to Secretary of State	October 2022
Public Hearing	January 2023
Estimated Date for Adoption	December 2023

Arrangement for Production

Organisational Lead
Head of Planning

Political Management

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

Internal Resources

The Planning Policy team comprises of the following roles:

- Planning Policy Manager x 1 FTE (Interim)
- Senior Planning Policy Officer x 1 FTE
- Planning Policy Officers x 1.2 FTE
- Planning Policy CIL Officer x 0.7 FTE (approx. 20% time on Planning Policy administration)

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

External Resources

- 2.8 Consultants are engaged in the production of the necessary technical evidence base documents. External expertise has already been used in relation to topic areas including housing need, an assessment of the Borough's Green Belt, retail needs and economic development. Internal knowledge and other resources will be deployed in order to optimise the value of external resources. Further studies will be produced, either in-house or by external consultants, as necessary.

Stakeholder Resources

- 2.9 The Council will work closely with neighbouring planning authorities and other strategic partners who have a functioning relationship with the Borough. This is a legal requirement under the 'duty to co-operate'. It is anticipated that this will form a critical part of the new Local Plan and will be a key consideration as to whether the emerging Local Plan is found 'sound'.
- 2.10 The Council will work closely with local partners to ensure that the emerging policies contribute positively to meeting its strategic objectives. Specifically that future community infrastructure needs are taken into account during the preparation of new policies.
- 2.11 The Council will work closely and positively with landowners and the development industry to deliver the appropriate housing strategy that will be identified by the new Local Plan.
- 2.12 The Council will engage directly with key local community groups, local political party groupings and other local interest groups, such as the Epsom Civic Society and the Campaign to Protect Rural England. Representatives of stakeholder groups will be invited to attend regular meetings or surgery sessions throughout the process, where they can informally discuss issues and options raised in the consultation. In order to comply with government safety guidance due to COVID-19, meetings and communications will be replaced by virtual meetings where appropriate.

Community and Stakeholder Involvement

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

developable options that accord with the NPPF. In order to comply with government safety guidance due to COVID-19, consultation procedures is being reviewed, specifically the Statement of Community Involvement document.

3. The Evidence Base

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

Timetable

Documents	Publication Dates
Strategic Housing Market Assessment ²	October 2016
Green Belt Study Stage 1	February 2017
Strategic Housing Land Availability Assessment (SHMA) ³	July 2017
Traveller Accommodation Assessment	July 2017
Constraints Study	July 2017
Strategic Flood Risk Assessment Update	June 2018
Green Belt Study Stage 2	July 2018
SHMA Update	September 2019
Draft Masterplan	September - October 2019
Retail Needs Study and Centre health Check	February 2020
Spatial Economic Development Strategy	February 2020
Scoping Report on the Racecourse and Equestrian Sector in Epsom & Ewell Borough	March 2020
Indoor & Outdoor Sports Facilities Assessment and Playing Pitch Strategy	March 2021
Open Space Audit Review	April/May 2021
Strategic Viability Assessment	November 2021 (alongside the Reg 18 consultation)
Habitats Regulations Assessment	November 2021 (alongside the Reg 18 consultation)

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

² Originally prepared in partnership with Royal Borough of Kingston, Elmbridge and Mole Valley Borough Councils.

³ Previous Local Plan Programmes have referred to Strategic Housing and Employment Land assessments. We already undertaken significant work on establishing our future employment needs into the future, so a joint study is no longer considered necessary.

4. Supporting Statement

Monitoring

- 4.1 Monitoring continues to be an important part of the plan-making process and will help gauge the effectiveness of policies and proposals. The Council monitor a range of indicators to assess whether the policies and proposals are meeting the objectives set out in our Local Plan. The key findings will be published in the Annual Monitoring Report (AMR). The [AMRs](#) are available to view on the Borough Council's website.

Reviewing the Programme

- 4.2 The Council will continuously monitor progress on the implementation of the Local Plan Programme. Where milestones are not being reached, appropriate actions will be taken. When appropriate the Programme will be amended.

Strategic Environmental Assessments & Sustainability Appraisals

- 4.3 Strategic Environmental Assessments of policies, proposals and plans are required under the European Strategic Environmental Assessment Directive 2001/42/EC. These are required for plans and proposals that are likely to have significant effect on the environment. The UK formally left the EU on 31 January 2020, but remained in a 'transitional period' up to 1 January 2021 to allow time to agree a new trade deal. It is anticipated that the requirements of the EU Directive will be maintained and incorporated into British law. The Environmental Bill is making its way through Parliament but due to Covid-19 delays to the Bill have occurred..
- 4.4 Sustainability Appraisals differ in that they are a social, economic and environmental assessment. Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a plan during its preparation. The requirements of a Strategic Environmental Assessment will be incorporated into the Sustainability Appraisal, which will be undertaken on the emerging policies when bringing forward our new Local Plan.

Resources

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

- 4.6 Staffing resources for the timely production of the Local Plan remain a critical issue (see Risk Management section below). At present, the following in-house resources can be drawn upon during the period covered by the Programme:
- Planning Policy Manager x1 (Currently interim Manager in post)
 - Senior Planning Policy Officer x1
 - Planning Policy Officers x 1.2 FTE⁴
 - Planning Policy CIL Officer x 0.7 FTE (approx. 20% time on Planning Policy administration)
 - Other occasional staff resources to be deployed either from within the Planning Service or from other corporate services as required
- 4.7 We will continue to use external sources of expertise where appropriate, such as on specialist topics or where there is no existing capacity. It is anticipated that Surrey County Council will continue to provide assistance with transport, education and other infrastructure capacity matters. Additionally the Planning Policy Team continues to promote joint working initiatives, whenever these are practicable and relevant, with the other Local Authorities in East Surrey to help bridge the potential staff resource gap.
- 4.8 Members are kept informed of progress on the Local Plan primarily through Licensing & Planning Policy Committee meetings and special evening sessions/ workshops where necessary and appropriate. These will impart additional information and allow opportunities for Members to feed-in their comments into the plan making process.

The Duty to Co-operate

- 4.9 The Council will continue to work with other Surrey Districts and with Surrey County Council on sharing best practice. In the past, the Council has undertaken joint projects with neighbouring authorities on topics including preparing Strategic Housing Market Assessments, and managing flood risk (specifically in relation to the Hogsmill River). The Council will continue to work effectively with colleagues across Surrey on strategic infrastructure planning.
- 4.10 The Council will continue to work with relevant authorities, bodies and partners in its Duty to Co-operate. Including closely working with immediate local authority neighbours in the East Surrey and with Surrey County Council and the wider Surrey local authorities.
- 4.11 Many of the Surrey local planning authorities are signatories to the County-wide Local Strategic Statement. This document provides a framework for discussing, considering and potentially reaching an agreed position on strategic planning matters.

⁴ There are currently two post holders in part time roles that collectively comprise the equivalent of 1.2 full time posts.

- 4.12 The Council's relationship with the Greater London Authority and the London boroughs have historically been less developed. This is, in part, due to the differences in national planning policy relating to London i.e. the London Plan. However the Council will continue to engage and work constructively with its neighbours in London.
- 4.13 Recent local plan examinations elsewhere have failed for various reasons including failure to comply with the duty to cooperate. This is the first test inspectors will consider when considering whether a Plan has met the test of Soundness. If a plan fails this, the inspector will have no option but to recommend the withdrawal of a Plan.

Project Management

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

Council Procedures

- 4.15 For matters relating to the new Local Plan, the following reporting protocols will apply:
- Licensing and Planning Policy Committee will be responsible for the preparation, production and completion of all local plan documents; and
 - Full Council will be responsible for the formal adoption of all local plan documents following consultation and examination.

Risk Management

- 4.16 The main areas of risk are considered to be:
- **Legal Challenge:** The Council will need to demonstrate that Local Plan documents are sound, positively prepared, justified, effective and consistent with national planning policy. However, on the basis of recent examples elsewhere in Surrey there is a risk, particularly post-examination, that our new Local Plan becomes the subject of legal challenge; such as a judicial review.
 - **Staff Retention, turnover and capacity:** This continues to be an area of significant risk to the Local Plan process. The loss of experienced members of staff continues to be an issue and will have an impact on the ability to meet the Local Plan Programme. Where it is not possible to recruit to vacant posts promptly, resources will inevitably be stretched with wider implications on timeframes likely. Staffing capacity has been affected due to the pandemic restrictions. In the near future, it is anticipated that where lock down restrictions ease, there are still likely to be implications on staffing capacity if staff have to self-isolate or become unwell or if lockdowns need to be locally re-imposed.

Changes in national Legislation: Due to the COVID-19 pandemic, government legislation and guidance in England has undergone significant unanticipated adaption with respect to the economy, environment, health, social and community facilities and infrastructure. This includes changes to some planning practices and procedures e.g. the introduction of new or proposed legislation to temporarily change of use of restaurants and cafes to allow takeaway food, extending time limits on unimplemented permissions, and fast-tracking applications to amend conditions relating to operating hours on construction sites.

- In August 2020 MHCLG published two consultations. [The Planning for the future White Paper](#) and '[Changes to the current planning system](#)' consultation. The former outlined Government's proposals for significant reforms in the existing planning system including significant changes to Plan making. The latter consultation consulted on a number of proposals including proposed changes to the methodology for calculating the housing need for an area. These created a period of uncertainty for a number of local planning authorities on how they proceed. In December 2020 MHCLG confirmed that the standard methodology would remain largely unchanged except for an uplift to the top 20 cities and urban areas. The message to continue to make progress on existing style local plans was repeated by the [Chief Planner](#).

It is important that momentum is maintained on the preparation in the new Local Plan in accordance with national policy. However, changes to national planning policy may necessitate a change of direction. We will closely monitor any further proposed national policy changes and seek to minimise any risks, which may include revisiting the Local Plan Programme.

- **Availability of Planning Inspectors:** Early notification of our new Local Plan Programme will forewarn the Planning Inspectorate of our anticipated timetable. The Programme will be passed to the Planning Inspectorate to aid their project management of future examinations. The Inspectorate will then enter into Service Level Agreements with us to ensure that they make adequate resources available for future stages of the process. This will help minimise the risk of delays to adoption dates.
- **High Levels of Response to Public Consultation Stages:** Experience from elsewhere in Surrey has shown that this can have an impact on the Programme timetable – due to the number of responses involved. We will seek to manage this risk by ensuring that an appropriate level of resource can be deployed to manage significant number of responses. Other areas of risk associated with this issue are difficult to predict and manage. We will seek to address some of these areas by adopting a clear communication strategy, which will seek to set out the challenges that the Borough Council faces. In light of the impacts of COVID-19, it anticipated that our approach will need to be adjusted to comply with government guidance to ensure that staff and consultee engagement practices are COVID-19 safe.
- **A wildly evolving Duty to co-operate:** The absence of firm guidance and regulation relating to the Duty has always made it an aspect of the process where risk thrives. In the past an exchange of anodyne communications between authorities has proved sufficient to placate Inspectors. This is no longer the case – recent decisions suggest that Inspectors are seeking greater certainty that local planning authorities are genuinely working

together to address strategic issues. We believe that this constitutes sound planning and consequently we will rise to this challenge. However, in the continued absence of guidance and regulation risk remains as the Duty may evolve in new and unexpected directions. Our proximity to greater London and the entirely different strategic regime that functions there suggests that risk from that area is high. We will continue to monitor and engage in the development of local plans in both the London Borough of Sutton and the Royal Borough of Kingston. We will try to understand and accommodate the developments in the Duty that spring from those processes. We will continue to seek to work with our partners in London – trying to establish and maintain the best relationship possible under these circumstances.

- **Unsettled economic climate:** The COVID-19 global pandemic has resulted in a sequence of rapid changes globally with immediate fundamental impacts on people's everyday lives. In the short term, lock down restrictions have had implications on most aspects of society and whilst longer-term impacts are uncertain, it is likely that the pandemic will have lasting effects on the economy. Changes to planning legislation and the planning system have begun and future significant reform has been announced by government.

There is further risk from the period following Brexit which may result in another period of uncertainty. The UK left the EU in 31 January 2020 and the UK is in a transitional period before new rules come in from 1 January 2021. Consequently, we may need to prepare new evidence and re-draft policy alongside any developments in this area. This will have an impact upon the proposed timetable. Given the unknown nature of this risk there is little that we can introduce as mitigation.