

Date TBC

Dear Sir/Madam,

I am writing on behalf of Epsom and Ewell Borough Council (EEBC) in response to the draft local plan which is being consulted on from September to November 2021 in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

EEBC have considered the draft plan in the context of the Town and Country Planning (Local Planning) (England) Regulations (SI2012/767), the statutory Duty to Cooperate set out in section 33A of the Planning and Compulsory Purchase Act 2004 as amended and paragraph 35 of the National Planning Policy Framework (NPPF).

On 19 March 2020 EEBC wrote to Mole Valley District Council (MVDC) in response to MVDC's Regulation 18 consultation. In that response EEBC stated that:

- EEBC had no specific comments in relation to the draft policies.
- EEBC supported a “brownfield first” approach.
- Further justification of density on proposed allocated sites was needed.
- Some smaller sites in the site allocation document may more appropriately be considered “windfall sites”.
- It may have been more useful for the housing trajectory in Appendix 6 to be more detailed.
- An opportunity to discuss the potential for MVDC to help meet unmet need from adjoining authorities would be welcomed, based on a housing trajectory of 18% over the MVDC's minimum need, and that the densities estimated in the site allocations document were low. Such conversations would allow EEBC to offer incentives for meeting needs e.g. in terms of infrastructure investment and economic development. Whilst no further detail was given in the response, this could have meant, for example, EEBC making contributions to road upgrades, green spaces, biodiversity enhancements etc. in Mole Valley, in order to help make development more acceptable. Or, agreeing, through S106 agreements to give apprentice opportunities to the new residents of Mole Valley who otherwise would have been housed in Epsom and Ewell).

Having reviewed the Regulation 19 documents EEBC have considered how the original comments have been taken into consideration and can advise as follows:

Brownfield First Approach

EEBC supported this approach. The analysis of the Reg 18 consultation responses shows that, understandably, this question attracted a wide range of comments. It is understood that the decision to undertake a revised site selection process was partly in response to these wider comments. Whilst the revised site selection process has led to a revised housing target, which EEBC has concerns with, broadly it appears that a “brownfield first” approach has still been followed. Therefore, in principle, EEBC maintains its support for this approach.

Strategic Allocation (Development Site) Density

Based on a rough calculation of densities undertaken by EEBC officers, in its response to the Regulation 18 draft, EEBC suggested that MVDC could aim for a higher number of homes on the sites identified in the draft site allocations document. A significant difference between the Regulation 18 and new Regulation 19 site allocations document is that the sizes of many of the sites have now been revised to show the estimated net “developable area” as opposed to the entire site area. The resulting effect is that each site is now shown as generally accommodating higher densities across all sites in the new site allocations document. A table of indicative residential densities (p116 of Chapter 9 – Development Site Densities) shows densities ranging from 20dph in villages to 50dph in built-up areas, stating that sites in “inner” built-up areas will be considered on a case-by-case basis. Whilst this does show a higher density overall, it is considered that there may still be scope to achieve higher densities on some sites.

More detailed housing trajectory

The information shown relating to MVDC’s housing trajectory in the Regulation 19 draft is significantly more detailed than was shown in the Regulation 18 version insofar as whilst the Regulation 18 version displayed a simple table showing the total number of homes in each 5-year period, the Regulation 19 version shows a graph with projected annual completions. This is a significant improvement.

EEBC’s unmet housing need

Following EEBC’s request to discuss meeting adjoining authorities’ unmet needs, a “stocktake” meeting in December 2020 took place, in which EEBC were informed that MVDC could not meet any of EEBC’s unmet need or their own need, owing to a revised site selection methodology. The issue of unmet need was therefore considered “unresolved” by MVDC until a Statement of Common Ground was presented for EEBC to sign in which both parties agreed that:

- Due to constraints including the statutory Green Belt, and other primary constraints EEBC may not be able to meet its own housing need figure, let alone another authority’s target.

- Due to the fact that 76% of the district is designated as Green Belt and 45% is designated as an Area of Outstanding Natural Beauty or Area of Great Landscape Value and both its principal towns are Conservation Areas, MVDC is unable to meet its own local housing need in full and so cannot meet any unmet housing need which may arise from Epsom & Ewell borough.
- Both authorities will seek to meet their own need for additional Gypsy and Traveller pitch provision.

However, the evidence upon which MVDC's revised site selection process was based was not available at the time the Statement of Common Ground was signed.

Having considered the information that is now available, EEBC are concerned that MVDC is not proposing to meet its Standard Method-derived local housing need figure in full and any implications that this may have for the EEBC local plan and for planning applications in the borough where applicants may try and argue that housing need is greater due to unmet need in MVDC's area.

Allocated sites

In response to the Regulation 18 consultation EEBC commented on two sites in particular in the draft site allocations document. This was due to concern that the scale of development on these two sites had the potential to have a significant impact on one of the key A roads (the A24) that serves the Borough. It was suggested that the traffic impact needed to be fully assessed which may involve further cross boundary engagement through the Duty to Cooperate.

One of the sites, Marsden Nurseries, has been removed from the draft plan following a revised selection process.

The other, Emryn House, Emryn Way remains in the draft plan. A further concern relating to this site was the potential loss of employment, including the jobs of Epsom & Ewell residents. The site appraisal in the Strategic Housing and Economic Land Availability Assessment (*SHELAA*) (January 2020) indicates that:

“This site currently accommodates one of the District’s major large firms and is one of a number of business HQs located within the District. Accordingly, part of the site is currently safeguarded for industrial and commercial uses. In light of changing working patterns and office requirements, there is potential for a mixed use development, which could enable the existing occupier to remain on site in a more fit for purpose building. Should it become clear that there is no reasonable prospect of employment use continuing, there is alternatively potential for a higher level of residential development. It is considered that in light of the size of the site, it could be repurposed and redesigned to include a more suitable offer.”

Given that the potential cumulative highway impacts arising from development at these two sites have diminished (by virtue of one site having been removed), and that EEBC would be consulted as an adjoining authority were a planning application to be forthcoming, EEBC consider that no further objection should be raised to the plan in this regard. Similarly, the consideration given to the potential loss of employment in the SHELAA is sufficient to overcome concern.

Additional sites

The plan also proposes 21 new sites. These vary in terms of residential yield but the majority are small scale and not close to the borough boundary with Epsom and Ewell. Accordingly, it is considered that these are not of concern.

Having regard to EEBC's response to the Regulation 18 Consultation (dated 19 March 2020) and the Statement of Common Ground signed by Mole Valley District Council (*MVDC*) on 14 June 2021 and EEBC on the 28 July 2021, EEBC have further considered the evidence put forward as part of the Regulation 19 consultation, which has become available since the Statement of Common Ground was signed. Having now considered the evidence available, EEBC has significant concerns that MVDC does not intend to meet its housing needs in full.

Should the examining Inspector wish to revisit this issue when considering any Main Modifications to the plan, EEBC would welcome the opportunity to discuss this.

Should you have any further questions please do not hesitate to contact me.

Yours sincerely,

Viv Evans,
Head of Place
Epsom and Ewell Borough Council