

Stoneleigh and Auriol Neighbourhood Plan EEBC comments on Regulation 14

This draft Regulation 14 Stoneleigh and Auriol Neighbourhood Plan which has been made available for public consultation from 9 September to 27 October 2024. The following comments have been compiled by the Epsom & Ewell Planning Policy team.

Firstly, the neighbourhood forum is congratulated for reaching this milestone stage in the plan making process. We are aware of and appreciate the time and effort which has been put in to producing this plan.

The plan covers a broad range of topics, which have been identified as being of particular importance to the Stoneleigh and Auriol community. The plan does not propose to allocate any sites for development. Each section of the plan contains high level objectives, which are clearly linked to the policies and community proposals contained within the plan. This approach provides clarity as to what the plan is seeking to achieve.

The plan is somewhat lengthy, and it is suggested that a more concise version could be achieved through providing a separate evidence base and signposting within the plan where the relevant information can be found. This would also help to prevent the plan ageing prematurely should evidence be updated, or new evidence gathered. It would also make it clear to the reader what the suite of evidence is that has informed the Neighbourhood Plan.

Foreword

It would be useful to highlight in this section that once 'made' (adopted) by the local authority, the Neighbourhood Plan will become part of the statutory development plan and form the basis for decisions on individual planning applications. It may also be useful to provide a summary of the stages in the Neighbourhood Plan making process, identifying the current stage and the next steps.

Introduction

Para 1.53 – as per the comment above, change the text “when it is adopted” to “when the plan is ‘made’.”

Para 1.6.2.3 – this paragraph should acknowledge that the NPPF (December 2023) seeks to uplift the average density of residential development in town centres and other locations that are well served by public transport (para 129). This is also in accordance with Core Strategy policy CS8 which seeks to direct “higher density development to central locations, such as Epsom town centre and other local centres, close to existing services and facilities and accessible by public transport, walking and cycling. While it is acknowledged that the Public Transport Accessibility Level (PTAL) (TFL 2023) ratings which

are referred to later in the document, rate the Neighbourhood Forum area as 1b (very poor), it is noted that this is a London based assessment. The [Transport Assessment](#) which supported the Regulation 18 stage of the Local Plan, found the accessibility of a number of sites within the vicinity of Stoneleigh/Auriol to perform well in terms of accessibility to the majority of a number of key facilities/services.

2) Housing

High Level Objectives

The objectives are supported.

Overview

It is stated within para 2.22 that the “design principles within the Stoneleigh and Auriol Design Guidance and Code document form the basis of this Neighbourhood Plan and should be considered in their entirety as part of any proposed development within the designated area.” This reads as if it is the intention of the Neighbourhood Forum to adopt the Design Guidance and Code as part of the local development plan. If this is the case, it is recommended that the Stoneleigh and Auriol Design Guidance and Code be either included as a policy, or the Neighbourhood Plan includes a design policy which supports the Design Guidance and Code. Currently there is no specific reference to the Design Guidance and Code within any policy.

Policy SA-P-H-01 Consistency of Building Lines

While the objective of the policy is clear the wording could be modified to provide further clarity. Perhaps reword to say, “New developments and property modifications, should maintain a consistent building line, complementing the form, massing and roofscape of the existing properties in the same vicinity, while respecting the sloping topography of the area where relevant.”

The last part of this sentence would reflect the wording used in the Stoneleigh and Auriol Design Guidance and Codes which is a core piece of evidence base.

Reference should be made to Core Strategy policy CS5, which requires all development to “reinforce local distinctiveness and complement the attractive characteristics of the Borough”.

Policy SA-P-H-02 New Development Height and Character

Where there is an existing or anticipated shortage of land for meeting identified housing needs, the NPPF requires that developments “make optimal

use of the potential of each site.”¹ It is therefore welcomed that policy SA-P-H-02 allows for variations to the suggested heights, where it can be demonstrated a proposed development would not be detrimental to the existing character of the area. This is also reiterated in Community Recommendation SA-CR-H-01 Support for sympathetic higher density development.

It is suggested that Development Management policy DM 13 is not referred to as it is no longer considered to be consistent with the NPPF. A [report on the use of this policy](#) was considered by the Licencing and Planning Policy Committee on 8 May 2018.

Policy SA-P-H-03 Permitted Backland Development

The objective of this policy is clear although further detail would be beneficial in relation to some areas of the requirements, for example “Appropriate and proportionate Green Spaces to be made available”. Are the green spaces to serve the development and what would be proportionate.

3) Retail, Commercial, Hospitality & Community/Cultural Facilities

High Level Objectives

Objective i) is supported, while objective ii) is perhaps overly ambitious in its aim to ensure that development does not have a negative impact on parking in the immediate area.

Overview

This section of the plan should make reference to Core Strategy Policy CS15, which seeks to encourage measures which protect the role, function and needs of the local centres in the borough.

Policy SA-P-R-01 Safeguarding of Retail Facilities

The introduction of Use Class E (Commercial, Business and Service) to the Use Classes Order and changes to permitted development rights which allow for the conversion of various commercial premises without the need for planning permission. These changes occurred following the adoption of Core Strategy and the Development Management Policies DPD. Class E and Permitted Development rights will restrict what can be achieved by this policy, for example a reduction in retail floorspace, which needs to be recognised. It may be useful to refer to commercial, business and service uses within the policy in addition to retail to be in conformity with Use Class E.

¹ NPPF paragraph 129.

In the strategic policy context we recommend referring to the following policies: NPPF paragraph 90: Ensuring the vitality of town centres² and Core Strategy policy CS15 within the chapter 'Supporting Epsom Town Centre and Local Centres'

Policy SA-P-R-02 Safeguarding of Public Houses

While the intention of this policy is clear there needs to be a degree of flexibility, for example where a facility is unviable to retain when fully justified by evidence. An example of this type of policy approach is set out in The Development Management Policies document DM31.

Additionally, it may be that SANF may wish to consider nominating these facilities to the Council as 'Assets of Community Value'. Further information on this can be found on the relevant [RTPI Planning Aid](#) webpage.

In the strategic policy context, we recommend referring to the following policies: Core Strategy policy CS13 within the chapter Community, Cultural & Built Sports Facilities. Within the supporting text of this policy 'public houses' are included in the definition of a community facility.

Community Recommendation SA-CR-R-01 Support for retail diversity

It is noted that this is a recommendation, rather than a policy, however there is a risk that the community maybe under the false impression that they have more control over the loss/range of retail and commercial premises than is in fact possible given the changes to legislation. This should be highlighted in the supporting text.

Policy SA-P-R-03 Parking at Retail, Commercial, Hospitality & Community/Cultural Facilities

In line with [NPPF para 117](#), requiring a transport statement or transport assessment from applications which are expected to generate large number of vehicles will assist in the assessment of the potential impact of such applications and how they may be appropriately managed/mitigated. This is broadly covered by DM35: Transport and Development which requires Transport Assessments for major developments, the definition of which is provided by the development [Management Procedure \(England\) Order 2015](#) and Transport Statements for smaller developments. The policy could specify that parking is a particular issue in the area, which should be addressed within any Assessment/Statement and as part of the application.

Parking standards should be in line with those identified by [Surrey County Council](#) (the Highways Authority) for the various use classes unless justified.

² References to town centres in the NPPF also apply to local centres as set out in the glossary.

We note that paragraphs 3.6.21 and 3.6.23 refer to specific planning application that has not been implemented. Whilst the wording provides some content to the policy, we question the source of the assumptions made on the potential impacts of the proposal.

4) Green spaces and biodiversity

High Level Objectives

The objective is supported.

Policy SA-P-G-01 Protection of Local Green Spaces

The Council is supportive of the neighbourhood plan identifying areas of Local Green Space (LGS). The policy seeks to identify and protect the LGS from inappropriate development. There are nine spaces which are identified as LGS within the neighbourhood plan.

Paragraph 106 of the NPPF sets out the criteria which would justify LGS designation. This reads as *“The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.”*

The inclusion of the first three spaces, Auriol Park, a section of Nonsuch Park (Cherry Orchard Nursery site and Recreation Ground (Park Avenue West) as LGS is justified.

Sites four & five are Park Avenue West and Barn Elms allotments. Access to allotments is generally restricted to members only, which substantially reduces the value of these to the local community for those who are not plot holders. It is therefore considered that allotments on their own would not necessarily be enough to meet the criteria fully, although they may be included where they are either part of a wider green space or have a particular local significance. Their inclusion is therefore considered to require some further justification.

The inclusion of the ‘old school playing field, Salisbury Road’ is not recommended as the site now has planning permission for development. The planning application was determined by Surrey County Council and while objections to the scheme were raised by both Epsom & Ewell Borough Council and the Stoneleigh and Auriol Neighbourhood Forum, the principle of development has now been established. It is noted that the inclusion of this site as LGS was in relation to its biodiversity. In accordance with national

legislation the site will be required to deliver Biodiversity Net Gain, which is discussed in further detail under policy SA-P-G-03 below.

The inclusion of school playing fields at Cuddington Community School, Auriol and Mead School and the Meadow/Nonsuch Primary School, which are currently in use is queried. School playing fields can generally only be utilised by those at the school or where organised events are held with the permission of the school. This is a significant limiting factor in weighing up these spaces as being demonstrably special to the local community. School playing fields are protected through national planning policy and the Department for Education (DfE) has a presumption against the disposal of publicly funded school land, particularly playing field land. There is a very high threshold for it to be demonstrated that a school playing field is no longer required. Therefore, given the protections that exist and the relatively limited value outside of its use by the schools it is recommended these are not designated.

Policy SA-P-G-02 Protection of Notable Green Spaces

For clarity, it would be useful to include a map to show the Notable Green Spaces, which are to be protected by the policy.

Policy SA-P-G-03 Managing the Impact on Biodiversity

Biodiversity Net Gain (BNG) is a requirement under a statutory framework, introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for BNG, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

Additionally, Core Strategy policy CS3 states that “development that is detrimental to the Borough’s biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute positively towards the Borough’s biodiversity”.

Therefore, while the objective of policy SA-P-G03 is supported it is considered the policy adds little to the national requirement.

Policy SA-P-G-04 Protection of Trees, Woodlands and Hedgerows

This policy is largely repetitive of policy DM5.

Where works are likely to affect mature trees on or adjacent to development sites (including street trees, TPO and conservation area protected trees and

veteran trees, hedges, or orchards) or where the site has a sylvan character an Arboriculturally Impact Assessment would be required to support a planning application. The requirement for this is set out in the Council's Local Validation Requirements List.

5) Environmental Sustainability

High Level Objectives

Objective i) is more relevant to building control than planning.

Policy SA-P-S-01 Certainty of Water Supply and Foul Water Drainage

This policy addresses an issue which outside the remit of the planning system and is dealt with via building control regulations.

In terms of water supply, Development Management policy DM12 Housing Standards requires new development to comply with the higher water efficiency standards G2 as set out in building regulations.

We recommend that the policy is deleted from the next iteration of the Neighbourhood Plan.

Policy SA-P-S-02 Minimising Flood Risks

The policy requires all developments, of any size, to minimise excess water run-off into the street "through the use of soak-aways or ponds, retain as much green space as possible." The methods suggested are prescriptive and the policy would benefit from providing flexibility through the inclusion of additional wording such as "or other suitable sustainable methods."

While the aim of the second part of the policy is supported, the use of water butts may not be practicable for every development. The wording could be amended to encourage water harvesting methods, such as the use of water butts, which would provide greater flexibility.

In the strategic policy context refer to the following policies: Core Strategy CS6 – Sustainability in New Developments.

The supporting text in paragraphs 5.4.11 and 5.4.12 reference the 2008 and 2018 Strategic Flood Risk Assessment (SFRA). The Council has recently published an updated SFRA as part of the Local Plan evidence base, which incorporates the latest modelling data. It should be noted that the areas within the SANF area, which were previously identified as being in fluvial flood risk zone 3a are no longer within this zone. The SFRA identifies that surface water flooding poses the greatest risk of flooding within the SANF area, the extent of

which are shown on the supporting maps. It is recommended the supporting text is updated to reflect the updated SFRA.

The Development Management policy DM19 identifies that development within area at medium of high risk from other sources of flooding (which would include surface water flooding) would not be supported unless a site Flood Risk Assessment demonstrates that a proposal “would, where practicable, reduce risk both to and from the development or at least be risk neutral.”

Policy SA-P-S-03 Sustainable Drainage

This policy is repetitive of Development Management policy DM19 which requires the incorporation of SuDS at a level appropriate to the scale and type of development.

We therefore recommend that the policy is deleted from the next iteration of the neighbourhood plan.

Policy SA-P-S-04 – Renewable Energy and Energy Efficiency

Whilst we are supportive of the policies aspirations, we consider that criteria 1 of the policy should be amended to provide flexibility for circumstances when ‘new development’ may not be able to incorporate renewable and low energy (e.g. a minor residential extension). We note the use of ‘should’ rather than must in the policy which does provide a degree of flexibility, however we would suggest that the wording is amended to state that ‘new developments are encouraged to’....

In terms of criteria 2, building regulations Part L ‘conservation of fuel and power’ set the standards that new development should be constructed to in terms of thermal efficiency. This policy could be amended to ‘encourage opportunities to integrate passive design principles, including orientation, glazing and shading with regard to the winter and summer sun and natural ventilation’.

Policy SA-P-S-05 – Electric Car Charging

Whilst we are supportive of the general aims of the policy to encourage the uptake in electric vehicle usage by enabling residents to charge their vehicles at home, the building regulations (Approved Document S) details when residential and non-residential developments should provide electric vehicle charge points.

Approved Document S applies to new residential and non-residential buildings; buildings undergoing a material change of use to dwellings; residential and non-residential buildings undergoing major renovation; and mixed-use buildings that are either new or undergoing major renovation.

We therefore question the need for the policy.

6) Transport

High Level Objectives

The objective is supported.

Policy SA-P-T-01 – Assessment of Transport Impact

Whilst we understand the general thrust of the policy is to ensure that the transport impacts of development are appropriately considered, we consider that the policy is too prescriptive.

The neighbourhood forum has no role in the determination of planning applications in the neighbourhood forum area, therefore criteria 2 of the policy should be deleted. The forum will however be consulted on planning applications in the forum area and will be able to respond to consultations.

We consider criteria 1 and 3 could be combined, with the policy requiring development being required to mitigate transport and parking impacts and supported by a Transport Assessment and / or Travel Plan in accordance with SCC good practice guidance.

Policy SA-P-T-02 – Motor Vehicle and Cycle Storage

Criteria 1 – consider more flexibility needs to be provided for developments that may come forward in highly accessible locations (i.e. in close proximity to Stoneleigh Station) but that cannot satisfy the parking standards.

The Council's current car parking standards for the borough states that 'clear justification should be provided where the minimum level cannot be met on-site'.

This above would support making efficient use of land in the urban area as promoted by Strategic Policy CS5 of the Core Strategy.

As noted above, electric vehicle charging points are now required as part of building regulations (Approved Document S).

As the focus of the policy is on residential standards, it may be better to amend the title of the policy to 'residential parking standards', that way by default non-residential developments will consider the policies in the adopted Local Plan and criteria 2 and 4 can be deleted.

In terms of criteria 3, we consider cycle parking requirements could be specified here for residential schemes. For any residential scheme cycle storage should be secure, easy to use and conveniently located.

In the strategic policy context, we recommend referring to Core Strategy policy CS5.