

Appendix 1

Epsom and Ewell Borough Council (EEBC) response to the Stoneleigh and Auriol Regulation 16 Neighbourhood Development Plan.

Reference	Comment	EEBC Recommendation to examiner
General Neighbourhood Development Plan (NDP)		
General comment – Submission NDP	Policy numbering could benefit from being simplified.	Consider amending policy numbering, e.g. Policy 1, Policy 2 and for all policies with criteria use consistent referencing.
General comment – Submission NDP	Inconsistent referencing of the NPPF, with some text referring to and quoting the December 2023 version and others the December 2024 version.	Check and amend references to the NPPF as necessary.
General comment – Submission NDP	Inclusion of evidence within the plan (such as survey results) adds to its length and could be presented separately from the Plan.	Include evidence contained with the plan as a standalone Appendix or Appendices (e.g. Survey results) to make the plan more concise.
Policy SA-P-H-01 Consistency of Building Lines		
Policy SA-P-H-01	<p>The policy has been amended following the Regulation 14 consultation version, to reflect some of the language used in the Stoneleigh and Auriol Design Guidance and Codes which is a core piece of evidence base.</p> <p>Planning Practice Guidance states that NDP policies should be drafted so they are concise, precise and supported by appropriate evidence.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Consistency of Building Lines <i>Where appropriate, new development should respect the building line, having regard to the AECOM Stoneleigh and Auriol Design Guidance and Codes (2022).</i></p>

Reference	Comment	EEBC Recommendation to examiner
	We suggest amendments are made to the policy to make it more concise.	
Strategic Policy Context Table under policy (p21)	For clarity it is suggested that references to the EEBC DM Management Policies are removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-H-02 New Development Height and Character		
Policy SA-P-H-02	<p>It is 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, however we consider that the wording can be improved for clarity.</p> <p>We suggest the title of the policy is amended to remove the word 'new' so that it becomes 'Development Height and Character'.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Development Height and Character</p> <p><i>1. New development should:</i></p> <p><i>a) respect the surrounding building heights, which are generally 2 to 3 storeys high. Any exceptions to this would need to demonstrate how they would maintain the existing character of the area;</i></p> <p><i>b) complement the existing form, massing and roofscape of the surrounding built form;</i></p> <p><i>c) use materials that complement the character of the area; and</i></p> <p><i>d) have regard to the AECOM Stoneleigh and Auriol Design Guidance and Codes (2022).</i></p>

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Strategic Policy Context Table under policy (p25)	It is suggested that referenced to the EEBC DM Management Policies are removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Para 2.4.2.2	For clarity it is suggested that Development Management policy DM13 is not referred to as it is no longer considered to be consistent with the NPPF, paragraph 130.	Consider removal of paragraph 2.4.22
Policy SA-P-H-03 Permitted Backland Development		
Policy SA-P-H-03	<p>We consider that the wording can be improved for clarity and to enable the policy to be successfully implemented. We recommend that numbering is added to the criteria.</p> <p>We consider there is no need to signpost the vehicle parking standards covered in a later policy.</p> <p>We suggest the title of the policy is amended to remove the word 'permitted' so that it becomes 'Backland Development'.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Backland Development</p> <ol style="list-style-type: none"> 1. <i>New dwellings within one or more residential plots will be permitted, where the following criteria are satisfied:</i> <ol style="list-style-type: none"> a) <i>Appropriate vehicle, pedestrian and cycle access is provided from the public highway.</i> b) <i>Appropriate private and usable amenity space is provided.</i> c) <i>No adverse overlooking of residential dwellings and gardens.</i>

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Strategic Policy Context Table under policy (p30)	It is suggested that references to the EEBC DM Management Policies and SCC Design Codes are removed.	Consider removal of latter four rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
2.5.2.1	For clarity it is suggested that Development Management policy DM 16 is not referred to as it is a not a strategic policy.	Consider removal of paragraph 2.5.2.1
Policy SA-P-R-01 Safeguarding of Retail Facilities		
Figure 10	<p>Whilst the map shows the locations at a zoomed-out scale, it is difficult to determine the exact boundaries of the 'retail locations' and places of worship.</p> <p>Suggest inclusion of an insert map to show precise boundary locations.</p>	Consider inclusion of inset maps on a scale map.
3.2.6	For clarity it is suggested that Development Management policy DM31 is not referred to as it is a not a strategic policy and is dated following amendments to the use classes order in September 2020.	Consider removal of paragraph 3.2.6
Policy SA-P-R-01	<p>The policy has been amended following the Regulation 14 consultation version, to reflect the introduction to the Use Class System of Use Class E and changes to permitted development rights which allow for the conversion of various commercial premises without the need for planning permission.</p> <p>Policy SA-P-R-01 refers to policy DM28: Existing Retail Centres (Outside of Epsom Town Centre), which is a policy within the adopted Development Management</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Safeguarding of Retail Facilities</p> <p><i>1. Within the retail centres as shown in figure 10:</i></p> <p><i>a) Proposals that would improve and enhance local facilities and services by</i></p>

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	<p>Policies document (DMPD) that forms part of the Council's current Local Plan. Policy DM28 has been superseded by the introduction of Use Class E, which encompasses a far broader range of uses in comparison to the previous Class A uses referred to in DM28.</p> <p>Policy SA-P-R-01 has been re-written to re-provide "the protection formerly afforded by DM28". However, the policy is considered ineffective due to the lack of specific primary retail frontage boundaries and the broad scope of Use Class E.</p> <p>The policy references "existing shopping frontages in the Shopping Centres (as identified in Figure 10)", and "Along identified Primary Retail Frontages", although only the boundaries of the Shopping Centres are identified, rather than the specific frontages.</p> <p>The policy appears to contain conflicting statement stating in Paragraph a) that "Proposals for changes of use that threaten the predominance of class E uses will be resisted", and in the penultimate paragraph of the policy it is stated that "the percentage of Class E units will not fall below 66%." However, it is then stated that "Uses other than class E will not be permitted in Primary Retail Frontages."</p> <p>We consider that the wording can be improved for clarity, to enable the policy to be successfully implemented.</p>	<p><i>addressing the daily requirements of the community will be supported.</i></p> <p><i>b) Proposals for changes of use that threaten the predominance of class E uses will be resisted.</i></p>

Reference	Comment	EEBC Recommendation to examiner
Policy SA-P-R-02 Safeguarding of Public Houses		
Policy SA-P-R-02	We welcome the intention of the policy however consider that the wording can be improved for clarity and to enable the policy to be successfully implemented.	<p>Suggest that the policy is amended to state the following:</p> <p>Safeguarding of Public Houses <i>The existing public houses, as shown in Figure 13 are regarded as valued community facilities. Proposals which would result in the loss of public houses would be supported only if:</i></p> <ul style="list-style-type: none"> <i>a) The proposal is supported by clear and robust evidence that demonstrates that the public house is no longer economically viable to retain in the existing use; and</i> <i>b) it has been vacant and actively marketed for a use as a public house without success for at least 12 months</i>
Strategic Policy Context Table under policy (p43)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Figure 13	Whilst the map shows the approximate locations at a zoomed-out scale, it is difficult to determine the exact locations and the public houses and the buildings to which the policy applies.	Consider inclusion of inset maps on a scale map.

Reference	Comment	EEBC Recommendation to examiner
Policy SA-P-R-03 Parking at Retail, Commercial, Hospitality & Community/Cultural Facilities		
SA-P-R-03	<p>This policy has not been amended from the Regulation 14 version. Given that the policy is directed towards uses which are likely to fall within Use Class E, the effectiveness of the policy is questioned. Additionally, as previously raised at the Regulation 14 consultation, parking standards should be in line with those identified by Surrey County Council (the Highways Authority) for the various use classes unless justified.</p> <p>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.</p>	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.
Strategic Policy Context Table under policy (p48)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-G-01 Protection of Local Green Spaces		

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Policy SA-P-G-01	<p>EEBC supports the inclusion of the Auriol Park, a section of Nonsuch Park (the Cherry Orchard Nursery site) and the recreation ground (Park Avenue West).</p> <p>Our Regulation 14 response suggested that for the allotment sites: Park Avenue West and Barn Elms, to be designated as LGS, further justification was needed.</p> <p>The policy has retained the inclusion of the Old School Field, Salisbury Road as LGS, which was not supported by the Council, due to the site having recently received planning permission for development (Outline Planning Application Granted June 2024. Reference: EP23/00633/CMA). It is recommended this site is not designated as LGS.</p> <p>We welcome the intention of the policy however consider that the wording can be improved for clarity and to enable the policy to be successfully implemented.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Protection of Local Green Spaces</p> <p><i>Proposals which affect the following green spaces will only be supported in very special circumstances:</i></p> <ul style="list-style-type: none"> • <i>Auriol Park,</i> • <i>Cherry Orchard Nursery site within Nonsuch Park,</i> • <i>Recreation Ground (Park Avenue West),</i> • <i>Allotments at Park Avenue West,</i> • <i>Allotments at Barn Elms by Auriol Park.</i>
Strategic Policy Context Table under policy (p53)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
4.3.2.2	The justification for designation of Local Green Spaces set out in para 4.3.2.2 does not need to be in the main Neighbourhood Plan document; the supporting Local Green Space Evidence Base should be referred to which assesses the sites against the criteria set out in the NPPF.	Refer to the Local Green Spaces Evidence Base and consider moving the Local Green Space assessment table to an appendix.
4.3.2.2 (site 6) – p56	Site 6 Old School Field (Salisbury Road) is not publicly accessible and recently received planning permission for	Consider removing the supporting text relating to site 6 – Old School Field (Salisbury Road).

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	development (Outline Planning Application Granted June 2024. Reference: EP23/00633/CMA).	
Policy SA-P-G-02 Protection of Notable Green Spaces		
Policy SA-P-G-02	<p>This policy seeks to protect 'notable green spaces' which are listed in figure 18 with the locations shown in figures 19 to 21. The number of sites appears to have increased significantly from Regulation 14 stage, although we welcome the inclusion of location maps which we requested in our response at this stage.</p> <p>Having viewed the location maps, we note that many of these areas of amenity land, are unlikely to be subject to development proposals due to their size and location. In addition, we expect that the vast majority of land parcels are owned by the Highway Authority who have extensive permitted development rights to enable them to undertake works.</p>	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.
Strategic Policy Context Table under policy (p62)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-G-03 Managing the Impact on Biodiversity		
Policy SA-P-G-03 –	We note that the policy has been amended since Regulation 14 stage, where in our response we supported the object of policy SA-P but considered it added little to the national requirement(s).	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.

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	<p>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, the NPPF (2024) makes multiple references to providing net gains for biodiversity and 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”.</p>	
Strategic Policy Context Table under policy (p67)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-G-04 Protection of Trees, Woodlands and Hedgerows		
Policy SA-P-G-04	In our response at Regulation 14 stage, we stated that we consider that this policy is largely repetitive of Development Management Policies Policy DM5 and that 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,	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.

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	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.	
Strategic Policy Context Table under policy (p67)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-S-01 Certainty of Water Supply and Foul Water Drainage		
Policy SA-P-S-01	<p>This policy has not been amended from the Regulation 14 version and addresses an issue which outside the remit of the planning system, being dealt with via building control regulations.</p> <p>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.</p>	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.
Strategic Policy Context Table under policy (p74)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-S-02 Minimising Flood Risks		
Policy SA-P-S-02	The policy has been amended to provide flexibility and policy CS6 is identified as a strategic policy, which is welcomed.	<p>Suggest that the policy is amended to state the following:</p> <p>Minimising Flood Risks <i>Developments of any size should mitigate surface water run off through the use of</i></p>

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	We welcome the intention of the policy however consider that the wording can be improved for clarity and to enable the policy to be successfully implemented.	<i>appropriate Sustainable Urban Drainage (SuDS).</i> <i>Development should include rainwater storage/harvesting for garden and general outdoor use.</i>
5.4.3.1	<p>The SFRA referred to in paragraph 5.4.3.1 has been superseded by the 2024 SFRA (detailed in para 5.4.3.2) which included the most up to date flood zone data / best practice available at the time of preparation as recommended by the Environment Agency</p> <p>Following revisions to flood zone modelling in 2023 by the Environment Agency which removed some upstream areas of the River Hogsmill. Because of these changes the neighbourhood plan area does not contain any land that falls within Flood Zones 3 or 2 (See 2024, SFRA, L1 – Appendix 2 – Figure 1)</p>	Consider whether this supporting text is necessary given that the document referred to has been superseded by more recent evidence base.
5.4.3.2	The SFRA (2024) is a strategic level document that has been prepared with the Environment Agency and Lead Local Flood Authority. The document does not provide a detailed analysis of flood risk in each ward, however the SFRA Appendices (maps) enable flood risk to be identified across the borough.	Consider extensive amendments to the wording so that it reflects that the 2024 SFRA is the most up to date evidence base. The supporting text as written adds little to the policy and could be seen to signpost developers to old evidence base that does not reflect the latest flood zone modelling / best practice.
Strategic Policy Context Table under policy (p76)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.

Reference	Comment	EEBC Recommendation to examiner
Policy SA-P-S-03 – Renewable Energy and Energy Efficiency		
	<p>The policy has been amended to provide flexibility, which is welcomed.</p> <p>We suggest modifications to the policy to ensure that is concise and precise. As written, we consider that this criteria could be difficult to apply consistently.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Renewable Energy and Energy Efficiency</p> <ol style="list-style-type: none"> 1) <i>Any new developments are encouraged to incorporate renewable and low-carbon energy and heating schemes, appropriate to the size of the development.</i> 2) <i>To assist in maximising the thermal efficiency of a building, developers are encouraged to take the opportunity to integrate passive design principles, including orientation, glazing and shading with regard to the winter and summer sun and natural ventilation.</i>
Strategic Policy Context Table under policy (p81)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
5.6.2.2	Consider remove references to Surrey Solar Together scheme to future proof the plan, should the scheme cease or be renamed.	<p>Suggest that the supporting text is amended to state the following:</p> <p><i>At the time of their design and build, most of the dwellings in Stoneleigh and Auriol relied on fossil fuels for their heating with fireplaces in downstairs rooms and chimneys that heated the upstairs rooms as the smoke rose up the</i></p>

Reference	Comment	EEBC Recommendation to examiner
		<p><i>chimneys. Most have since installed either gas or electric central heating.</i></p> <p><i>However, residents are becoming increasingly aware of the need for sustainable energy and the number of homes with solar panels is increasing rapidly. (which should be fuelled further by the EEBC Solar Together scheme which is now underway in the area).</i></p>
Policy SA-P-T-01 – Assessment of Transport Impact		
6.2.1	Whilst we note that a PTAL has been undertaken for the Neighbourhood Forum area, which as the wording states is a London based metric, we consider that the Neighbourhood forum area (in the local context) benefits from good public transport, with a mainline train station being located in the Forum area in addition to frequent bus services along the A240 Kingston Road.	Consider whether the supporting text should be retained given the Neighbourhood Forum is not located within Greater London.
Paragraphs 6.2.3 – 6.2.3.5	It is considered that most of this information could be moved to an Appendix or published as a stand-alone piece of evidence. The information on rail services / bus services is likely to date.	Consider moving most of this information to an Appendix.
Policy SA-P-T-01	<p>This policy has been amended from the Regulation 14 version as suggested by EEBC.</p> <p>We welcome the intention of the policy however consider that the wording can be improved for clarity and to enable the policy to be successfully implemented.</p>	<p>Suggest that the policy is amended to state the following:</p> <p>Assessment of Transport Impact <i>Developments will be required to mitigate transport and parking impacts and be supported by a Transport Assessment and / or Travel Plan in</i></p>

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		<i>accordance with SCC good practice guidance (as amended).</i>
Strategic Policy Context Table under policy (p88)	For clarity it is suggested that the part of the table that references EEBC DM Management Policies is removed.	Consider removal of latter two rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.
Policy SA-P-T-02 – Residential Parking and Cycle Storage		
Policy SA-P-T-02	<p>It is considered that greater flexibility needs to be provided for developments that may come forward in highly accessible locations (for example developments near to train stations and / or frequent bus services) but that cannot satisfy the parking standards. This would support making efficient use of land in accordance with the NPPF and Strategic Policy CS5 of the Core Strategy.</p> <p>In addition, para 112 of the NPPF is clear that when setting local parking standards for residential and non-residential development, policies should take into account:</p> <ul style="list-style-type: none"> a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. <p>The council considers that 'reduced or even nil provision can be appropriate in support of the most efficient use of land particularly where there is a good level of access to public transport and amenities.</p>	Consider whether this policy is necessary and if it is distinct and reflects and responds to the unique characteristics and planning context of the Neighbourhood Area.

Reference	Comment	EEBC Recommendation to examiner
	The policy as written implies that under criteria 1 no vehicle parking standards will apply for single dwelling schemes. The same issue applies to criteria 2 which does not set any requirements for cycle storage (i.e. the number of bike parking spaces).	
Strategic Policy Context Table under policy (p90)	It is suggested that the part of the table that reference the EEBC DM Management Policies and SCC Healthy Streets design code is removed.	Consider removal of latter four rows of table so that it focuses on the strategic policies of the EEBC development plan and national planning policy.