

NPPF Consultation EEBC Draft Response
Licencing and Planning Policy Committee

Consultation questions on the revised National Planning Policy Framework (16 December 2025 – 10 March 2026)

Question	EEBC Response
Scope of Consultation	
1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?	It will be important for there to be clear transitional arrangements in place to benefit all users of the planning system.
2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? a) Please provide your reasons, particularly if you disagree.	Strongly agree. a) The Council are broadly supportive of the introduction of annexes on the matters including information requirements set out in Annex C (to support national decision-making policies) and including information on Flood Risk and Coastal Change (Annex F). Whilst we note the inclusion of Annex D (Housing Calculations and Supply), as set out in our response to previous consultations, we have concerns that the methodology used for the purposes of calculating housing need to be

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	<p>flawed and not reflect local circumstances. In terms of Annex E, we can see that advantages of including this information, although consider that the 'bar' has been set too low for determining whether land makes a moderate or low contribution towards the three purposes utilised for assessing Grey Belt applications.</p>
<p>3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>b) The Council are broadly supportive of the introduction of annexes on the matters including information requirements set out in Annex C (to support national decision-making policies) and including information on Flood Risk and Coastal Change (Annex F). Whilst we note the inclusion of Annex D (Housing Calculations and Supply), as set out in our response to previous consultations, we have concerns that the methodology used for the purposes of calculating housing need to be flawed and not reflect local circumstances. In terms of Annex E, we can see that advantages of including this information, although consider that the 'bar' has been set too low for determining whether land makes a moderate or low contribution towards the three purposes utilised for assessing Grey Belt applications.</p>
<p>4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council considers integrating the PPTS into national planning policy will provide greater clarity for users of the planning system.</p>

Question	EEBC Response
1 - Introduction	
<p>5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council considers that using consistent wording throughout the documents provides greater certainty and reduces the potential for ambiguity.</p>
2 – Plan making policies	
<p>6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>We note that the requirement for Spatial Development Strategies is being introduced by legislation and that Policy PM1 is setting out further detail on their role in the planning system. As a local authority that is undergoing Local Government Reorganisation and will be replaced by a larger Unitary Authority on the 1 April 2027, we consider that the housing need (2a) and the broad locations for new settlements or major urban extensions (2b) should be identified by the new unitary authorities as opposed to the spatial development strategy which is likely to cover a much bigger geography.</p> <p>Additionally, the Council considers that the decision as to whether a review of Green Belt (2d) is required should be left to local authorities, rather than ‘broad locations’ where green belt changes are required being identified by the Spatial Development Strategies.</p>

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	<p>The Council are broadly supportive of defining the strategic infrastructure necessary to enable development, we consider that dealing with this matter at a strategic scale with input from local authorities would be beneficial.</p>
<p>7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?</p> <p>a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?</p>	<p>Partly disagree.</p> <p>The Council can see benefits in the review period being the same as for a Local Plan (5 years), as set out in our response to Q7 we consider matters of housing need are best to be determined at the local authority level.</p> <p>There is concern that delays to the development / review of Spatial Development Strategies will delay Local Plan production, potentially exposing local authorities to greater risk of speculative development which will undermine public confidence in the plan making system.</p>
<p>8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?</p>	<p>Neither agree nor disagree.</p> <p>As set out in our response to Q7, the Council considers that housing requirements should be set at the planning authority level rather than by the Strategic Authority through the SDS. However, if the NPPF is to be amended as proposed, we consider that additional text should be included within the document setting out that housing requirements contained in SDS documents can continue to apply for more than five years.</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	
<p>9) Do you agree with the role, purpose and content of local plans set out in policy PM2?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council considers that the majority of PM2 is reasonable and reflects the current approach to plan making with the requirement for a vision and spatial strategy. Our main concern relates to 1. a) iv. which cross references Policy S1 which sets out that we should meet the development needs as a minimum which will either be defined in a spatial development strategy or local plans where a spatial development strategy is not in place.</p> <p>As stated in response to Q7, the Council considers that housing needs / requirements are best set at the local plan level.</p> <p>In terms of criteria d), which cross references Policy PM6, the Council are concerned with the limitation placed on local authorities to include local policy.</p> <p>The Council notes that within the consultation there is no opportunity to comment specifically on Criteria 1b of Policy PM6 which sets the bar too high for local authorities to identify locally specific polies to be included in the Local Plan. The Council considers that there are likely to be cases when locally specific policies are required which may not comply with these two policy requirements.</p>

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<p>10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?</p> <p>a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.</p>	<p>Yes.</p>
<p>11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>Whilst the Council do not have concerns with not 'duplicating or substantially' restating the concern of national decision-making policies, the Council strongly disagree with the inclusion of 'or modify' in the policy. The Council consider that there may be instances where it is necessary to 'modify' a national policy to reflect a locally specific issue or characteristic.</p>
<p>12) Do you agree with the approach to initiating plan-making in PM7?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>The requirements to produce plans in 30 months will be set out in legislation in due course, and the Council are in principle supportive of the new streamlined plan making process.</p> <p>However local authorities will need to be resourced appropriately to meet these ambitious timescales, specifically those (such as Epsom and Ewell) who are going through the process of Local Government Reorganisation.</p>

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<p>13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The costs of preparing local plans (including the supporting evidence base) can be significant and therefore the Council welcome the reference to updating existing evidence wherever possible and consider using evidence base produced by other plan makers and working cross boundary wherever possible. This is something we have done historically, however for our current local plan (at Examination) due to the stage of plan making we were at, compared to our neighbouring authorities joint evidence production was not feasible, and this may continue to be an issue as authorities are at different stages of plan making.</p> <p>The Council welcome the government producing standard tools, methods and templates for evidence gathering as set out in criteria 2d (although note that some of these tools are not currently available) and would encourage the digitisation of evidence base, including a national call for sites register to support the production of land availability assessments.</p>
<p>14) Do you agree with the approach to identifying land for development in PM9?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partially agree.</p> <p>The Council welcome a standardised approach to identifying land for development although consideration needs to be given as to the time it will take local authorities to transfer existing information on sites into the new system.</p> <p>We would welcome a standardised / national call for sites system that could be integrated with nationally held datasets on constraints, such as flood data, national and internationally protected sites etc.</p>

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<p>15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The approach is more proportionate and pragmatic when compared to the legal tests related to the Duty to Cooperate. The Council considers that additional guidance on the relationship between Spatial Development Strategies and Local Plans would be welcomed.</p>
<p>16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council welcomes the promotion of greater clarity at the plan-making stage on expected contributions that might help to reduce the need for negotiation at the decision-making stage.</p> <p>It is noted that Policy PM12 reflects the introduction of spatial development strategies and acknowledges that contributions may apply at different tiers and across areas.</p>
<p>17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is supportive of criteria 4 which plans to set out their own circumstances in which review mechanisms will be used to address local issues such as the provision of affordable housing.</p>
<p>18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?</p>	<p>Strongly disagree.</p>

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<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>In relation to standards for energy efficiency the Council's preference would be for the Future Homes Standard and building regulations to take an approach that incorporates higher energy efficiency standards and a whole energy approach as proposed by key industry bodies through the UK net Zero Building Standard and LETI climate emergency design guide. As well as being most in keeping with national climate change ambitions, this would result in high quality, low running cost homes regardless of socioeconomic status. If this does not happen, The Council considers that there are local circumstances which justify Local Authorities in setting higher energy efficiency standards beyond those defined in the policy.</p> <p>Through the emerging Epsom and Ewell Local Plan we have included a policy requiring that buildings are constructed to a higher energy efficiency standard than set out in the building regulations. This policy was supported by detailed evidence in relation to both feasibility and viability. The policy as drafted would limit councils' ability to introduce such standards.</p> <p>We are also concerned with the implementation of section 43 of the Deregulation Act and a potential inconsistency with Policy CC1 in that substantial weight should be given to the benefits of improving energy efficiency whilst not enabling policy to seek ambitious standards to maximise those benefits.</p>
<p>19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial</p>	<p>Neither agree nor disagree.</p>

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<p>development strategies, local plans and minerals and waste plans at examination?</p> <p>a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?</p>	<p>The Council generally welcomes the inclusion of the tests of soundness for both spatial development strategies and local plans to provide clarity on how the two document types will be accessed.</p> <p>In terms of PM14, the Council welcome criteria c, specifically the wording that ‘there is a reasonable prospect that local plans will be capable to implement its spatial strategy’.</p> <p>In terms of PM15, the council broadly support the changes which reflect the role that plans need to be in conformity with Spatial Development Strategies.</p>
<p>20)Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?</p>	<p>The Council welcomes PM17 regarding examining neighbourhood plans s. This will assist the Council when advising Neighbourhood Planning groups (Forums, parish / Town Councils etc).</p>
<p>3 – Decision Making Policies</p>	
<p>21)Do you agree with the principles set out in policy DM1?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>In 1. The Council notes the focus of pre application for major development schemes, however we are pleased to see in Criteria 2 that the pre-application discussions can be necessary for non-major schemes, although as an authority with a tightly defined urban area we encourage the use of pre-application advice beyond the matters detailed.</p>

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<p>22)Do you agree with the policy DM2 on information requirements for planning applications?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly Agree.</p> <p>The Council is broadly supportive of the criteria 1 and supporting Annex C which defines the information required to support specific national development policies.</p> <p>In terms of criteria 2, the Council agree it is important the Local validation lists should only include the information that is necessary and our own local validation list takes this approach.</p>
<p>23)Do you have any views on whether such a policy could be better implemented through regulations?</p>	<p>No comment.</p>
<p>24)Do you agree with the principles set out in DM3?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>No comment.</p>
<p>25)Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council broadly welcomes the policy which acknowledges that where an up-to-date local plan is in place, the policies in the plan should be assumed to be viable and that site specific viability should be the exception rather than the norm.</p> <p>The council is supportive of criteria 6 and encouraging the use of review mechanisms where it is concluded that the requirements in Local Plan policies cannot be met.</p>

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26) Do you have any further comments on the likely impact of policy DM5: Development viability?	No comment.
<p>27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?</p> <p>a) If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.</p>	No comment.
<p>28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.</p> <p>a) If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.</p>	No comment.
29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?	<p>Strongly agree.</p> <p>The revised wording provides clarity on the use of planning conditions and obligations.</p>

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<p>30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council has raised concerns in relation to Policy DM13 which is cross referenced in Criteria 2 it is considered that there are other instances than those prescribed where local standard could be set (e.g. net zero building standards).</p>
<p>31) Do you agree with the new intentional unauthorised development policy in policy DM8?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council supports the wording in criteria 2 in relation to intentional unauthorised development and the weight this should be given in considering whether to grant permission.</p>
<p>32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?</p> <p>a) If so, are there any particular additions or mitigations which we should consider?</p>	<p>No comment.</p>
<p>33) Do you agree with the new Article 4 direction policy in policy DM10?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is supportive of the policy and the introduction of additional flexibility for local authorities in criteria a.</p>

Question	EEBC Response
4 – Achieving Sustainable Development	
<p>34) Do you agree with the proposed approach to setting a spatial strategy in development plans?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Spatial strategies are an essential part of Local Plans. The approach suggested would help ensure a consistent approach.</p>
<p>35) Do you agree with the proposed definition of settlements in the glossary?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The inclusion of the definition is welcomed and provides clarity.</p>
<p>36) Do you agree with the revised approach to the presumption in favour of sustainable development?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The proposed change provides a clear approach to the presumption, distinguishing between how proposals within a settlement boundary and those outside are to be treated.</p>
<p>37) Do you agree to the proposed approach to development within settlements?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>S4 significantly strengthens the presumption in favour of sustainable development for proposals within settlement boundaries. The wording is considered to be very broad/high level and open to interpretation.</p>
<p>38) Do you agree to the proposed approach to development outside settlements?</p>	<p>Neither agree nor disagree.</p>

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<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>As the Borough of Epsom and Ewell is mostly either urban or designated as Green Belt, this policy is not considered directly relevant (paragraph 5 states the policy does not apply to development proposals in the Green Belt).</p>
<p>39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?</p> <p>a) Please provide your reasons.</p>	<p>Neither agree nor disagree.</p> <p>As per the reasons outlined to question 38.</p>
<p>40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?</p> <p>a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.</p>	<p>Partly agree.</p> <p>Agree in principle, although as currently written, the policy is very open to interpretation without clear measurable parameters.</p>
<p>41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?</p> <p>a) If not, please provide your reasons.</p>	<p>Partly disagree.</p> <p>It is acknowledged in policy HO2 that housing requirement figures should be set for designated neighbourhood plan areas, unless it is impractical to do so. The wording of Policy S6 reads as if a neighbourhood plan's policies would not apply if it does not contain allocations.</p>

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5 – Meeting the Challenge of Climate Change	
<p>42) Do you agree with the approach to planning for climate change in policy CC1?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council welcomes the policy wording which provides a consolidated policy for how Local Plans should take a proactive approach to mitigating the impacts of climate change.</p>
<p>43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?</p> <p>a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?</p>	<p>Partly agree.</p> <p>The Council welcomes the reference to ensuring there are good links to sustainable transport modes, including accessibility and walking and access to facilities/local neighbourhoods, however we would expect renewable energy generation to be referenced. There are no definitions or requirements for a number of components of the policy, for example “good access to facilities to limit the need for transport” is a subjective statement.</p> <p>Criteria 2) mentions substantial weight should be given to the benefits of improving the energy efficiency of existing buildings which is a broadly supported aspiration to mitigate climate change, however additional guidance would be welcomed to support this statement.</p>
<p>44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?</p>	<p>Strongly agree.</p>

Question	EEBC Response
a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?	
<p>45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?</p> <p>a) Please provide your reasons.</p>	Strongly agree.
46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?	No comment.
47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?	No comment.
6 – Delivering a sufficient supply of homes	
<p>48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council maintains its concerns over the standard method for calculating housing need which it considers is flawed and does not take account of local circumstances. There are concerns that Spatial Strategies (HO2 – point 1) will set housing requirements for local authorities, the Council consider that this matter is best dealt with at the Local Authority Level.</p>

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	<p>The Council also has concerns regarding point 3(b) of policy HO2, which requires housing requirement figures to exceed the local housing needs assessment. This approach limits the ability to reflect local circumstances and constraints. It is particularly problematic where a Spatial Development Strategy (SDS) is still emerging, as individual authorities may face disproportionate pressures if requirements are set before a strategic, area-wide distribution of growth can be agreed.</p>
<p>49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?</p> <p>a) If so, what elements should this guidance cover?</p>	<p>No comment.</p>
<p>50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?</p> <p>a) If so, what are the key principles this guidance should establish?</p>	<p>No comment.</p>

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<p>52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council considers paragraph 6 to be unclear on first reading. It states that “for each 1% the ratio is above 5, the housing stock baseline should be increased by 0.95%”. It may be clearer to refer to each one-point increase in the affordability ratio, rather than a percentage.</p> <p>The Council also considers that the inclusion of a worked example would help improve clarity, by showing how the adjustment changes at different affordability ratios. For example:</p> <ul style="list-style-type: none"> • a ratio of 7 increases need by 38% • a ratio of 8 increases need by 57% • a ratio of 9 increases need by 76% • a ratio of 10 increases need by 95%
<p>53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The Council does not agree that Annex D is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and their relationship to decision-making.</p> <p>The Council is uncertain about the appropriateness of applying a 20% buffer in response to past under-delivery or where the annual average housing requirement is 80% or less of the most up-to-date local housing need figure.</p> <p>In the Council's view, this approach places disproportionate emphasis on meeting the standard method housing need figure and risks shifting the planning balance away from the proper consideration of other</p>

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	<p>constraints, including heritage assets, Green Belt and environmental designations, which legitimately limit housing delivery in some areas.</p> <p>The Council also considers that the approach does not adequately reflect the actual availability of deliverable land, as put forward by landowners and developers. In some local planning authority areas (such as Epsom and Ewell), even if all land promoted were allocated, at appropriate densities, the standard method housing need figure would still not be met. This contrasts with other authorities where a surplus of sites exists. The proposed approach does not appear to sufficiently account for these structural differences between areas.</p>
<p>54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council considers this requirement is clear and is effectively a continuation of the requirements set out in the Planning Policy for Traveller Sites.</p>
<p>55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The Council considers that there is insufficient clarity provided on the relationship between SDSs and Local Plans with regards as to how large-scale sites are identified / allocated. This will be a key issue in areas where the SDS is not in place when for local authorities preparing Local Plans.</p> <p>The Council seeks clarification on the meaning of “large-scale development” in paragraph 2. In particular, it is unclear whether this is intended to align with the Written Ministerial Statement of 13 February</p>

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	2025, which refers to large-scale new communities of at least 10,000 homes, or whether a different threshold is intended.
56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?	No comment – does not apply to EEBC.
57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?	Strongly agree. The emerging Epsom and Ewell Local Plan contains a policy requiring M4(2) and M4(3) provision.
58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?	Neither agree nor disagree. We do not have any comments on the minimum threshold and welcome the ability for local authorities to set higher standards where evidenced as is the case in the emerging Epsom and Ewell Local Plan.
59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council is supportive in principle of allocating sites to meet the needs of different groups, and we have taken this approach through our emerging Local Plan to deliver sustainable communities.
60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?	Strongly agree. The Council is supportive of a mix of tenures to create more diverse communities and in order to support timely build out rates.

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<p>a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?</p>	
<p>61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?</p> <p>a) Please provide your reasons.</p>	<p>Partly agree.</p> <p>The Council is generally supportive of this approach, as it would help to enable more timely site delivery and support small and medium-sized housebuilders. However, consideration needs to be given to the availability of such sites to meet housing requirement and therefore a degree of flexibility may be necessary where it can be justified.</p>
<p>62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?</p>	<p>The Council does not have any suggested modifications in this regard.</p>
<p>63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>No comment.</p>

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<p>64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?</p> <p>a) Please provide your reasons, particularly if you disagree</p>	<p>Partly agree.</p> <p>The Council is broadly supportive of this, but it should not enable the provision of poor quality or sub-standard market housing.</p>
<p>65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?</p> <p>a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?</p>	<p>Partly agree.</p> <p>The Council supports a minimum proportion of social rent. The Council's Emerging Local Plan identifies at least 35% of <i>all</i> affordable housing – including home ownership – should be social rent (or 50% of 'affordable rented' should be social rent). The Council considers it important to allow flexibility in LPAs approaches to a minimum. Any national minimum should be capable of being adjusted through local plans and remain subject to viability considerations to ensure it is deliverable in different local contexts.</p>
<p>66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?</p> <p>a) If so, what changes would be beneficial?</p>	<p>It is important that sufficient permanent affordable housing stock (particularly social housing) is delivered from sites to reduce the need for temporary accommodation.</p> <p>Deviating from nationally prescribed space standards for temporary accommodation is not supported.</p>
<p>67) Do you agree that applicants should have discretion to deliver social and affordable</p>	<p>Strongly disagree.</p>

Question	EEBC Response
<p>housing requirements via cash payments in lieu of on-site delivery on medium sites?</p> <p>a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.</p> <p>b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer</p>	<p>b) EEBCs housing delivery predominantly consists of sites that would be defined as medium sites (between 11 and 50 dwellings). Given the significant shortage of affordable homes in our constrained borough, we would be concerned that developers would choose to provide a cash payment as opposed to on-site delivery which would significantly delay delivering additional affordable housing units on the ground.</p>
<p>68)What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).</p>	<p>See response to Question 67 – in Epsom and Ewell this policy approach would reduce the delivery of much needed affordable housing in the borough. On-site provision should remain the priority as opposed to pooling contributions.</p>

Question	EEBC Response
<p>69)What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.</p>	<p>Introduction of additional guidance would not speed up the process, the largest constraint to spending commuted sums for affordable housing is identifying suitable stock to purchase.</p>
<p>70)Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?</p> <p>a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.</p>	<p>Affordable housing should be provided on site (for the reasons set out in response to earlier questions), however, if the government were minded to introduce such an approach it is vitally important that there is no financial advantage to a developer in providing affordable housing offsite. The suggestion of GDV comparison could be utilised but it will be important that any calculations are independently verified by a viability specialist appointed by the local planning authority at the expense of the applicant.</p>
<p>71)Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The wording is ambiguous for example how is nearby site defined. It is unclear how delivering affordable housing off-site would optimise quality or quantity of homes delivered. Mixed communities (including market and affordable housing) have been delivered successfully which are tenure blind. From our own experience the affordable properties tend to be built at higher density than the market homes provided on a site.</p>

Question	EEBC Response
<p>72) Do you agree with the criteria set out regarding the locations of specialist housing for older people?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>75) Do you agree the proposals provide adequate additional support for rural exception sites?</p> <p>a) Please provide your reasons, including what other changes may be needed to increase their uptake?</p>	<p>No comment.</p>

Question	EEBC Response
<p>76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>No comment.</p>
<p>77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?</p> <p>a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?</p>	<p>No comment.</p>
<p>78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?</p> <p>79) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>

Question	EEBC Response
<p>80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Criteria 2 is supported in principle to encourage developers to bring sites forward faster than the statutory period allows, although it is unclear whether this measure alone will speed up housing delivery.</p> <p>Criteria 4 is welcomed enabling consideration of site allocations in emerging Local Plans for large scale residential and mixed-use development. However, a definition should be provided to provide clarity on what would constitute a large-scale scheme.</p>
<p>81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>A definition should be provided to provide clarity on what would constitute a large-scale scheme.</p>
<p>82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? Yes, no</p> <p>a) Please provide your reasons.</p>	<p>No comment.</p>
<p>83) Do you agree with the proposed changes to the Housing Delivery Test rule book?</p>	<p>Neither agree nor disagree.</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	The changes are to reflect Policy HO2 and the introduction of Spatial Development Strategies which upon adoption will set the housing requirements for Local Plans.
7 – Building a Strong and Effective Economy	
<p>84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council broadly supports draft Policy E1 and agrees that greater flexibility in employment land allocations can help plans respond to changing business needs and support long-term economic growth. Avoiding overly prescriptive use requirements can improve site deliverability and better accommodate emerging and evolving sectors over the plan period.</p> <p>The Council also welcomes clearer alignment with relevant national strategies, which can provide greater certainty for investment and support strategic economic objectives. However, it is important that this flexibility is balanced with the plan-led system and that national strategies complement, rather than override, locally derived economic evidence, priorities and local plan policies.</p>
<p>85) Do you agree with the approach to meeting the need for business land and premises in policy E2?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council supports the introduction of Policy E2 and welcomes clearer decision-making guidance for business development proposals, including the recognition of economic benefits and sector-specific</p>

Question	EEBC Response
	<p>considerations such as freight and logistics and farm / agricultural modernisation.</p> <p>The Council also supports greater clarity on factors relevant to assessing unmet need, including market signals and locational requirements, where such considerations are necessary.</p> <p>However, the Council considers that the proposed substantial weight (which is a change from the current working of significant) given to economic benefits should be clearly balanced against other planning considerations and the plan-led system.</p>
<p>86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council supports the introduction of Policy E3 and welcomes clearer decision-making support for freight and logistics development, recognising the sector's role in supporting economic growth and supply chains. The emphasis on appropriate access to transport networks, mitigation of environmental and residential amenity impacts (including night-time activity), and the provision of sufficient and secure vehicle parking is supported.</p> <p>However, the Council considers that greater clarity would be beneficial on the application of the policy in constrained locations and where proposals are close to sensitive uses. Clearer guidance on assessing cumulative impacts and alignment with local plan policies would help ensure freight and logistics development is delivered in a sustainable and acceptable manner.</p>

Question	EEBC Response
<p>87) Do you agree with the approach to rural business development in policy E4?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>Consider that rural areas could be defined. In principle the Council is supportive of the policy which encourages the development and diversification of agricultural and other land based businesses.</p>
<p>8: Ensuring the vitality of town centres</p>	
<p>88) Do you agree with the proposed changes to policy for planning for town centres?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The policy provides a clear 'town centre first' approach which aligns with EEBC's emerging Local Plan</p>
<p>89) Do you agree with the approach to development in town centres in policy TC2?</p> <p>a) If not, please explain how you would achieve this aim differently?</p>	<p>Strongly agree.</p> <p>The policy gives significant weight to proposals that support the vitality and viability of town centre uses.</p>
<p>90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?</p>	<p>Epsom town centre has a diverse mix of uses and continues to perform well. While retail remains the core activity of the centre there is an increasingly broader mix of uses, including residential and higher education uses, which has supported the vitality and viability of the centre.</p>
<p>91) Do you believe the sequential test in policy TC3 should be retained?</p>	<p>Strongly agree.</p>

Question	EEBC Response
<p>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>While it is acknowledged that the introduction of Class E limits the effectiveness of the sequential test, retention of the test will help to retain a 'town centre first' approach.</p>
<p>92) Do you agree with the approach to town centre impact assessments in policy TC4?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The approach is similar to that in the current NPPF, where development plans can set out an appropriate local threshold for requiring assessments. Such an approach is supported. However, the wording of TC4 2) is ambiguous, not being entirely clear that where a proposal fails to demonstrate a significant adverse impact on the listed criteria it should be refused. This omission undermines the intent of the policy.</p>
<p>9 – Supporting high quality communications</p>	
<p>93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The council considers the policy as set out is clear.</p>
<p>94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?</p>	<p>Partly agree.</p> <p>The council is supportive of the principle of minimising visual impacts and reusing existing structures though considers that the policy could go further. Minimising the visual impacts of masts could be expanded to</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	provide guidance on how this could be done, reference to reducing mast height, appropriate mast colour, details of removal and decommissioning timeframes (of existing telecoms masts that are no longer fit for purpose on the proposed site) as part of minimisation considerations, submitted with the application.
<p>95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The supporting information is proportionate.</p>
10 – Securing Clean Energy and Water	
<p>96) Do you agree with the approach to planning for energy and water infrastructure in policy W1?</p> <p>a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?</p>	<p>Strongly agree.</p> <p>The council is supportive of the approach.</p>
<p>97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The council is supportive of the principle of the approach.</p>

Question	EEBC Response
<p>98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?</p> <p>a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.</p>	<p>Partly agree.</p> <p>The council is supportive of the principle of the approach.</p>
<p>99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>11- Facilitating the sustainable use of minerals</p>	
<p>100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?</p> <p>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>

Question	EEBC Response
<p>101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Clarity achieved by including the definition within the glossary is supported.</p>
<p>103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>04) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>

Question	EEBC Response
<p>105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?</p> <p>106) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?</p> <p>108) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>109) Do you agree with approach to coal, oil and gas in policy M5?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No</p> <p>111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.</p>	<p>No comment.</p>
<p>112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals</p>	<p>Neither agree nor disagree.</p>

Question	EEBC Response
<p>reserves and minerals-related activities, and facilitating non-minerals development?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.</p>
<p>113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council is supportive of the approach regarding development within a Minerals Consultation Area.</p>
<p>12. Making effective use of land</p>	
<p>114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?</p> <p>115) If not, what further guidance is needed?</p>	<p>Partly agree.</p> <p>The Council is broadly supportive of the aims of Policy L1 and welcomes its emphasis on making more effective use of land. In applying the policy, however, it will be important to recognise that minimum density standards may need to be balanced with other planning considerations (such as heritage, local character, environmental constraints and infrastructure capacity) which can legitimately influence what constitutes an appropriate density in particular locations.</p>
<p>116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?</p>	<p>Partly agree.</p>

Question	EEBC Response
<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The Council would welcome clarification on the intention behind paragraph 3. As written, we question whether footnote 45 applies to the first sentence of para 3 in relation to ‘high levels of connectivity between jobs and services).</p> <p>It would be helpful to understand whether paragraph 3 is intended to distinguish between previously developed and non-previously developed land, and whether non-PDL sites are expected to achieve higher levels of optimisation compared with PDL sites. Further guidance on the scope and intended application of this requirement would assist decision-making.</p> <p>Subject to this clarification, the Council is otherwise supportive of the policy and its overall aims.</p>
<p>117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?</p> <p>a) If not, what typologies should be added or removed and why?</p>	<p>Partly agree.</p> <p>The Council is broadly supportive of the intention behind Policy L2 to promote appropriate forms of intensification. However, we would welcome clarification on several points.</p> <p>First, in relation to paragraph 1(d), it is unclear whether the reference to creating additional homes “above existing residential and commercial premises” is intended to apply only to these two use types. Does “commercial” here correspond to Class E, or is it intended to include other non-residential uses such as light industrial or sui generis commercial activities?</p> <p>Secondly, the policy provides explicit support for additional residential units within <i>residential</i> curtilages but is silent on comparable</p>

Question	EEBC Response
	<p>opportunities within <i>non-residential</i> curtilages. We would find it helpful to understand whether this omission is intentional, and whether the policy is signalling that residential development within commercial or mixed-use plots, where not above the existing building, is not encouraged, or simply not addressed in this list of typologies.</p> <p>Finally, the reference to introducing “higher buildings at street corners” would benefit from further guidance. In particular, it would be useful to understand whether such corner buildings are envisaged as ‘landmark buildings’, whether there is an indicative or proportional increase in height or scale that should be considered appropriate, or whether this is wholly a matter of planning judgement.</p>
<p>118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is broadly supportive of the high-level design principles set out in policy L2(d). We consider the approach helpful in encouraging sensitive forms of intensification while maintaining appropriate safeguards for amenity, character and living conditions.</p>

Question	EEBC Response
<p>119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council has some concerns about the effectiveness of L2(d)(i) as currently worded. The requirement for proposals to be “consistent with the overall street scene” may limit the policy’s intention to support appropriate change, particularly for upward extensions.</p> <p>The term “consistent with the overall street scene” is not clearly defined and could be interpreted narrowly, potentially implying that building height, bulk or massing must match existing development. This may unintentionally constrain opportunities for intensification that the policy seeks to encourage.</p> <p>It would be helpful if the policy clarified that “consistency” should be understood in a broader sense relating to the character and appearance of the street scene, rather than requiring replication of existing scale or form. This would provide flexibility for well-designed proposals that introduce greater height or bulk where appropriate.</p>
<p>120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council is broadly supportive of the safeguards set out in policy L2(d).</p> <p>We note that d(iii) includes two requirements: limiting development to no more than twice the footprint of the existing building, and retaining at least 50% of the non-developed curtilage. The Council is content with this combination, as it provides clear parameters for balancing intensification with the retention of open space around buildings. The 50% requirement remains a particularly important safeguard to ensure adequate amenity and spaciousness within plots.</p>

Question	EEBC Response
<p>121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?</p> <p>a) If not, please explain how guidance could be clearer?</p>	<p>Partly agree.</p> <p>The Council broadly supports the principles of policy L3 and welcomes the reference in criteria 2 that the existing character of an area should be taken into account, however the term that this should not preclude development which makes the most of an areas potential is ambiguous and open to interpretation.</p> <p>However, we note the term “<i>reasonable walking distance of a railway station</i>” and question whether this applies to a specific distance, or say a 20-minute walk at an average speed, or is it defined in another way?</p>
<p>122) Do you agree with the minimum density requirements set out within policy L3?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>The Council supports the principle of applying minimum densities to promote more efficient use of land. However, the proposed minimum densities of 40 dph (or 50 dph for well-connected locations) are considered to be to be relatively modest.</p>

Question	EEBC Response
<p>b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence</p>	<p>In the Emerging Epsom and Ewell Local Plan, the Council is proposing more ambitious minimum densities, including 60 dph for sites near railway stations and 80 dph in the town centre. We are of the view that higher minimums can be appropriate and deliverable in well-connected areas, and that national policy could be more aspirational in this regard to better support sustainable settlement patterns and optimise land use.</p>
<p>123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is satisfied with the metric and with the definition of net developable area, as provided in the Glossary. It is appropriate for the purposes of Policy L3.</p>
<p>124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?</p> <p>a) Please provide your reasons and preferred alternatives.</p>	<p>Partly disagree.</p> <p>The Council supports the principle of focusing higher-density development around rail stations. However, we have concerns about the proposed definition of a "<i>well-connected</i>" station, particularly the reliance on the top 60 Travel to Work Areas (TTWAs). TTWAs are based on labour-market self-containment rather than transport connectivity and use 2011 Census commuting data, making them a weak proxy for identifying well-connected stations today. This risks excluding locations with strong rail accessibility simply because they fall outside high-GVA TTWAs.</p> <p><u>Preferred alternative(s):</u></p>

Question	EEBC Response
	<p>A more transport-focused approach could include:</p> <ul style="list-style-type: none"> • Identifying stations through a national accessibility assessment, based on journey-time proximity to major employment centres and rail-specific connectivity indicators. • Removing or broadening the TTWA/GVA filter to avoid unjustified exclusions. <p>This would provide a clearer and more accurate basis for defining well-connected stations and applying higher density standards.</p>
<p>125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?</p> <p>a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?</p>	<p>The Council is of the view that setting minimum density standard for specific locations may be better suited to being applied at the Local Authority level rather than at a national level.</p>
<p>126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?</p>	<p>No.</p> <p>In applying a minimum, it is important to recognise that minimum density standards need to be balanced with other planning considerations (such as heritage, local character, environmental constraints and infrastructure capacity) which can legitimately influence what constitutes an appropriate density in particular locations.</p> <p>The Council considers density standards are best set by Local Authorities.</p>

Question	EEBC Response
127) If so, what should that range be, and which locations should it apply to?	n/a
<p>128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?</p> <p>129) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree.</p> <p>L4 1(b) appears to omit consideration of the impact that extensions may have on neighbouring amenity. The Council has raised concerns about the potential effects on neighbours, as well as on current and future occupants, and is of the view that this should be explicitly addressed within the policy.</p> <p>If impact on neighbouring amenity is included perhaps <i>outlook</i> is also included, particularly from <i>habitable rooms</i>?</p>
13 – Protecting Green Belt Land	
<p>130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?</p> <p>131) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>The principle of establishing new/additional Green Belt in exceptional circumstances is noted and the policy is similar to existing paragraphs 144 in the NPPF with slight changes and removal of two of the criteria to ensure it does inhibit sustainable development.</p>
132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?	Neither agree nor disagree

Question	EEBC Response
<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>It's acknowledged that this policy now reflects the new planning system and is therefore very different from the existing process.</p> <p>The Council notes that the policy outlining that it will be the role of Spatial Development Strategies to identify areas where Green Belt boundaries may require further consideration through the local plans, where local plans will undertake the detailed assessments to inform alterations to the boundary. The Council considers that all matters related to Green Belt reviews should remain with Local Planning Authorities.</p> <p>Whilst the policy requires local plans to undertake assessments in accordance with Annex E, it is not clear how Spatial Development Strategies identify areas of further consideration-would it also be through the use of Annex E?</p> <p>The Council welcomes the addition of Annex E Green Belt Assessments which will provide clarity on how to approach Green Belt Assessments. However, the Council does have some comments regarding some of these:</p> <p>Annex E</p> <p>1 a.ii. noted that it does not set out a standard methodology but refers to consistency with the Strategic Green Belt Assessment supporting the Spatial Development Strategy. Whilst GB2 requires local plans to undertake assessments in accordance to Annex E Should there be clarity or guidance set out how Strategic Development Strategies identify where areas of Green Belt will need further consideration?</p>

Question	EEBC Response
	<p>1 a.iii reference to assessment areas being 'small enough', does this need to be quantified to avoid confusion?</p> <p>1.a.iv. reference 'smaller areas', does this need to be quantified to avoid confusion</p> <p>3 out of 5 of the criteria in Annex E, paragraph 1 refers to the size of assessment parcels. Perhaps there needs to be reference to other parameters for defining the parcels e.g. parcels should be defined using clear physical features and this could then be addressed in defining boundaries as set out in Policy GB4 f.</p>
<p>133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The Council has strong concerns regarding the introduction of a broad exception to allow altering Green Belt boundaries to enable development of land around stations in criteria 1. This seems like a very permissive approach and has no regard to any other constraints/parameters or whether the location makes a significant contribution to the Green Belt.</p> <p>It is not entirely clear what is 'development of land around stations' means- there is no further information in the policy although it is acknowledged that there are other references to stations in the proposed NPPF including Footnote 26 and Footnote 52 which refer to rail stations, underground, tram and light rail stops in the top 60 Travel to work areas.</p> <p>The Council considers that the NPPF (or updates to supporting guidance) should provide a link to the data showing which stations are located within the top 60 travel to work areas are located.</p>

Question	EEBC Response
	The policy is too permissive and open to interpretation; it should set out circumstances where development around stations would not be appropriate and set clear measurable parameters e.g. distance/radius to stations and an appropriate scale of development if appropriate.
<p>134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?</p> <p>135) Please provide your reasons, particularly if you disagree.</p>	Agree with this requirement.
<p>136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The Council considers that there is a watering down of circumstances where development would be inappropriate development within the Green Belt. The introduction of 'grey belt' has led to a more permissive approach to development in the Green Belt which the Council finds concerning. Now with Policy GB7 introducing an additional category of development that would not be inappropriate in the Green Belt in the criteria (h) 'Development for housing and mixed-use development which would be within 'reasonable walking distance of a railway station'- whilst further information is provided in the footnote, this seems unduly permissive, having no regard for the contribution the site makes to the Green Belt, which may be significant, but provided it's close to a railway station then development would not be inappropriate.</p>
137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the	Strongly disagree.

Question	EEBC Response
Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?	As stated in the Council's response to question 136, the Council has concerns that the introduction of GB7(1h) is too permissive.
138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.	No comment
<p>139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The Council has concerns regarding the introduction of circumstances where site specific viability may be justified. The Council does not believe that the introduction of these criteria in GB8 (3) will ensure that development secures the maximum gains. The need for a viability assessment should only be necessary in limited circumstances as set out in Policy DM5 criteria 1 and 2.</p>
140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?	The Council has concerns about this part (3) of the policy as stated in response to the previous question. Why would the presence of previously developed land justify the need for a site-specific viability assessment? Is it purely because it is previously developed land or is it to do with contamination? The introduction of a broad category of 'previously developed land' is too open ended. It should be emphasised that site specific viability assessments should only be undertaken in exceptional circumstances where it is justified or where there may be unusual costs that have not been factored into any original strategic viability assessment.
141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules	Disagree.

Question	EEBC Response
<p>accompanied by a viability assessment subject to the terms set out?</p> <p>142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?</p>	<p>The Council has concerns about inviting flexibility with regards to allowing for site specific viability assessments for Golden rules sites beyond those set out Policy DM5 criteria 1 and 2.</p> <p>We consider the requirements set out in criteria 1a should apply to all 'Golden Rules sites' as the default which in effect provides an 'affordable housing floor'.</p>
<p>143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?</p> <p>a) Please explain your answer.</p>	<p>Strongly disagree</p> <p>Local Plan viability assessments reflect local circumstances. For example, our Local Plan Viability Assessment (2023) utilises the following assumptions for the Benchmark land value of the Existing Use Value Plus £1,000,000/ha.</p>
<p>144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?</p>	<p>No comment</p>
<p>145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree</p> <p>It is noted that the change responds to recent case law and the governments' view that these matters are covered in other policies within the consultation draft framework and will be considered as part of the development management process where relevant.</p>

Question	EEBC Response
14 – Achieving well-designed places	
<p>146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	Strongly agree
<p>147) Do you agree with the approach to design tools set out in policy DP2?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	Strongly agree
<p>148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	Strongly agree
<p>149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?</p> <p>c) If not, what else would help secure better design and placemaking outcomes?</p>	Strongly agree

Question	EEBC Response
15 – Promoting Sustainable Transport	
<p>150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is supportive of the principle of a policy that makes provisions for taking a vision led approach and considers that the Connectivity Tool is a useful resource.</p>
<p>151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is supportive of Criteria 1 and the use of the recently published Connectivity Tool to inform site selection.</p> <p>We welcomed criteria 2) which enables local plans to define thresholds for what constitutes a significant amount of movement arising from new development for the purposes of applying other transport policies in the Framework (such as TR6 which would influence when a travel plan or transport assessment would be required).</p>
<p>152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Criteria b) The Council is supportive of reference to the recently published Connectivity Tool to inform site selection.</p>

Question	EEBC Response
<p>153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council welcomes the inclusion of references to making sure that arrangements of streets and other routes meet the needs of disabled people, older people and children in relation to all modes of transport.</p>
<p>154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council welcomes the amendment of wording to the current NPPF in criteria 1 which states 'development proposals that are likely to generate' as opposed to 'will generate'.</p>
<p>156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>No comment – not relevant to EEBC.</p>

Question	EEBC Response
<p>157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>16 – Promoting Health Communities</p>	
<p>158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council supports the need for the development plan to set appropriate standards for recreational land to meet local needs.</p>
<p>159) Do you agree that Local Green Space should be 'close' to the community it serves?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Support the change from 'reasonably close' to 'close' to emphasise that the spaces should be locally important to the community it serves.</p>
<p>160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?</p>	<p>Strongly agree.</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	The Council notes that the policies effectively redraft current NPPF policy with additional emphasis added on the need for a wide range of infrastructure to support development.
161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?	To provide clarity the policy could clarify what 'reasonable walking' distance is - otherwise no comment.
<p>162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p> <p>Many local authorities have a local plan policy setting out the steps that need to be taken to ensure a reasonable prospect of community facilities being retained, including marketing properties for a minimum period. HC6 sets out a marketing period of at least 12 months. We consider that local planning authorities should be able to set their own marketing requirements (e.g. a longer time period) where justified.</p> <p>In addition, criteria 2 states that the 'policy applies only where the facility would be the last of its type in the area concerned'. We consider that this component of the policy will be difficult to apply in densely populated urban areas and would be the subject of extensive debate – where does an area end or begin, would this be a ward boundary?</p>
163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?	<p>Agree.</p> <p>The Council is generally supportive of the supports allotment provision being captured by the policy.</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	Whilst we are generally supportive of the reference to 'informal play space' in addition to formal 'play space' in the policy we consider further guidance or inclusion of definitions in the glossary could be beneficial to define 'informal play space'.
<p>164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>This provides sufficient clarity.</p>
17 – Pollution, public protection and security	
<p>165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council supports the principle of the policy and its importance within plan-making policy.</p>
166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?	No comment
167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?	<p>Strongly agree.</p> <p>The council is supportive of policy that secures acceptable living conditions and manages pollution.</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	
<p>168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The policy is clear.</p>
<p>169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council supports the principle of the policy as a basis for addressing maintaining public safety and security.</p>
<p>170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
18 – Managing Flood Risk	
171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change	No comment – does not apply to Epsom and Ewell Borough.

Question	EEBC Response
<p>Management Areas are identified and taken into account in development plans?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	
<p>172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council welcomes the clarification in relation to the application of the sequential test, specifically the exemptions set out in F3 (2).</p>
<p>173) Do you agree with the proposed approach to the exception test set out in policy F6?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council welcomes the revised wording which provides clarify on when an exception test will be required.</p>
<p>174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The Council is not the Lead Local Flood Authority however is supportive of the proposed changes requiring that sustainable drainage systems are designed in accordance with the National Standards.</p>
<p>175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?</p>	<p>Strongly agree.</p> <p>The Council welcomes the policy wording to avoid the enclosure of watercourses and encouraging the de-culverting and re-naturalising of</p>

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	river channels which in addition to improving water management have environmental benefits.
176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? a) Please provide your reasons, particularly if you disagree.	No comment – does not apply to Epsom and Ewell Borough.
177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?	No comment – does not apply to EEBC.
178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.	Neither agree nor disagree. The Council notes that the content of Table 2 has been expanded, specifically to the Essential Infrastructure category but does not have any views on the new additions.
19 – Conserving and enhancing the natural environment	
179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net	Partly agree.

Question	EEBC Response
<p>gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The Council welcomes that local authorities will be able to seek higher biodiversity net gain requirements from development where justified by evidence and proved to be viable, however, consider that more flexibility should be given so that the requirement could be applied plan wide or in defined locations as opposed to site specific allocations, if justified and viable. The proposed approach is in line with our emerging Local Plan that contains a requirement for greenfield site allocations to provide a minimum of 20% BNG, with all other sites having to satisfy the legislative requirement of a minimum of 10%.</p>
<p>180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?</p>	<p>See response to Q179 above.</p>
<p>181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>The policy provides a lot less detail than the existing paragraphs in the NPPF that it is intended to replace (paragraph 187, 192 and 193). The focus appears to have shifted towards how development proposals improve the natural environment, which is important, however there is a lot less emphasis on the potential harm that may be caused by development proposals and how to assess these. The Council considers that the detail of existing paragraph 193 should be incorporated more fully into the proposed policy.</p>
<p>182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development</p>	<p>The Council supports the policy.</p>

Question	EEBC Response
<p>proposals affecting protected landscapes and reflecting the statutory duties which apply to them?</p> <p>a) Please provide your reasons, including how policy can be improved to ensure compliance.</p>	
<p>183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>The policy follows on from comments to Q181 regarding policy N2, it would appear that the details in paragraph 193 of the existing NPPF has been carried forward and incorporated into this policy. The Council supports the policy and agrees that it provides sufficient clarity.</p>
<p>184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?</p>	<p>It's difficult to comment on the implications of the Environmental Delivery Plan and Nature Restoration Funds.</p>
<p>20 - Conserving and Enhancing the Historic Environment</p>	
<p>185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?</p> <p>a) Please provide your reasons.</p>	<p>Neither agree nor disagree.</p>
<p>186) Do you have any evidence as to the impact of implementing the additional regard duties for development?</p>	<p>No Comment</p>

Question	EEBC Response
<p>187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Broadly supportive of the proposed plan-making approach for the historic environment, including the measures for World Heritage Sites and Conservation Areas. However, it is important that Historic England updates its supporting guidance once revised policies are adopted.</p>
<p>188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p>
<p>189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from “great weight” to “substantial weight”, and in particular the interactions between this and the statutory duties?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly agree.</p> <p>Removal of the “less than substantial” threshold is strongly welcomed as it has caused lack of flexibility and inconsistency in application.</p>
<p>190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>Although the wording is broadly acceptable, it makes no reference to the setting of a conservation area. This is an important consideration for many developments, particularly on greenfield sites, and it should be explicitly assessed and addressed when reviewing proposals.</p>

Question	EEBC Response
191) Do you have any other comments on the revisions to the heritage chapter?	
Further Questions	
<p>192) Do you agree with the transitional arrangements approach to decision-making? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly disagree</p> <p>National Decision Making Policies (NDMPs) will carry significant weight from the date the final NPPF is published and as such, they are capable of altering the planning balance where there is an inconsistency with existing development plan policies. The Council understands the government's desire to implement NDMPs promptly but consider it would be beneficial to include a transitional period for applications nearing determination and any other applications going through the appeal process.</p>
193) Do you have any further thoughts on the policies outlined in this consultation?	<p>The Council is concerned that in the draft consultation material (framework and supporting documentation) there is no acknowledgement that a number of local authority areas are going through Local Government Reorganisation. Whilst this does not have a significant impact on many of the proposed new / revised policies it does have a fundamental impact on Local Plan preparation and related timelines. This is even more relevant in areas where there is currently no SDS in place, such as Surrey.</p> <p><u>Policy PM 6</u></p>

Question	EEBC Response
	<p>The Council notes that within the consultation there is no opportunity to comment specifically on Criteria 1b of Policy PM6 which sets the bar too high for local authorities to identify locally specific policies to be included in the Local Plan. The Council considers that there are likely to be cases when locally specific policies are required which may not comply with these two policy requirements.</p>
<p>94) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Partly agree.</p> <p>The Council is generally supportive of the Annex A clarifying which Written Ministerial Statements will be superseded by the revised NPPF upon adoption. However, the Council would wish the principles of Planning – Local Energy Efficiency Standards Update to remain embedded within the NPPF to enable local authorities to set higher energy efficiency standards where this can be justified and demonstrated to be viable.</p>
<p>Annex A – Data Centres and onsite energy generation</p>	
<p>195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?</p> <p>a) Please give reasons.</p>	<p>No comment.</p>

Question	EEBC Response
<p>196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?</p> <p>a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.</p>	No comment.
<p>197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.</p>	No comment.
<p>198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?</p> <p>a) Please provide your reasons.</p> <p>199) What benefits or risks do you foresee from making this change? Please provide your reasons.</p>	No comment.
Annex B – Viability standardised inputs in viability assessment	
<p>200) Would you support the use of growth testing for strategic, multi-phase schemes?</p> <p>a) Please explain your answer.</p>	

Question	EEBC Response
<p>201) Would you support the optional use of growth testing for regeneration schemes?</p> <p>a) Please explain your answer.</p>	
<p>202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?</p> <p>a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing.</p>	
<p>203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?</p> <p>a) Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.</p>	
<p>204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers</p>	

Question	EEBC Response
<p>such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?</p> <p>a) Please explain your answer.</p>	
<p>205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?</p>	
<p>206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?</p> <p>a) Please explain your answer.</p>	
<p>207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?</p> <p>a) Please explain your answer.</p>	
<p>208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?</p>	

Question	EEBC Response
<p>a) In what circumstances might a premium, or the usual premium, not be required?</p> <p>b) What impact (if any) would you foresee if this change were made?</p>	
<p>209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?</p> <p>a) Please explain your answer.</p>	
<p>210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?</p> <p>a) If another metric, please set out your preferred approach and rationale.</p>	
<p>211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?</p>	
<p>212) Do you agree that the residual land value of the development proposal should be cross-checked with</p>	

Question	EEBC Response
<p>the residual land values of comparable schemes; to help set the viability assessment in context.</p> <p>a) Please explain your answer.</p>	
<p>Annex C – reforming site thresholds</p>	
<p>213) Do you agree that a 2.5 hectare threshold is appropriate?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>We do not consider that a medium site sized threshold should be introduced for the reasons detail in our response to Q217 below.</p> <p>As a tightly constrained urban authority the proposed threshold would capture most residential schemes delivered in the borough.</p>
<p>214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Strongly disagree.</p> <p>As a tightly constrained urban authority the proposed threshold would capture the vast majority of residential schemes delivered in the borough. This would greatly reduce the Councils ability to deliver much needed affordable housing and secure meaningful biodiversity net gain.</p>
<p>215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development?</p> <p>216) If so, please explain you answer and provide views on potential mitigations.</p>	<p>Yes</p> <p>The Council is concerned that there is a risk of sites being brought forward in phases and / or developers delivering housing types and sizes to ensure the site would be classified as a medium site.</p>

Question	EEBC Response
<p>217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?</p> <p>a) Please provide your reasons.</p>	<p>The Council would be concerned if all exemptions are extended to include medium size developments. It is acknowledged that the small site exemption was developed to help support urban sites coming forward however introducing this new category would only allow for even greater proportion of sites to be excluded from requirements for affordable housing, Biodiversity Net Gain and the Building Safety Levy. This would greatly reduce the Councils ability to deliver much needed affordable housing and secure meaningful biodiversity net gain. The Council considers that if the government is to proceed with the medium development concept a more pragmatic approach would be for this to be set by planning authorities as opposed to the national level. This will enable matters such as viability, need for affordable housing and local constraints to be considered.</p>
<p>218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?</p> <p>a) Please provide your reasons.</p>	<p>No comment</p>
<p>219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.</p>	<p>No comment</p>
<p>220) If you do have views on possible changes to the small developments levy exemption, please specify the</p>	<p>n/a</p>

Question	EEBC Response
potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.	
221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.	n/a
222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree In Epsom and Ewell Permission in Principle is rarely utilised with developers preferring to progress down the conventional planning application route. The Council does not envisage significant take up on permission in principle if the thresholds were to be raised.
223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?	If the threshold were to be increased, we consider a planning statement would be beneficial.
Public Sector Equality Duty	
224) Do you have any views on the impacts of the above proposals for you, or the group or business you	No comment.

Question	EEBC Response
<p>represent and on anyone with a relevant protected characteristic?</p> <p>a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.</p>	
<p>225) Is there anything that could be done to mitigate any impact identified?</p>	<p>n/a</p>