



ELMBRIDGE BOROUGH COUNCIL
EXAMINATION OF THE ELMBRIDGE LOCAL
PLAN

MATTER 3: THE VISION, SPATIAL STRATEGY
AND DISTRIBUTION OF GROWTH OVER THE
PLAN PERIOD

PRE-HEARING STATEMENT ON BEHALF OF
ELMBRIDGE BOROUGH COUNCIL

March 2024

Matter 3: The vision, spatial strategy and the distribution of growth over the Plan period

Issue 5: Whether the vision and proposed spatial strategy is justified, effective, positively prepared and consistent with national policy including the proposed distribution of development across the Borough.

Questions:

2.1 What is the Plan Period? It is expressed within the Plan as both 2021-2037 and 2022-2037.

Council response

2.1.1 The Local Plan period is 2022-2037.

2.2 Paragraph 22 of the Framework requires that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities. This was raised as an issue in the initial letter of 14 September 2023 (ID-001). The Council are requested to extend the Plan period to 2039.

Council response

2.2.1 As the Council set out in its response to the Inspector's initial letter, when the Council commenced preparation of the Local Plan it was on the basis of a 15-year plan period. However, due to the impact of the Covid 19 pandemic, as well as uncertainty around the Government's proposed changes to national planning policy, and the need to consider any implications of these changes on the preparation of the Local Plan, the anticipated timeframe in which the Local Plan would be adopted has been delayed.

2.2.2 Taking these matters into consideration and applying a proportionate and pragmatic approach, as well as the need to get an up-to-date plan in place as soon as possible (as encouraged by Government), has led to the submission of the Local Plan with a plan period of slightly less than 15 years.

2.2.3 The Council is mindful that extending the plan period to 15 years would require various elements of the evidence base to be revisited and updated. The implications of this are discussed further in the answer to question 2.3 below. Moreover, the Council considers the 15-year plan period to be guidance and not a legal requirement for Local Plans and thus may depart from it provided it is done consciously and with reasons. The last few years of the plan period, particularly in terms of identifying land supply, is via broad locations which is consistent with the approach in the NPPF. The Council are

minded to extend the plan period to 2039 if required, noting the implications of this as detailed in the Council’s response to the question below.

2.3 What are the implications for the above change in terms of the level of planned growth across the borough? The Council are requested to address this point with reference to an update in terms of the planned level of growth proposed for housing, employment and other uses and what (if any) implications this may have for the IDP and housing trajectory which should also be updated (see questions 4.1 and 4.10 regarding the housing trajectory).

Council response

2.3.1 Changing the plan period would have slight implications for the housing trajectory. The update trajectory for the period 2024-2039 is included in appendix 1 of this statement.

2.3.2 The trajectory for 2024-2039 has been updated with monitoring information up until 31st December 2023. The updated trajectory shows that the total estimated capacity over this 15-year period would be 6,479 dwellings. Table 1 below compares the trajectory in the Local Plan, with the updated trajectory.

	Local Plan trajectory 2022-2037	Updated trajectory 2024-2039
Under construction	868	879
Planning permissions	1,424	1,142
LAA sites 1-5 years	907	247
LAA sites 6-10 years	795	1594
LAA sites 11-15 years	1,806	1,698
Windfalls	987	1,095
Total estimated capacity	6,787	6,655

Table 1: Trajectory comparison

2.3.3 The updated trajectory would have an estimated capacity of 6,655 units, just over 130 units less than the trajectory in the Local Plan. The updated trajectory would result in a dwellings per annum figure of 443 dpa (reduced from 452 dpa). Although there is a reduction in the number of units anticipated coming forward in years 1-5, the Plan would still provide for a five-year supply

of deliverable housing sites upon adoption (based on a reduced target of 443 dpa), with a five-year housing land supply position of 5.3 years.

- 2.3.4 The implications for a change in plan period for the Local Plan would be a slight reduction in the dwelling numbers from 6,787 dwellings to 6,655 dwelling and the dpa reduces from 452dpa to 443dpa.
- 2.3.5 In terms of employment growth over the period 2024-2039, as discussed in the Council's hearing statement in response to the matter 8 issues and questions, the Council does not have the expertise to extend the Borough's employment floorspace need to 2039 and would need to procure a full review and update of its employment evidence to be able to understand if there are any implications on employment growth through this period.
- 2.3.6 Regarding the Infrastructure Delivery Plan (IDP) and infrastructure, the Council would need to provide the updated trajectory and distribution of sites across the borough to the various infrastructure providers to understand whether the changes would have any impact on infrastructure provision as set out in the IDP. However, given the relatively small change in housing numbers accompanied by the continued approach of directing development towards our settlement areas, this not anticipated.
- 2.3.7 The borough must mitigate any impact from development on the Thames Basin Heath Special Protection Area (SPA) through the provision of Suitable Alternative Natural Green Space (SANG). The latest SANG capacity position calculation results in a remaining capacity of 647 units, equating to 1,552 persons and 12.4 ha. After taking account of the Local Plan site allocations and a windfall allowance (which have not been amended and are the same as the position presented in ENV009 and ENV009a), there is a shortfall of SANG provision in the 11–15-year period of the Plan, with -0.4 ha of remaining SANG capacity after fully mitigating the Local Plan. However, the Council has agreed to purchase land at Field Common Farm for use as a SANG. This will provide an additional 16 ha of SANG and will ensure the Council can provide the additional 0.4 ha of SANG needed to fully mitigate the Local Plan and enough additional SANG land to mitigate development that comes forward beyond the Plan Period.
- 2.3.8 The current known implications for extending the plan period to 2039 would be a slight reduction in the number of dwellings over that 15-year period and a slightly lower dwellings per annum figure.
- 2.4 The Vision for Elmbridge specifies, amongst other things, that good growth will be supported by the right infrastructure in the right place, at the right time. Reference is made to the use of innovative solutions to be used to improve transport interchanges, to manage the highway network for all users and foster a shift in travel behaviour towards more people walking and cycling, particularly for short journeys. Principle 5**

(page 18 of the Plan) goes further to reference reducing reliance on the car, supporting modal shift in the way people live and access local services, workspaces and facilities, coordinating the delivery of the right infrastructure in the right place and at the right time. Which policies will deliver this principle?

Council response

2.4.1 The approach to development in the Plan is locating development in sustainable locations, nearer transport hubs and the town and district centres. The Council considers the following policies will deliver Principle 5 of the Plan:

- Policy SS1 includes in 1(a) of the policy that development will be directed towards locations that minimise the need to travel, maximising the ability to make trips by sustainable modes of transport including cycling, walking and public transport. The policy goes on to include providing more walkable and cyclable neighbourhoods that reduce demand for the use of private vehicles (1(c) of the policy).
- Policy SS2 in 2(d)(ii) seeks to provide infrastructure and connectivity by making it easier to more attractive to walk, cycle and use public transport.
- Policy CC4 focuses on sustainable transport provision and includes a requirement for new development to contribute to the delivery of an integrated, accessible, and safe sustainable transport network and maximise the use of sustainable transport modes. This policy also requires development proposals to take account of improving existing cycling and walking routes to local facilities and public transport nodes, and to provide opportunities to establish car clubs.
- Policy INF1 includes a range of policy measures to ensure the timely delivery of infrastructure including that the Council are committed to working in partnership with infrastructure providers, partners and relevant authorities, such as Surrey County Council, to ensure the delivery of infrastructure and the Council will maintain an up-to-date Infrastructure Delivery Plan [INF003]. The policy also expects new development to consider the need to reinforce existing infrastructure provision or provide new infrastructure to cater for the needs of the new development.
- Policy INF3 requires developments to contribute to healthy and active lifestyles in the borough, and under 1(b) requires the provision of access to sustainable modes of travel, including safe, well-designed, and attractive cycling and walking routes and easy access to public transport to reduce car dependency.

2.4.2 Elmbridge is within a two-tier authority area, with the County Council responsible for transport and highways matters covering the borough. Surrey County Council's Local Transport Plan (LTP4) [INF007] includes key policies to manage the highway network for all users and foster a shift in travel

behaviour towards more people walking and cycling, particularly for short journeys, and supports a modal shift away from the car. These key policies include:

- Active travel and personal mobility – prioritising walking and cycling to improve the health of the county.
- Public and shared transport – working with operators to improve journeys on public and shared transport.
- Planning for Place – Plan, design and improve local neighbourhoods to reduce the number and length of car trips.

2.4.3 Alongside LTP4 will be a ‘live’ delivery plan that details the specific infrastructure projects within the borough that the County Council are to progress alongside the Borough Council and will seek third party funding for where relevant (e.g., Active Travel Funding).

2.4.4 Aligned with the objectives and policies in LTP4, SCC and the Council have committed to a Local Cycling and Walking Infrastructure Plan (LCWIP) for the borough. There is a Surrey wide programme of LCWIPs with the objective to ‘*Increase the number of people cycling and walking by making these viable and attractive modes of transport for everyday journeys*’. Within the LCWIP for Elmbridge a number of core walking zones and cycle routes have been identified for interventions. Part of the funding for these is being provided to SCC through Community Infrastructure Levy (CIL).

General Questions

2.5 The transport assessment (INF001) states that it has assessed the impact of 5480 new homes and 2167 new jobs growth. What employment floorspace provision does this jobs growth relate to?

Council response

2.5.1 This relates to approximately 26,000sqm of floorspace assessed in the Transport Assessment [INF001].

2.6 How does the 5480 new homes relate to the 6785 (at least) net new homes identified in policy SS3?

Council response

2.6.1 The sites assessed as part of the Transport Assessment (TA) of the Plan represent those sites available at the time of the modelling. The increase in the number of units in policy SS3 when compared to the modelling is not considered to make a significant difference as it is small in number that is spread across the period of the plan and because it is not one large site that

has contributed to the difference, but rather a number of small sites spread across the borough.

- 2.7 The modelling work undertaken highlighted that Elmbridge has the second highest public transport usage in the county. Despite this, the transport assessment makes no detailed assessment of bus/rail accessibility and the modelling work assumes all travel is by car. What is the rationale for this approach? In what way does this approach support the vision objectives identified above?**

Council response

- 2.7.1 Section 7.4 in the TA deals with Public Transport and Active Travel mitigation. The analysis undertaken in the TA uses a high-level strategic transport model. The modelling concludes that, particularly as development sites are located in existing developed areas, no major improvements in rail, bus, walking or cycling facilities are required to enable local plan growth. However, the TA clearly states that local-level transport improvements would be expected to be delivered as part of individual site's planning applications. Therefore, whilst the modelling undertaken focuses on car travel, the TA itself takes a multi-modal outlook.

The Sustainability Appraisal (SA)

- 2.8 In terms of the SA, what is the reasoning for the scoping in relation to affordable housing (policy HOU4) and Specialist accommodation (policy HOU6) as set out at pages 148 -152? Is this a reasonable approach to take?**

Council response

- 2.8.1 Where it was considered that a draft policy would score neither a negative nor positive impact on an SA Objective it was scoped out so that it avoided presenting tables with many rows of neutral scores. This affects many of the detailed policies at appendix 3 of the SA report [CD002] and is considered a reasonable and proportionate approach to take.
- 2.8.2 In terms of understanding why the SA objective scores a neutral result, the decision aiding questions at appendix 3 of the Scoping Report 2020 [CD012] provides a list of questions to consider when assessing the draft policy against the SA objectives. This was used to make a judgement on the scoring of the draft policies in the SA report [CD002].
- 2.8.3 Both HOU4 and HOU6 have a score and commentary for SA objective 1 (Homes) and SA Objective 2 (Health) but the remaining 14 SA objectives

scored a neutral result. This is because the questions did not highlight an issue that warranted a positive or neutral score.

2.8.4 Using the economic growth SA objective as an example, the following decision aiding questions are not considered to result in an impact that would take the score from a neutral to a positive or negative result.

2.8.5 It is not considered that policy HOU4 or HOU6 would,

- encourage the provision of a range of jobs accessible to residents.
- provide for the needs of businesses.
- provide for new or emerging sectors
- facilitate flexible working practices
- support the clusters or network of knowledge driven, creative or high technology industries
- promote the viability, vitality and competitiveness of town centres and encourage their commercial renewal
- encourage mixed-use development
- facilitate and encourage the building of a skilled local workforce

2.8.6 It could be argued that providing affordable homes (Policy HOU4) would create temporary jobs from construction work in the short term and may increase the likelihood of local jobs being filled by local people in the long term, but the expected increase in jobs was not considered significant enough to warrant a positive score.

2.8.7 Using the decision aiding questions to assess and score the policies has resulted in many neutral scores. The way this has been presented in the SA report [CD002] is considered a reasonable and proportionate approach.

2.9 Has the SA considered all reasonable options for a spatial strategy that would secure a sustainable pattern of development in the borough?

Council response

2.9.1 Section B2 of the 2022 SA report [CD002] explains how the Local Plan options were developed, including the reasonable alternatives for a spatial strategy that would secure a sustainable pattern of development in the borough.

2.9.2 Some alternatives for meeting housing needs were considered early in local plan preparation but were felt to be unreasonable and were not analysed further. The justification for these decisions is detailed further in the 2016 Alternative Development Options paper [HOU13]. A later alternative was also discussed at paragraph 3.29 [CD002], which explains why this was considered unreasonable.

2.9.3 Appendix 2 of this report includes an addendum to SA 2022 [CD002] that assesses an additional option (Option 5b) for meeting the LHN in full.

2.10 What information has been used to inform the Flood Risk scoring allocated within the SA to the options considered and are the assumptions used reasonable in light of the representations made by the Environment Agency in relation to the SFRA work completed to date?

Council response

2.10.1 Appendix 3 in the Scoping Report [CD012] explains the decision aiding questions used when considering potential impacts from the options on SA Objective 11- To reduce flood risk. These are decision aiding questions that were agreed by East Surrey local authorities in 2015 and deal with the overarching impacts such as ‘will the option steer development away from areas of risk of flooding’. For clarity the decision aiding questions for the options to assess SA Objective 11 are as follows,

- Will the option steer development away from areas at risk of flooding?
- Will the option reduce the risk of flooding from all sources to existing and future development?
- Will the option reduce the risk of flooding elsewhere?
- Will the option help to reduce the rate of run-off?
- Will the option encourage Sustainable Urban Drainage Schemes?
- Will the option ensure that increased flooding extremes can be withstood now and in climate change future?
- Will the option ensure that residual risks are safely managed?

2.10.2 In order to answer the questions, the most up to date flood risk and climate change allowances mapping available at the time was used. The SFRA level 1 [INF009] and addendum [INF008] informed the Sustainability Appraisal process, so that flood risk is fully taken into account at the plan making stage.

2.10.3 In terms of site allocations, each site has been assessed using the Scoring System for sites at appendix 5 of the SA report [CD002]. Detailed SA assessments for individual sites are available in the following evidence base documents HOU22, OTH39, OTH40 and OTH41. Up to date SFRA maps were used when considering potential impacts – based on a proportionate evidence base and on the information that was available at the time.

2.10.4 The assumptions used are reasonable in light of the representations made by the Environment Agency in relation to the SFRA work completed to date.

2.11 To what extent have the Council taken into account the need for new development to deliver at least 10% biodiversity net gain and how has this been reflected in the SA scoring system used?

Council response

- 2.11.1 The Council has taken into account the need for new development to deliver at least 10% biodiversity net gain (BNG). Policy ENV6- Protecting, enhancing and recovering biodiversity expects development proposals to lead to a net gain in biodiversity of a minimum of 10% on all sites. Paragraph 3.84 of the SA report [CD002] provides the summary text and SA result for testing the draft policy and alternative. Appendix 3 (Page 125-26) of the SA report [CD002] includes the detailed SA assessment with commentary on all relevant SA objectives.
- 2.11.2 For regulation 19 and included at stage B2 in the 2022 SA report [CD002] an alternative was tested as the Environment Agency stated it would support a minimum of 20% for biodiversity net gain in its regulation 18 response to the Vision Consultation in 2020. In addition to this, respondents also felt strongly that the Council should be protecting and enhancing biodiversity.
- 2.11.3 As a result of the regulation 19 responses, the Council has proposed a main modification to draft policy ENV6 that would increase the BNG requirement from 10% to 20% [CD009]. This was supported by evidence from Surrey Nature Partnership and Defra [ENV016]. It is considered that a greater level of BNG is needed to address the particularly severe level of biodiversity decline in Surrey.
- 2.11.4 Viability evidence [ENV016] demonstrates that a minimum of 20% BNG is deliverable and would only lead to a marginal increase in the cost of development, particularly as the spatial strategy proposed in the Local Plan focuses on development on brownfield land. Therefore, it is considered that the proposed increase to 20% BNG meets the NPPF tests of soundness and is positively prepared, justified, effective and consistent with national policy.
- 2.11.5 Although the Council has proposed a main modification to increase the biodiversity net gain to 20%, there has been a recent amendment to PPG on 14 February (para 006) that states plan makers should not seek a higher percentage than the statutory objective of 10% BNG unless there is evidence to justify this.
- 2.11.6 As noted above, viability evidence [ENV016] demonstrates that the proposed modification is deliverable and would only lead to a marginal increase in the cost of development. Therefore, evidence confirms viability will not impact development and that 20% should be secured.

- 2.11.7 An SA Addendum of proposed Main Modifications was produced in August 2023 [CD010] and re assesses the policy taking into account the new BNG percentage and changing text and evidence. It is concluded that the modified policy has the most significant positive impacts across four environmental SA objectives and the health and well-being SA objective. Evidence has confirmed that viability will not be impacted by the 20% minimum requirement for BNG on brownfield sites and therefore the previous unknown for housing has changed to a neutral score. The detailed assessment with commentary on each SA objective is detailed at page 44 of SA Addendum of proposed Main Modifications [CD010].
- 2.11.8 In terms of site allocations, ENV6 is not applied in the assessment. The scoring system for sites looks at where the site is located in the borough, for example whether the site is in the built-up urban area, on PDL or covered by a biodiversity designation. The application of ENV6 would be considered mitigation and would improve scores if the site would result in a loss of biodiversity. Detailed SA commentary for the site allocations is available in the LAA 2022 [HOU002].
- 2.12 Is it clear how the SA has assessed employment needs arising from the Plans overall approach? In particular, how have the economic growth (6) and employment (7) scores been arrived at (see tables 7 and 11 of the SA) and what is the rationale behind the difference of approach in relation to these two sets of scoring? Paragraph 3.71 states that unknown scores are also given to SA objective 6: Economic growth as all three-options support economic growth but do not allocate land due to the uncertainty in the market for premises. Is this correct? Why is this different from the options assessed at table 7?**

Council response

- 2.12.1 The following two SA objectives have been used to assess employment needs arising from the Plan's overall approach.
- SA objective 6- To support economic growth which is inclusive, innovative and sustainable (shortened to Economic Growth).
 - SA objective 7- To provide for employment opportunities to meet the needs of the local economy (shortened to Employment).
- 2.12.2 Although both are economic objectives, the decision aiding questions are different, which explains why the scoring is not the same for both objectives. The decision aiding questions are set out below.

Economic Growth- decision aiding questions

- Will the option support sustainable growth and encourage the provision of a range of jobs that are accessible to residents?
- Will the option provide for the needs of businesses?
- Will the option provide for new or emerging sectors?
- Will the option facilitate flexible working practices?
- Will the option support the clusters or network of knowledge driven, creative or high technology industries?
- Will the option increase the likelihood of local jobs being filled by local people?
- Will the option promote the viability, vitality and competitiveness of town centres and encourage their commercial renewal?
- Will the option facilitate and encourage the building of a skilled local workforce?
- Will the option encourage mixed-use development?
- Will the option enable appropriate business to operate from areas of green infrastructure and pay for GI upkeep?

Employment- decision aiding questions

- Will the option provide for the needs of the economy, especially local business?
- Will the option provide employment opportunities beyond the scope of the Borough?
- Will the option encourage diversity and quality of employment?
- Will the option encourage diversification in the countryside?
- Will the option provide for the needs of business across the Borough (such as range of premises, land, infrastructure and services)?
- Will the option have a significant detrimental effect on the financial viability of delivery of future employment development?

2.12.3 The commentary explaining the scores summarised in Table 7 of the 2022 SA report [CD002] is detailed at page 32 of the [SA report for the Options Consultation 2019](#). This explains how the decision aiding questions informed these results. Additionally, the commentary for the options presented at Table 11a is located at Appendix 3 of the 2022 SA report [CD002].

Why are the scores different in Table 7 and 11?

2.12.4 In terms of how SA Objective 6- Economic Growth was assessed in 2019 for the Options consultation, all 5 Options in table 7 include housing in the existing urban area and therefore it was considered that focussing development within this area will support sustainable growth and encourage local people to access local jobs. Due to a lack of information on the employment uses being allocated at this stage of plan making, these results

are broad and focus on each option's intent to encourage and support economic growth.

- 2.12.5 In 2021 and 2022, when refining the options (table 11 and 11a), 3 urban sites were being allocated for modest extensions for employment use mainly in the later years of the plan. There are no new sites for employment use being allocated for any of the options and a large proportion of urban sites include a loss or partial loss of employment use. In terms of future economic development, all 3 options would rely on windfall developments. For this reason, it was not considered justified to score them positively despite all 3 options overall intention to support economic growth.
- 2.12.6 The reasoning for the unknown score for all three options summarised in Table 11 and 11a is considered appropriate at that time of developing the options, particularly following the pandemic. In 2021, evidence in the Strategic Employment Land Review Addendum [ECO001] discussed the impact of this and the loss of employment witnessed through permitted development. The change in consumers shopping habits and changing work patterns were impacting on the need to provide employment land use. It is with this context that the planning judgement was to score an unknown/ uncertain result for SA Objective 6 economic growth.
- 2.12.7 Table 3 in the SA report 2022 provides the SA scoring mechanism and explains that an uncertain (unknown) score would be provided if it was unclear whether there is a potential for a negative or positive impact on the SA Objective. Whether the options in Table 11 and 11a would support economic growth is unclear due to the economic uncertainty and the reliance on windfall development each option would support.
- 2.12.8 However, it is worth pointing out that the minor negative score for the SA Objective Employment for Option 4 in Table 7 and Option 4a in Table 11 and 11a is the same due to the lack of land in the urban area available for employment use. All three options in Table 11 and 11a are expected to have a minor negative impact on Employment as none of the options allocate any new employment land or a range of employment premises to provide employment opportunities.
- 2.13 Is the scoring attributed to 'homes' within the SA accurate? In particular, are the scorings between option 4a and 5a in terms of homes accurate?**

Council response

- 2.13.1 Table 11a provides a summary of the scoring for options 4a, 5a and 6. The detailed commentary, which justifies the scores, is available at Appendix 3 of the SA report [CD002].

2.13.2 The following decision aiding questions for SA Objective 1- Homes help to assist the sustainability appraisal of the options. The scores are linked closely to meeting the borough's Local Housing Need (LHN) in full because this would help to provide a supply of affordable housing, self-build and custom build plots, Traveller pitches and specialist housing.

2.13.3 SA Objective 1- To provide sufficient housing to enable people to live in a home suitable to their needs (shortened to Homes in the summary tables).

- Will the option significantly boost the supply of housing?
- Will the option promote improvements in the availability and quality of the housing stock?
- Will the option provide homes that are of a suitable size and type to meet identified needs?
- Will the option help provide a supply of affordable homes to meet identified needs?
- Will the option increase the supply of self-build and custom housing plots available?
- Will the option increase the supply of pitches for Gypsies and Travellers and Travelling Showpeople?
- Will the option help to reduce the number of homeless in the Borough?
- Will the option increase the amount of extra-care or enhanced sheltered accommodation?
- Will the option have a significant detrimental effect on the financial viability of delivering future housing?

2.13.4 Option 4a scores a major negative result as it will meet 70% the LHN. Using sites in the urban area, due to the borough's constraints, Option 4a will not provide enough homes that are a suitable size and type to meet identified needs. The lack of larger sites does result in less opportunities to provide affordable homes, smaller family homes, specialist housing, custom builds and Traveller pitches. Therefore, as this policy will not meet housing need or provide the mix required in full, a major negative impact is expected. On reflection, it is considered that the previous result for Option 4 in Table 7 should have resulted in a major negative rather than a minor negative for the same reasons as Option 4a.

2.13.5 Option 5a includes 12 small parcels of land in the Green Belt which are larger in size and would allow greater quantity of affordable housing, specialist housing, custom builds and Traveller pitches which will enable people a greater opportunity to live in a home suitable to their needs which they can afford. It does not meet the LHN in full by only 19 units and therefore scores a minor positive result in Table 11 rather than the major positive score previously received for Option 5 in Table 7 which did meet the LHN in full at that time.

- 2.13.6 As explained in the commentary at paragraph 3.75 of the 2022 SA Report [CD002] the minor negative score received for option 5a is a result of not meeting housing need in full by over 500 units. The options' ability to meet the local housing need in full allows a greater supply of housing as listed in the decision aiding questions detailed above.
- 2.13.7 The scores are considered accurate but the scale of minor and major is difficult to define in a summary table. The commentary helps with this, but it is noted that scores in 2019 do differ from the 2021 and 2022 tables which focus more on the options' ability to meet the LHN in full which sometimes detracts from its ability to boost the supply of housing to some degree and provide the mix of homes needed.

2.14 Table 16 of the SA (page 59) summarises the total Plan impacts. What are the 197 allocated sites referred to under Economic Growth?

Council response

- 2.14.1 The 197 allocated sites referred to under Economic Growth SA objective 6 in the 'Total Plan impacts' table 16 refers to the list of sites at appendix 4 of the 2022 SA report [CD002]. The tables at appendix 4 show that out of the 199 allocated sites, 197 sites scored a positive impact for SA objective 6- Economic Growth. 3 sites scored a negative impact. The reasoning for the score is explained in the scoring system at appendix 5 of the 2022 SA report [CD002] for sites which states that if a site is 5.1-10 km to a major service centre / employment location or 2.6-5 km distance to a significant employment site or if the site is of a scale (over 0.25ha) to enable development of new employment units as part of the development than it would result in a positive score. All 197 sites score positively due to their distance to an employment location. This is summarised in table 16 but is detailed at appendix 4 of the SA report with the list of sites and their individual scores.

2.15 Under the heading 'Access and Equality' (page 13) what is the reason that boat dwellers have been excluded from this list provided?

Council response

- 2.15.1 Whilst boat dwellers have not been specifically included within the list, they have been considered within the bullet point for lack of affordable housing and increasing house prices.

2.16 The SA scores option 5a as a negative against the homes objective as it would fall short of the LHN figure by some 500 units. Is this correct?

Council response

- 2.16.1 Yes, this is correct. Table 11a was produced due to the updated standard method figure which increased from 641 to 647 per annum in March 2022. Therefore, the LHN figure across a 15-year period would be 9,705 (647 x 15). In addition to this standard method change, the updated land supply figures from the LAA 2022 [HOU002] were also added.
- 2.16.2 Using the new sites from the LAA 2022 and the 12 sites from the Green Belt evidence, 9182 units would be supplied for option 5a. This results in a 523-unit deficit.
- 2.17 What is the rationale behind the Plans approach to supporting economic growth but not allocating land due to the uncertainty in the market for premises (paragraph 3.71 of document CD002) (Please note this question refers specifically to how the SA has assessed economic growth only, meeting employment needs in detail is set out under matter 8 below)**

Council response

- 2.17.1 Policy SS3 Scale and location of good growth states that provision will be made for range of business and employment floorspace including modern, flexible and well-connected workspaces to increase employment opportunities for residents. The policy will encourage mixed use development which would facilitate flexible working practices. Therefore, the policy supports economic growth, which is inclusive, innovative and sustainable. However, the strategy has limited land availability which could impact on deliverability.
- 2.17.2 The allocated urban sites include extensions to 3 existing employment sites (WEY10, WEY26 and WEY35) but there are also many sites that represent a partial or full loss to many local businesses uses such as offices and retail. Therefore, the policy is not considered to result in significant economic growth in terms of land and premises.
- 2.17.3 Because premises, land, infrastructure and services will be limited, it will be difficult to provide for new and emerging sectors. At the time of writing the SA, the evidence suggested that there was uncertainty in the market particularly following the pandemic and the continued change in consumers shopping habits etc. Not only this but permitted development rights and changing work patterns are also impacting on the need for employment land use.
- 2.17.4 The draft policy supports economic growth which would help windfall developments to be delivered. This would have a positive impact but there is a general lack of certainty in the market and the demand for housing could impact on the deliverability of this aspiration. Therefore, the impact is unknown.

2.17.5 An urban only plan does mean that new housing and development will be located close to transport links and town and village centres which would support sustainable growth and encourage local people to work and shop locally. This is in compliance with the NPPF 2021, which states at paragraph 81 that 'Planning policies and decisions should help create the conditions in which business can invest, expand and adapt'.

2.18 Is the distribution of housing growth across the borough supported by the SA and will it deliver an appropriate pattern of housing growth?

Council response

2.18.1 Table 7, 9, 10,11 and 11a of the SA report as well as the text in paragraphs 3.68 to 3.74 explains how the distribution of housing growth across the borough has been assessed by the SA process.

2.18.2 The distribution of housing growth is supported by the SA for the following reasons. Allocating homes in the urban area will allow access to existing health provisions such as dentists, GPs and health clinics. People can access these more easily and potentially with less reliance on the car. Additionally, future residents will have access to urban green spaces and leisure facilities which encourage healthy lifestyles. As all new development proposals must be designed with green and/or blue infrastructure, greater access to nature will bring health and wellbeing benefits.

2.18.3 An urban only approach will make best use of previously developed land and existing buildings which is in line with paragraph 11 of the NPPF 2021. It will protect soil due to the concentration of development within the existing built-up area. Due to this concentration, it would be most likely to remediate contaminated areas which are more likely to exist on PDL sites and not result in further contamination or soil erosion.

2.18.4 The distribution of housing growth proposed would also protect the landscape character of the borough by keeping development within the urban area which would also protect the open countryside and the urban fringe. This would also protect and enhance existing urban greenspace and strategic views and landmarks.

2.19 Is it clear how alternative development options within the SA which would meet the local housing need have been assessed and is it clear how the conclusions have been reached? In particular, is it clear how the scoring of options 4a,5a and 6 have been arrived at and will the proposed strategy promote a sustainable pattern of development that seeks to meet the development needs of the area (paragraph 11a of the Framework).

Council response

- 2.19.1 Yes, it is clear how alternative development options within the SA which would meet the local housing need have been assessed. Stage B2 at page 25 in the SA report [CD002] provides the summary tables and discussion on how these were established but appendix 3 (pages 94 to 102) provides the detailed SA assessment with commentary on why the scores have been reached for each alternative (Option 4s, 5a and 6). The commentary within these assessments provides greater detail and this helps explain for example why the Heritage SA objective and Economic Growth SA objective score is unknown for the preferred policy and alternatives.
- 2.19.2 Table 8 and paragraph 3.60 of the SA report 2022 [CD002], sets out the decision-making criteria used when developing the options in 2019. It highlights the constraints and tensions that were faced when developing the Local Plan.
- 2.19.3 In terms of whether the preferred strategy will promote a sustainable pattern of development, and with paragraph 11 of the NPPF in mind, the Council is satisfied that its preferred development strategy does all it reasonably can to meet the borough's development needs in a sustainable manner, conforms with current national policy and reflects the Council's evidence base.
- 2.19.4 Option 4a meets 70% of the borough's local housing need by optimising the use of sites in the urban areas in accordance with the NPPF. This will result in a major negative impact for the homes SA objective as this option will not meet the housing need or the mix required in full. However, the Council considers this still provides a sustainable option for development within the borough in accordance with paragraph 11(a) of the NPPF as this strategy seeks to align growth and infrastructure provision and protects and enhances the built and natural environment including the landscape character of the borough and its rich biodiversity.
- 2.19.5 At the heart of the spatial strategy is the commitment to respond to the climate emergency and sustainable place-making. The scale and location of growth set out in the Local Plan - Strategic Policy SS3: scale and location of growth, has been informed by careful consideration of the evidence and the balancing of the social, economic and environmental positive and negative effects which could arise from growth and development.
- 2.19.6 The location of development in the borough has also been driven by the principle of sustainable development as set out in national policy. With this in mind, planning for the borough's housing needs builds on the existing pattern of development in the borough, taking an urban only approach. In taking this approach, the Local Plan seeks to make as much use as possible of existing

suitable brownfield sites, including all publicly owned assets and land holdings.

2.19.7 The key principles behind the scale and location of growth in the borough include:

- Optimising opportunities for development on previously developed land within the existing urban areas by proactively optimising sites in sustainable locations providing access to services and facilities.
- Continuing to deliver a strong network of sustainable and distinguished settlements across the borough.
- Increasing the number of new homes and genuinely affordable homes in the borough.
- Seeking to support sustainable patterns of travel.
- Taking account local and strategic infrastructure capacity in particular, the road network.
- Protecting the Green Belt from inappropriate development and ensuring its openness and permanence.
- Avoiding other sensitive areas including areas identified for biodiversity and nature conservation importance as well as areas at high risk of flooding.

2.20 Does the Plan present an appropriate spatial strategy and in what way is this supported by the evidence base? In particular, will the proposed distribution of housing help to ensure that sufficient land will be available in the right places to meet the housing needs of present and future generations (paragraph 8 of the Framework).

Council response

2.20.1 Yes, the Council considers that the Plan does present an appropriate spatial strategy for the Borough, one that is succinct and will provide the borough with an up-to-date plan. The Council considers that the proposed spatial strategy meets paragraph 8 of the NPPF (2021) supporting the delivery of the three dimensions of sustainable development.

Principle 4 of the Plan's vision sets out the key economic objective of the Council's proposed strategy:

'Principle 4: Growing a prosperous economy

- *Providing the environment and opportunities to foster a prosperous economy with modern, flexible and well-connected workspaces where industries and businesses can thrive.*

- *Supporting our town, district and local centres and managing their transition into distinctive places of socialisation, community support, events and culture which are less dependent on a retail offer’.*

Principle 4 will be primarily delivered through the policies within chapter 7 of the Plan (Policy ECO1 – ECO5), which support the protection and intensification of existing employment sites and uses, as well as the delivery of modern, high quality and flexible employment floorspace to ensure development supports the Borough’s economy and delivers economic growth and employment opportunities in accordance with the economic objective (paragraph 8(a)) of the NPPF (2021).

Principle 3 of the Plan’s vision sets out the key social objective of the Council’s proposed strategy:

‘Principle 3: Delivering homes

- *Improving housing choice and delivering well-designed high-quality homes that we need in a highly sustainable way.*
- *Creating, strong and thriving communities’.*

Principle 3 will be primarily delivered through the policies within chapter 6 of the Plan (Policy HOU1 – HOU8), which support the delivery of new, well-designed homes to meet the range of needs for homes of different sizes, tenures and types, including affordable housing in accordance with the social objective (paragraph 8(b)) of the NPPF (2021).

In addition, Policy INF1 – INF6 in chapter 8 and Policies ENV1 - ENV11 in chapter 5 of the Plan will ensure development contributes to the delivery of social and community infrastructure and well-designed places and spaces that support the health and wellbeing of communities, including blue and green infrastructure and opens spaces, in accordance with the social objective (paragraph 8(b)) of the NPPF (2021).

Principle 1 and 2 of the Plan’s vision sets out the key environmental objective of the Council’s proposed strategy:

‘Principle 1: Tackling Climate Change

- *To adapt to, and mitigate, the effects of climate change; to reduce carbon dioxide emissions, minimise energy use; improve air quality and protect and enhance our natural environment.*
- *To improve the borough’s resilience to climate change.*

Principle 2: Protecting and enhancing the quality of the environment
Promoting cleaner and greener living, in order to conserve and enhance

biodiversity, whilst creating a sustainable environment to live, work and spend our leisure time.

- *Ensuring strong protection of the Green Belt from inappropriate development and protecting and enhancing green and blue spaces to improve biodiversity, connectivity and access.*
- *Preserving and enhancing our recognised heritage assets. Ensuring they continue to be conserved in a manner appropriate to their significance’.*

Principle 1 and 2 will be primarily delivered through the policies within chapter 4 and 5 of the Plan (Policy CC1 – CC5 and Policy ENV1 – ENV11), which support the protection and enhancement of the Borough’s natural and built environment and require development to mitigate and adapt to the impacts of climate change; minimise waste and pollution; and protect and enhance biodiversity in accordance with the environmental objective (paragraph 8(c)) of the NPPF (2021).

2.20.2 The Plan is boosting the supply of housing in the borough as far as possible in the context of the Borough’s highly constrained land supply and accords with the policies in the NPPF when read and applied as a whole. Whilst the proposed spatial strategy will not meet the Borough’s objectively assessed need for housing in full, the strategy will boost the supply of housing.

2.20.2 The spatial strategy brownfield only approach will make best use of previously developed land and existing buildings in the borough which is consistent with the approach in the NPPF 2021. The policies in the Plan seek to optimise development, particularly in locations near to public transport and/ or centres, making the most efficient use of sustainably located land.

2.20.3 The approach to the distribution of housing growth is supported by the Sustainability Appraisal (SA). The SA concluded that this approach of allocating homes in the urban area will allow access to existing health provisions such as dentists, GPs and health clinics. People can access these more easily and potentially with less reliance on the car. Additionally, future residents will have access to urban green spaces and leisure facilities which encourage healthy lifestyles. As all new development proposals must be designed with green and/or blue infrastructure, greater access to nature will bring health and wellbeing benefits.

2.21 In what way will the spatial strategy address the Council’s priority of addressing the acute affordable housing need within the Borough?

Council response

- 2.21.1 The spatial strategy seeks to address the Council's priority of addressing the affordable housing need in the Borough primarily through Policy HOU4. Policy HOU4 sets out requirements that will ensure opportunities to deliver affordable housing are maximised on all suitable sites, taking viability into consideration. Including through requiring small sites of less than 10 homes to provide a contribution towards affordable housing via a financial contribution, an approach which reflects the particularly acute need for affordable housing in the Borough.
- 2.21.2 The Council acknowledges that the spatial strategy will not meet affordable housing need in full but, as set out in the Council's response to Matter 6, Question 5.4, the Council considers it has robustly assessed and considered options to bring forward a spatial strategy that supports the delivery of a greater level of housing, including the benefits this would have for the delivery of more affordable homes, in full. The Council's assessment of this approach found that the harm resulting from the development of Green Belt land and intensification of its urban areas needed to deliver such a strategy would outweigh the benefits, including the delivery of additional affordable homes to meet a greater proportion of the Borough's identified affordable housing need.
- 2.21.3 The NPPF and PPG do not require affordable housing need to be met in full but, it must be 'reflected'. This was established by *Barker Mill Estates Trustees v Test Valley BC* [2016] EWHC 3028 (Admin.)101 at paragraph 36 - 37. The Council considers that the proposed spatial strategy reflects the identified need for affordable housing in accordance with the NPPF (2021) and will be effective in meeting as much of that identified need as possible in the context of a highly constrained land supply.
- 2.22 Noting that the proposed strategy would not meet the Borough's objectively assessed housing need, in what way will the proposed spatial strategy support the Government's objective of significantly boosting the supply of homes (paragraph 60 of the Framework) by providing a sufficient amount and variety of land to come forward? In particular, in what way will the proposed strategy deliver the mix of homes needed? Is the Plan positively prepared in this regard?**

Council response

- 2.22.1 Whilst the proposed spatial strategy will not meet the Borough's objectively assessed need for housing in full, the strategy will boost the supply of housing, increasing the number of homes delivered within the Borough whilst balancing this within the context of the borough's constraints. Whilst it is not

proposed that the standard methodology figure of 652 homes will be met, for context the proposed housing target of 452 dpa is considered to be a significant boost in comparison to the target set within the Core Strategy of 225 dpa.

- 2.22.2 Taking into account that no release of Green Belt land for development is proposed (the reasoning for which is set out in response to Matter 4 – Question 3.1), the Council has identified all available unconstrained land found to be suitable for development, which it considers will provide a sufficient amount and variety of land to come forward that meets the housing target identified in the Plan.
- 2.22.3 The Council considers that the proposed spatial strategy meets the requirements of paragraph 60 of the NPPF (2021) as far as possible in the context of the Borough’s highly constrained land supply and accords with the policies in the NPPF when read and applied as a whole.
- 2.22.4 As set out in the Council’s response to Matter 7 – Question 6.6, the spatial strategy and policies within the Plan, for example Policy HOU1 - HOU4, reflect the assessed need for housing of a mix of different types, sizes and tenures in the Borough, including the need for affordable housing, and will be effective in meeting as much of that identified need as possible in the context of a highly constrained land supply in accordance with the NPPF (2021).
- 2.22.5 In light of the above, the Council considers that the spatial strategy is positively prepared with regard to the requirement to boost housing supply and deliver the mix of homes needed and will be effective in delivering these requirements as far as possible within the context of the Borough.
- 2.23 Document TOP001 outlines a number of key principles behind the scale and location of growth within the borough (paragraph 7.16). The last bullet point refers to, amongst other things, avoiding areas at high risk of flooding. In light of the representations received from the Environment Agency¹, does the spatial strategy accord with this principle?**

Council response

- 2.23.1 The Council has sought to avoid areas at high risk of flooding, preferentially allocating sites for development in areas at lowest risk of flooding from all sources in accordance with the principle of avoiding areas at the high risk of flooding set out in document TOP001.

- 2.23.2 The site selection process was initially informed by the Council's Review of Absolute Constraints [OTH022 – OTH024], which was used to identify and discount all areas in the Borough subject to absolute constraints. Undeveloped land affected by Flood Zone 3b was identified as an absolute constraint in this review. The site selection process was then further informed by the Updated Absolute Constraints Review [OTH021] and the Council's Level 1 Strategic Flood Risk Assessment (SFRA) [INF008 – INF0010], which defines Flood Zone 1 to 3 in the Borough and maps the risk of other sources of flooding, including surface water, groundwater, reservoir and sewer flooding, as well as risk associated with climate change models.
- 2.23.3 Level 1 SFRA allowed the Council to identify land at the lowest risk of flooding in the first instance. Due to the limited availability of unconstrained land in the Borough for development, the areas at lowest risk of flooding were fully exhausted and the Council had to consider sites at higher risk of flooding to ensure the quantum of development proposed in the Local Plan is able to come forward. This approach is in accordance with the Sequential Test approach to flood risk set out in the NPPF and PPG on flood risk and coastal change.
- 2.23.4 The Council's Sustainability Appraisal [CD002] demonstrates that the Council reached the decision that the potential harm associated with a higher relative flood risk at higher risk sites was fully considered and weighed against the benefits, including other wider sustainability benefits resulting from the sites coming forward for development. The wider sustainability benefits considered included positive outcomes for biodiversity, flora and fauna; the mitigation of, and adaptation to, the impact of climate change; health and wellbeing; the reduction of pollution; the delivery sustainable development that supports the delivery of housing that contributes to meeting housing need in the Borough and supports economic growth and employment opportunities.
- 2.23.5 Since the submission of the Local Plan in August 2023 the Council has commissioned consultants AECOM to produce a Level 2 SFRA [INF013] and using the site assessment database produced as part of this piece of work the Council has produced a Sequential Test [INF014].
- 2.23.6 The Sequential Test provides further evidence that the Council has followed the principle of avoiding development areas at high risk of flooding set out in TOP001, finding that 162 of the 199 sites proposed for allocation in the Local Plan are located in Flood Zone 1 and are at low risk of flooding from all

sources of flooding – i.e. surface water flooding, groundwater flooding, sewer flooding and reservoir failure, including when climate change allowances are taken into account now and in the future.

- 2.23.7 Only 37 of the 199 sites allocated in the Local Plan are affected by Flood Zone 2, 3a or 3b and were found to be at medium or high risk of flooding. Of these, 27 sites were affected by Flood Zone 2, three by Zone 3a and seven by Zone 3b. As outlined above, the Council exhausted the Borough's supply of sites at lower risk of flooding before looking to these relatively higher risk sites in accordance with the sequential approach and there are no known alternative, reasonably available sites at lower risk of flooding that accord with the proposed spatial strategy to which these could be relocated. Therefore, these sites were also considered for allocation in accordance with the approach set out in the NPPF and PPG.
- 2.23.8 Most of the sites affected by Flood Zone 2 and 3 are only affected in a small area, with the 7 sites affected by Flood Zone 3b only intersecting the functional floodplain in small areas, ranging from 0.1% – 7.9% of the sites. It is considered that flood risk can be addressed through a sequential approach to the site layout in first instance, with the Level 2 SFRA and Sequential Test finding that they are suitable for development.
- 2.23.9 The Council considers that its Sequential Test and supporting evidence base fully demonstrates that the principle of avoiding areas at high risk of flooding has been followed as far as possible. Although some higher risk sites have been included for allocation this is supported by the sequential approach to flood risk set out in national policy and guidance and it has been demonstrated that these sites are suitable for the development allocated in the Plan.

Issue 6: Does the Plans spatial strategy expressed within policy SS3 present an appropriate strategy, taking into account the reasonable alternatives?

Questions:

Spatial Strategy – General

- 2.24 In responding to this question, it is not clear to me how the screening of sites, flood risk and the need to apply the sequential test have been taken into account in terms of the spatial strategy. The Council are therefore requested to set out clearly how it has carried out its site selection process including at the initial screening stage. Given the advice contained within the Planning Practice Guidance that reasoned justifications should be provided where other sustainability criteria are considered to outweigh flood risk, I will need to understand how flood**

risk informed the site selection process and the spatial strategy outlined within the Plan.

Council response

- 2.24.1 As detailed in the response to Question 2.21 above, the Council has sought to preferentially allocate development in the areas at lowest risk of flooding in the Borough in accordance the sequential approach to flood risk set out in national policy and guidance.
- 2.24.2 The site selection process was initially informed by the Council's Review of Absolute Constraints [OTH022 – OTH024], which was used to identify and discount all areas in the Borough subject to absolute constraints. Undeveloped land affected by Flood Zone 3b was identified as an absolute constraint in this review. The site selection process was then further informed by the Updated Absolute Constraints Review [OTH021] and the Council's Level 1 Strategic Flood Risk Assessment (SFRA) [INF008 – INF0010], which defines Flood Zone 1 to 3 in the Borough and maps the risk of other sources of flooding, including surface water, groundwater, reservoir and sewer flooding, as well as risk associated with climate change models.
- 2.24.3 The Level 1 SFRA allowed the Council to identify land at the lowest risk of flooding in the first instance. Due to the limited availability of unconstrained land in the Borough for development, the areas at lowest risk of flooding were fully exhausted and the Council had to consider sites at higher risk of flooding to ensure the quantum of development proposed in the Local Plan is able to come forward. This approach is in accordance with the Sequential Test approach to flood risk set out in the NPPF and PPG on flood risk and coastal change.
- 2.24.4 The Council's Sustainability Appraisal [CD002] demonstrates that the Council reached the decision that the potential harm associated with a higher relative flood risk at higher risk sites was fully considered and weighed against the benefits, including other wider sustainability benefits resulting from the sites coming forward for development. The wider sustainability benefits considered included positive outcomes for biodiversity, flora and fauna; the mitigation of, and adaptation to, the impact of climate change; health and wellbeing; the reduction of pollution; the delivery sustainable development that supports the delivery of housing that contributes to meeting housing need in the Borough and supports economic growth and employment opportunities.
- 2.24.5 The Council's draft Level 2 SFRA [INF013] and Sequential Test [INF014]

provides further evidence that the Council has followed the sequential approach in accordance with national policy and guidance, finding that 162 of the 199 sites proposed for allocation in the Local Plan are located in Flood Zone 1 and are at low risk of flooding from all sources of flooding – i.e. surface water flooding, groundwater flooding, sewer flooding and reservoir failure, including when climate change allowances are taken into account now and in the future.

2.25 Is the IDP sufficiently clear regarding the infrastructure requirements to deliver the spatial strategy over the Plan period and how these will be delivered? There appears to be a general policy support and emphasis on sustainable transport measures however it is not clear to me what these measures will be? Does the Plan need to be more precise in this regard?

Council response

- 2.25.1 Tables 12 – 14 of the Council’s Infrastructure Delivery Plan (IDP) [INF002] and the IDP Update [INF003] set out the required infrastructure relating to sustainable transport measures, including rail and bus services and walking and cycling infrastructure.
- 2.25.2 As the Local Transport Authority, Surrey County Council (SCC) take the lead on planning for and delivering rail and bus infrastructure across the County. SCC publish a Local Transport Plan (LTP), which details how the planned rail and bus service infrastructure will be delivered. The IDP refers to the latest SCC LTP, called LTP4 [INF007] which was published in 2023 and is referred to within tables 12 and 13. [LTP4](#) details the delivery plan for the rail and bus infrastructure currently planned for by SCC that form part of the sustainable transport measures supported by the Plan and expected to be delivered over the Plan Period.
- 2.25.3 Similarly, as the Local Highways Authority, SCC take the lead on planning for and delivering cycling and walking infrastructure/networks across the County. SCC are to publish a Local Cycling and Walking Infrastructure Plan (LCWIP) for each Borough, which details the planned routes and how they will be delivered. The IDP refers to the latest Elmbridge [LCWIP](#) within table 14, which details the delivery plan for the cycling and walking infrastructure currently planned for by SCC that form the other part of the sustainable transport measures supported by the Plan and expected to be delivered over the Plan Period.
- 2.25.4 The Council is committed to supporting active travel in Elmbridge and on 15 March 2023 (Cabinet) allocated CIL monies towards the delivery of the

Cobham Core Walking Zone (LCWIP) of £352,000 and £780,002.250 towards the delivery Hampton Court Way Cycle Route (LWCIP).

- 2.25.5 The Council has also agreed (Cabinet, 5 July 2023) to create a further spending pot to help support the delivery of public realm and active improvement projects that the Borough and County Councils have agreed as joint priorities and are working in partnership to deliver. This includes for example, funding the delivery of LCWIPs and Local Street Improvements (LSIs). The separate fund demonstrates the Council's commitment to these projects and provides the County Council with a degree of comfort that match-funding from the Council is available. This also allows the County Council to apply for third-party funding sources including the Department for Transport's active travel fund.
- 2.25.6 The Council acknowledges that the Plan is perhaps not clear enough about the role of LTP4 and LCWIP in Policy INF1 and Policy CC4 and proposes a modification to add reference to these key infrastructure delivery plan documents within the supporting text of the policies. Following the completion of the Feasibility Study (Stage 2) of Phase one walking and cycling zones / routes set out in the LCWIP, additional information regarding costs and timeframes can also be included. The IDP is updated annually allowing for regular review.
- 2.26 Surrey County Council representations refer to a requirement for a SEND school within the County and an application by Elmbridge to provide such a facility. What site is identified for this use and should it be reflected in the Plan?**

Council response

- 2.26.1 Following SCC Regulation 19 response in July 2022 identifying a need for additional Special Educational Needs (SEN) provision in the borough, a new SEN school for up to 200 children has been approved by SCC. The Hopescourt School is to be located in Waterside Drive, Walton-on-Thames was granted planning permission in November 2023 (SCC planning reference 2023-0092). The new school will include sports courts and will take its first cohort of 80 pupils in September 2024.
- 2.26.2 Due to planning permission being granted and SCC's commitment to open the school in September 2024, the Council do not consider it necessary for the site to be identified in the plan.
- 2.26.3 Further details of the school can be found on SCC website - https://planning.surreycc.gov.uk/Planning/Display/SCC_Ref_2023-0092#

2.27 Representors have raised concerns regarding document ENV012 Playing Pitch Strategy 2019 and the conclusions drawn. Has this document been updated? What are the requirements for the Period and are the concerns raised by Esher Rugby Club regarding this part of the evidence base valid?

Council response

2.27.1 The Council's Playing Pitch Strategy [ENV012], published in 2019 identifies a need for an additional 9.71 3G football pitches, 2.24 junior cricket pitches and 1.2 artificial grass hockey pitches to 2035. This is also set out in the Council's Infrastructure Delivery Plan (IDP) [INF002] and the IDP Update [INF003].

2.27.2 Since it was adopted, the Council has reviewed ENV012 annually in October 2020 and November 2021, 2022 and 2023 to ensure the strategy is up to date and relevant. The latest review was [reported](#) to the Council's Cabinet Member on 07 December 2023. The 2023 review of ENV012 concludes that "*it is not considered at this time that these necessitate a reconsideration of the aims and recommendations of the PPS*" and details a series of schemes and projects that have come forward since the adoption of ENV012 that have or will deliver additional playing/sports pitches, contributing towards the need identified in the strategy. These include:

- Heathside Walton On Thames (Free School) - initial construction phase of the school buildings was achieved in July 2023, although playing pitches are not yet operational. A CUA has been agreed with the Council securing genuine community use and good operating hours. Facilities in the draft agreement include: a MUGA; grass Football pitches (Senior; 7-a-side; and 5-a-side); Rugby pitch (Senior); Cricket pitch; Rounders pitch; Long Jump lanes; 800m Athletics track.
- ACS Cobham International School – Planning Permission 2018/1807 granted for new all-weather 3G football pitch.
- Esher College Cobham FC – New 3G football pitch completed.
- Cobham Rugby Club - construction of new artificial grass pitch under Planning Permission 2018/3475 now complete and facility open and operational.

2.27.3 The Council considers that the additional facilities identified above and the ongoing work of the Council to facilitate the delivery of additional facilities and monitor progress against the need identified in ENV012 will ensure the need is met as far as possible.

Policy SS1 – Responding to the Climate Emergency

- 2.28 As currently drafted, policy SS1 requires development must (f) avoid demolition by repurposing existing structures and (g) promote the retrofit of existing buildings, including incorporating measures to reduce energy consumption. These requirements of the policy do not appear to have been taken into account in relation to the viability, capacity or density evidence which supports the Plan. Without these assessments, how can these policy requirements be justified and deliverable?**

Council response

- 2.28.1 The intention behind Policy SS1 (f) and (g) was to promote a shift towards a circular economy approach to development in the Borough to ensure development contributes meaningfully to the reduction of carbon dioxide emissions, specifically embodied carbon and emissions associated with the construction process. A circular economy approach would also deliver positive outcomes for the Borough's air quality.
- 2.28.2 The Council considers that the scale of the climate emergency and the pressing need to mitigate its impacts is strong justification for taking forward an approach that promotes a circular economy in the Local Plan. For example, the latest data and projections published by climate experts, including the IPCC, point towards the world's current carbon reduction trajectory falling significantly short of limiting temperature increase to 1.5 degrees Celsius agreed by the Paris Climate Agreement in 2015. A 1 degree C increase has already happened, and current trajectories indicate we will reach 4 degrees C.
- 2.28.3 After reviewing the draft policy again, the Council acknowledges that as drafted SS1 (f) and (g) is more restrictive than intended and suggests the following main modification to ensure there is no conflict with other policies in the Plan and that it does not impact the capacity or density evidence that supports the Plan:

All development must respond to the climate emergency by:

(f) ~~avoiding taking a circular economy approach and minimising embodied carbon. Minimising waste, limiting demolition, and prioritising retention, repurposing, refurbishment and retrofitting~~ of existing structures as far as reasonably practicable, balancing this with the requirements and objectives of other policies in the Plan.

(g) ~~promoting the retrofit of existing buildings, including incorporating measures to reduce energy consumption.~~

- 2.28.4 The proposed modification to policy SS1 builds more flexibility into the requirements set out in parts (f) and (g) and will ensure the policy requirements are deliverable and that the requirements will not conflict with the other policies and objectives of the Plan.
- 2.28.5 Policy CC2 sets out the detailed development management policy that relates to Policy SS1 (f) and (g). The Council has also proposed a modification to CC2 which would only extend the requirements to demonstrate the circular economy approach has been followed to major development.
- 2.28.6 In terms of viability, a recent report produced by [WSP](#) in December 2021 confirms that significant reductions in embodied carbon, specifically whole life embodied carbon, can be achieved at no net additional cost through better design on-site management (avoiding wastage), choice of materials (e.g low carbon concrete) etc. In light of these findings, the Council's Viability Assessment considers that in the Elmbridge context, additional cost assumptions to reduce or minimise embodied carbon are not necessary and are covered by the current assumed costs.
- 2.29 What are the implications of these policy requirements for the Council's site allocations in terms of the capacity and density requirements? In responding, the Council should be explicit with reference to: (i) the site allocations which would be affected by this policy requirement (ii) the extent to which this policy requirement has been taken into account (iii) the implications in terms of capacity to accommodate development (if relevant). I suggest a table format is used utilising the Local Plan references for the individual sites listed at chapter 9 of the Local Plan.**

Council response

- 2.29.1 The implications of Policy SS1 (f) and (g) are that development on all site allocations in the Local Plan would be required to explore the extent to which limiting demolition and prioritising reuse and retrofitting of existing buildings can be achieved and balancing this with the need to deliver the quantum of development identified in the site allocations.
- 2.29.2 The Council considers that the proposed modification set out in its response to Question 2.26 above would ensure Policy SS1 (f) and (g) would carry the required flexibility to ensure development can find the right balance between applying the circular economy approach and/or retrofitting of existing buildings and delivering the quantum of development, as well as the other objectives and policy requirements set out in the Local Plan.
- 2.29.3 Policy SS1 begins by stating "*all development must respond to the climate emergency by:*" As such, it is intended that Policy SS1 (f) and (g) would apply

to all site allocations in the Local Plan and applications the Council receives after adoption of the Plan.

- 2.29.4 The requirements of Policy SS1 (f) and (g) have been fully considered and taken into account along with the requirements of all proposed policies within the plan and it is the Council's view that they will not impact the capacity and densities achievable.
- 2.29.5 The Council considers that the proposed modification outlined in response to Question 2.28 above will ensure that Policy SS1 (f) and (g) will not have substantive implications for the capacity and density of any of the site allocations. As set out above, the intention is that site allocations and in fact all development in the Borough seek to adopt a circular economy approach and minimise embodied carbon and explore opportunities to reuse, retrofit and recycle existing buildings and materials as far as possible, whilst balancing this with the need to deliver the quantum of development needed in the Borough and other policy requirements set out in the Plan.
- 2.30 Is there an inherent conflict between policy SS1 parts (f) and (g) and policy HOU2 (d) which seeks comprehensive development that leads to more efficient and effective site layouts? If this is the case is it clear how a decision maker should respond to the policies?**

Council response

- 2.30.1 The Council considers that the proposed modification to Policy SS1 (f) and (g) set out in its response to Question 2.26 would build more flexibility into the requirements and ensure there is no conflict between this policy and Policy HOU2 (d). As detailed above the intention is that the requirements of Policy SS1 (f) and (g) will ensure development explores the extent to which a circular economy approach and/or retrofitting of existing buildings can be achieved, whilst balancing this objective with the requirements of the other policies in the Plan, including the requirements of Policy HOU2 (d).

Policy SS2 – Sustainable place-making

- 2.31 The Council's approach to sustainable place making is set out at policy SS2. Is the approach reflective of paragraph 7 of the Framework? Part 2b of the policy refers to delivering homes for all. However the Councils approach to housing will only provide for approximately 69% of the boroughs housing needs over the Plan period. Is the policy justified and effective as a result?**

Council response

- 2.31.1 The approach set out in Policy SS2 and the Plan as a whole, seeks to meet identified housing need as far as possible in the context of limited unconstrained land for development and increasing need for housing. The Council considers that this approach meets the requirements of the policies in the NPPF (2021) when read and applied as a whole and is reflective of paragraph 7 of the NPPF, which states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 2.31.2 As set out in the Council's response to Matter 4 - Question 3.1, the Council reached the conclusion that the necessary exceptional circumstances required to amend the boundaries of the Borough's Green Belt through the preparation of the new Local Plan, were not fully evidenced and justified. Therefore paragraph 11(b)(i) of the NPPF (2021) provided a strong reason for restricting the scale and distribution of housing development in the Borough.
- 2.31.3 As set out in TOP001, the Council also concluded that it could not take forward a strategy that seeks to deliver more homes through further intensification of the Borough's urban areas. An intensification strategy would not promote a sustainable pattern of development and that the benefits of meeting local housing need through such an approach is significantly and demonstrably outweighed by the impact on the built-form and character of the Borough's existing urban areas and is not acceptable when assessed against the policies in the NPPF (2021) when taken as a whole, in particular paragraph 11(b)(ii).
- 2.31.4 Whilst the proposed approach set out in Policy SS2 will meet less than 100% of the identified housing need in Elmbridge, the Council considers the policy and Plan will be effective in delivering homes of a range of sizes, types and tenures that reflect the needs of different groups in with Borough's communities in accordance with the NPPF (2021). The reasoning for this is set out in more detail within the Council's response to Matter 7 – Question 6.6.

2.32 Policy SS2 2 (a) i refers to 'minimising flood risk' however paragraphs 3.6 and 4.5 of the Plan refer to 'delivering improvements to flood risk'. What improvements are being referred to here and how will the Plan achieve this?

Council response

- 2.32.1 The Council acknowledges that the language used in SS2 (a) (i) and paragraph 3.6 and 4.5 is not consistent. To ensure consistency the Council proposes the following main modification:

All development proposals will be assessed taking into account the following criteria:

- (2) *Protecting and enhancing our natural, historic and built environment by:*
- i) *Responding positively to the climate emergency; by mitigating and adapting to climate change; and requiring the best use of resources and assets; and minimising and where possible improving flood risk.*

2.32.2 By improvements to flood risk the Council is referring to flood risk reduction schemes, including large scale schemes, such as the [River Thames Scheme](#) and [Thames Landscape Strategy](#); and smaller scale schemes funded by Surrey County Council as the Lead Local Flood Authority, Elmbridge Borough Council and individual applicants, such as SuDS and community CIL funding projects. For example, the Thames Ditton & Weston Green Residents' Association have a community CIL funded project to introduce a flood barrier in Thames Ditton.

2.33 The Council’s spatial strategy relies entirely on brownfield sites within urban areas and is set out at policy SS3 which identifies the scale and location of good growth. Part 4 of the policy identifies the individual settlements within the borough and the number of units to be delivered. For each of the settlements identified, could the Council provide in a table a breakdown as to how the individual number of units have been arrived at.

Council response

2.33.1 The table below identifies how the figures for individual units within each settlement within policy SS3 have been arrived at:

Settlement	Site with PP	PP minus 10%	Under Construction	LAA 1-5	LAA 6-10	LAA 11-15	Total LAA	LAA minus 15%	windfalls	Total
Claygate	36	22	9	6	1	7	4	4	23.375	19

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Settlement	Site with PP	PP minus 10%	Under Construction	LAA 1-5	LAA 6-10	LAA 11-15	Total LAA	LAA minus 15%	windfalls	Total
Cobham, Oxshott and Stoke D'Abernon	78	60	35	0	85	86	31	51	23.375	70
Esher	8	2	35	18	62	85	065	05	23.375	216
Hersham	4	0	5	15	1	80	26	62	23.375	60
Molesey	05	85	61	2	9	65	06	60	23.375	29
Thames Ditton, Long Ditton, Hinchley Wood and Weston Green	09	8	0	92	7	88	27	63	23.375	34
Walton-on-Thames	14	73	02	12	35	27	74	58	23.375	256
Weybridge	38	94	31	02	5	67	34	54	23.375	202
Totals	582	424	68	067	35	125	127	508	87	787

2.34 Do these numbers correlate with the site allocations contained within chapter 9 of the Plan?

Council response

2.34.1 The numbers within SS3 includes other sources of land supply such as planning permissions, and therefore the numbers do not correlate with the site allocations listed in chapter 9.

2.35 Where in the evidence base does it set out which sites are included within these numbers?

Council response

2.35.1 The evidence base document the Land Availability Assessment (LAA) 2022 [HOU002] sets out the evidence behind these numbers in appendices 1 to 5.

2.36 According to the footnote, the figures do not include a non-implementation rate or windfall allowance – is this correct? How do these figures relate to those presented within the housing trajectory?

Council response

2.36.1 A minor modification (reference MM3.10) to correct the footnote has been proposed by the Council. The non-implementation rate and small sites windfall allowance is included in the figures. The proposed minor modification is in CD013 Schedule of Proposed Minor Modifications June 2023.

2.37 Part 5 of the policy identifies 3 further locations for development within the borough as follows: Brooklands College for higher education, further education and vocational training/upskilling, Lower Green for community regeneration, Whiteley Village for specialist care facilities. Are there corresponding site allocations associated with these locations?

2.38 What precisely is meant by ‘community regeneration’ at Lower Green?

2.39 How do these locations relate to the spatial strategy identified at TP001 which seeks to focus development within the urban areas?

2.40 Where in the evidence does it set out the approach to these 3 locations for development?

2.41 Are the sites at Brooklands College and Whiteley Village Green Belt sites (TP001 appears to suggest that these sites offer elements of previously developed land in Green Belt terms?)

Policy SS3 – Scale and Location of Good Growth

2.42 If this is the case how does the identification of these sites within policy SS3 fit with the overall spatial strategy identified? Is this approach justified and is the spatial strategy positively prepared in this regard?

Council response to questions 2.37 to 2.42 (inclusive)

- 2.42.1 The 3 'broad locations' identified in SS3 – Brooklands College, Lower Green and Whiteley Village - were discussed during the Stage 1 Hearing Sessions. These three sites, as stated previously are considered by the Borough to be important in the context of Elmbridge and they were included on that basis. As clarified at Stage 1, although these locations were broadly identified, they were not as envisaged by the NPPF in paragraph 23.
- 2.42.2 Brooklands College and Whiteley Village are located within the Green Belt, and in previous plans both were designated Major Developed Sites in the Green Belt. Lower Green is partially located in the Green Belt.

Regeneration of Lower Green

- 2.42.3 As discussed at the Stage 1 Hearing Sessions, only Lower Green has corresponding allocations in the site which are Unit A & B Sandown Industrial Park, Esher (site allocation ref ESH15) and Units C & D Sandown Industrial Park (site allocation ref ESH17). Both are proposed for residential development. However, these two sites only form a small part of the wider Lower Green Area.
- 2.42.4 The regeneration of Lower Green is a Council objective set out in the Council Vision 2030 and its Transformation Programme. The project is currently at feasibility stage and the outcome of the Feasibility Study will be a Stage 1 report that assesses the opportunities and constraints of the Site Area and sets out options for the Council to consider and decide the next steps. The project is therefore still at an early stage of development.

Brooklands College

- 2.42.3 Brooklands College is the only higher and further education college in the Borough. As discussed at the Stage 1 Hearing Session, the college has recently received planning permission (subject to the completion of a S106 agreement) for the redevelopment of part of the college facilities and some residential development. As requested, the Committee Report and minutes for the planning application have been uploaded onto the examination webpage.

Whiteley Village

2.42.4 Whiteley Village is a planned village of specialist care of older persons in both almshouses and extra care flats. The Whiteley Village Trust, in consultation with the Council, have been working on a master plan for the redevelopment of part of the site.

2.42.5 In light of the discussions at the Hearing Sessions, the Council considered the three sites and their inclusion in the plan further. Following this, the Council are proposing the following main modification to the plan to remove reference to these three locations (point 5 in the policy) from Policy SS3 and the key diagram:

SS3 – Scale and location of good growth

~~5. The Council will support the delivery of development that makes an important contribution to the borough at the following locations as identified on the policies map:~~

~~a) Brooklands College for higher education, further education and vocational training and up/skilling~~

~~b) Lower Green for community regeneration~~

~~c) Whiteley Village for specialist care facilities~~

Appendix 1: Updated housing trajectory

Under Construction at 31 Dec 2023	Planning Permissions not yet implemented at 31 Dec 2023 (10% discount applied for non-implementation)	LAA sites (1-5 years) 2024-2029	LAA sites (6-10 years) 2029-2034	LAA sites (11-16 years) 2034-2039	Small Site Windfall Allowance 2028-2039	Total Estimated Capacity	Local Housing Need (LHN)	S u r p l u s
879	1142	247	1594	1698	1095	6,655	9,750	-3,095 -31%

Appendix 2: Addendum to SA 2022

This addendum presents an additional option (Option 5b) that meets the Local Housing Need (LHN) in full.

SA Objective /Options	Option 4a: Urban area only	Option 5a: Urban area and 12 small parcels of G/B	Option 5b: Urban area and 15 small parcels of G/B
	Using sites from LAA 2022 with non-implementation discount applied 6787 homes <i>2,963 units deficit from 9750 LHN</i>	Using sites from LAA 2022 with non-implementation discount applied and 12 sites from the Green Belt. 9182 homes <i>568 units deficit from 9750 LHN</i>	Using sites from LAA 2022 with non-implementation discount applied and 15 sites from the Green Belt. 9757 homes <u>THIS WOULD MEET 9750 LHN IN FULL</u>
1. Homes	--	-	++
2. Health	+	+	++
3. Heritage	?	?	?
4. Accessibility	+	+	+
5. Previously developed land	+	+	+
6. Economic growth	?	?	?
7. Employment	-	-	-
8. Energy Use	-	-	-
9. Natural Resources	-	-	-
10. Climate Change	-	+	+
11. Flooding	-	-	-
12. Water	-	-	-
13. Land	+	-	-
14. Pollution	-	-	-
15. Landscape	++	-	-
16. Biodiversity	+	-	-

Commentary on Option 5b

Homes

The 3 additional sites in the Green Belt are over 100 units individually and add up to 575 units in total. This alongside the previous 12 sites (2395 units), will significantly boost the supply of housing. The urban sites from the 2022 LAA and 15 small Green Belt sites will

meet the most up to date 2023 Local Housing Need (LHN) figure of 650 homes per annum. This SA objective scores a major positive result because it will provide a greater quantity of affordable homes, smaller family homes and specialist housing. This will reduce the number of homeless in the borough.

Health

As this option meets the LHN requirement in full and on sites that can accommodate a mix of types of housing including affordable housing, it will improve people's access to homes. This results in major positive impact on people's health and well-being throughout the duration of the plan.

Heritage

All 3 additional sites scored neutral results for heritage and therefore no change is made to the previous unknown score.

4. Accessibility

The 3 additional scores have a positive or neutral impact on accessibility so therefore, the score originally made for 5a with the 12 sites stays the same.

5. Previously developed land

The additional 3 green belt sites have a neutral score for PDL so that previously positive score remains.

6. Economic growth

An unknown result is still relevant for this option as none of the 3 sites have a proposed economic use. Additionally, the sites are located a fair distance (10.1-15km) from existing employment sites.

7. Employment

As none of the 3 additional Green Belt sites contain an economic use, this option will not provide additional employment opportunities or encourage diversity and quality employment. This option will only create temporary construction jobs and not a new workforce. This results in no change to the minor negative score seen for Option 5a.

8. Energy Use

Further growth and development will increase greenhouse gas emissions. As technologies advance and low carbon solutions start to be devised and implemented this could be reduced and therefore neutral or minor positive results could be achieved in the medium to long term. It is considered that the additional 575 units would not be to a scale to warrant a major negative impact.

9. Natural Resources

The use and supply of sustainable local products and services could be achieved but ultimately meeting the housing need in full will increase the production of waste and it will prove a challenge to use natural resources prudently. A further 575 units is still considered to score minor negative results.

10. Climate Change

A minor positive impact is expected as larger sites allow large scale renewable energy schemes which could mitigate potential environmental impacts of growth and adapt to the changing climate.

11. Flooding

Green Belt sites have a larger amount of land, some of which may currently act as a soak-aways and could affect flood risk and run-off rates on site and elsewhere. However, the larger site size could allow SuDS and other flood alleviation schemes to be incorporated into design which could mean it is better able to resist greater flooding extremes. As two of the three additional sites are within flood zone 2 or have a 1 in 30-year chance of surface water flooding, the minor negative score is retained.

12. Water

An additional 575 units will increase the demand for water in the borough but on balance and bearing in mind the previous option 3 scores, it would not be to a scale to warrant a major negative impact.

13. Land

Further good quality soil may be used when developing land not previously developed with the 15 Green Belt sites. Additional soil erosion may occur when developing these sites and so the minor negative score will remain throughout the duration of the plan.

14. Pollution

A further 575 housing units collectively would cause an increase in air, noise and light pollution however two sites score a minor positive for this SA objective because they do not fall within a proposed or existing Air Quality Management Area or in proximity of a major highway network (M25 / A3). The sites are adjacent to the built-up urban area so it is unlikely to be a noticeable intrusion from light or noise pollution. However, as option 5b contains urban sites and 15 Green Belt sites the original minor negative score will remain.

15. Landscape

Two sites score neutral results and 1 site has a minor negative result. Therefore, this option including the previous 12 Green Belt sites would still result in a minor negative impact upon the landscape character, urban fringe and open countryside.

16. Biodiversity

Minor negative results are scored for all three additional Green Belt sites as they are partially or entirely greenfield sites and one site contains a biodiversity opportunity area.

Conclusion

The Council approved Option 4b for the Draft Local Plan strategy in 2022 due to the environmental protection that the option will support. Protecting and enhancing the quality of the environment is a key principle in the Local Plan and the SA results above demonstrate that Option 4a would achieve this.

All new development will increase water demand, energy use and waste production, but the greater the land take the greater the environmental impact on soil quality, landscape character and biodiversity. As demonstrated in the SA table, the 15 Green Belt sites for option 5b would result in similar negative impacts across the environmental SA objectives than that previously scored for option 5a. It is not considered that the 575 additional units would tip the minor to a major negative impact previously scored for Option 3 (which met the LHN in full as well as any neighbouring borough's unmet needs).

Although not meeting the housing need in full, the Council believes that the 6787 homes planned for option 4a will boost the supply of homes, providing the smaller units needed.

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This is a higher number of homes than previous planned for in the Core Strategy. It does score a major negative for not being able to 'significantly' boost the supply of housing and not having the ability to provide greater affordable homes to meet identified need. However, the Council believes the expected positive environmental impacts from Option 4a will help to ensure a more sustainable environment for residents, workers and visitors to the borough.