



**ELMBRIDGE BOROUGH COUNCIL**  
**EXAMINATION OF THE ELMBRIDGE LOCAL PLAN**

**MATTER 5: HOUSING DELIVERY**

**PRE-HEARING STATEMENT ON BEHALF OF**  
**ELMBRIDGE BOROUGH COUNCIL**

**March 2024**

## **Matter 5: Housing Delivery**

*Issue 8 – Whether the approach towards the delivery of housing land is justified, effective, consistent with national policy and positively prepared.*

### **Questions**

**4.1 Please can the Council update the housing trajectory (Appendix A5 of the Plan) with the latest figures from the AMR and to reflect the updated Plan period (see Inspector’s initial letter ID-001).**

#### Council response

4.1.1 The updated housing trajectory with the most up to date figures and updated plan period is set out in appendix 1 to Matter 3.

**4.2 The spatial strategy focus is on brownfield sites, with a significant component of the supply coming forward on small sites. In accordance with paragraph 60 of the Framework, in what way would this approach ensure that there is a sufficient variety of land to come forward?**

#### Council response

4.2.1 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 Framework when read and applied as a whole. The spatial strategy will boost the supply of homes in the borough through the policies in the Plan, in particular SS3 and HOU1, contributing towards the Government’s objective.

4.2.2 There is strong support in the Framework for development on Brownfield Land and it makes clear that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. The Framework also expects planning policies and decisions to promote an effective and efficient use of land in meeting need.

- 4.2.3 The nature of sites coming forward reflects the geographical context of the borough, where historically a large proportion of development has come forward on smaller brownfield sites. The substantial weight given to a brownfield sites spatial strategy is consistent with NPPF paragraph 120(in particular part c), making the most efficient use of previously developed land. The importance of a brownfield approach has been reemphasised, with the Government consultation (Strengthening planning policy for brownfield development, February 2024) setting out a clear expectation that all local planning authorities should adopt a brownfield approach with building more homes on brownfield land to “be turbocharged under a major shake-up to planning rules to boost housebuilding while protecting the Green Belt.”
- 4.2.4 The Framework in paragraph 69 recognises the important contribution that small and medium sized sites can make to meeting the housing requirement in an area, as they are often built out relatively quickly. The Framework requires at least 10% of land to accommodate the housing requirement to be on sites of 1ha or less. The context of land in Elmbridge means a higher proportion of sites coming forward in the plan period are no larger than 1ha, however paragraph 69 clearly sets out the importance of these small sites and encourages through different tools and policies and decisions for these sites to be brought forward.
- 4.2.5 The conclusions of the viability assessment [OTH025] support the policy approach in the plan, ensuring that development is not constrained by policy requirements, and concluded that that proposals and policies were considered to support suitable prospects for developments to continue to come forward viably, given the type of sites coming forward in Elmbridge.
- 4.2.4 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. Providing a sufficient amount and variety of land to come forward that meets the housing requirement identified in the Plan.
- 4.2.6 In line with paragraph 60, through its development management processes, the Council ensures that land with permission can come forward without delay through the efficient discharging of conditions, and monitoring planning applications. In addition, the Council annually updates its Brownfield Land Register.

4.2.5 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).

**4.3 Is there any other non-green belt land which could contribute towards meeting the boroughs housing and employment needs in a sustainable manner? I note that Appendix 6 of the Land Availability Assessment 2022 (HOU002) lists a significant number of discounted urban sites however the reasoning is not clear as to why they have been discounted. For example – ‘site with Planning permission’ (for what?) or ‘owner has not confirmed availability’ is also applicable to a number of sites which have been included within the housing land supply. Given the significant shortfall in housing numbers to be provided by the Plan, is the Council satisfied that all sites within the urban area have been fully explored? Please could the Council clearly explain the rationale for the sites which have been discounted.**

Council response

4.3.1 In line with PPG Paragraph: 026 Reference ID: 3-026-20190722, paragraph 3.39 and 3.40 in the LAA 2022 (HOU002) explains the justification for discounting sites. To summarise the text, reasons for the discounted sites are as follows,

1. The site is unable to accommodate 5 or more net dwellings or economic development on sites of 500sqm floor space (and thus forms part of the Council's windfall allowance).

***This is noted at appendix 6 as ‘Below LAA threshold’.***

2. The site was confirmed as unavailable by landowners.

***This is noted at appendix 6 as ‘Confirmed as not available’***

3. The site had constraints that could not be overcome.

***This is noted at appendix 6 as ‘The site has physical limitations that cannot be overcome in the plan period’.***

4.3.2 Sites with planning permission are already included at appendix 2 and these numbers inform the housing trajectory. If these sites were included as LAA sites, it would cause double counting of units. The discount reason at appendix 6 states ‘site with planning permission’. These are listed and can be

cross referenced with appendix 2- site with planning permission at 31 March 2022.

- 4.3.3 Paragraph 3.5 in the LAA 2022 (HOU002) also explains that many broad locations that were originally identified through the urban capacity work, have been discounted. This is because they often include a number of smaller sites in different ownership. The difficulties associated with developing areas with multiple owners makes these sites undeliverable within a 15-year period. This is noted as 'Multiple ownership issues' at appendix 6.
- 4.3.4 To add any further information in the table at appendix 6 would be considered disproportionate.
- 4.3.5 As set out in paragraph 3.10 of the LAA 2022 (HOU002) all available types of sites and sources of data have been investigated to identify future development opportunities. These are:
- Sites promoted at the Strategic Options 2016/17 consultation
  - Sites promoted at the Options Consultation 2019
  - Sites submitted from the Call for Sites in 2017 and 2019
  - Sites highlighted at Councillor workshops
  - Sites in public ownership
  - Previous LAA sites
  - Pre-application sites
  - Refused and withdrawn planning application sites.
  - Sites identified through the Urban Capacity Study, 2018.
- 4.3.6 The Council is satisfied that all sites within the urban area have been fully explored.
- 4.3.7 As identified in the Green Belt Boundary Review (GBBR, 2016), there are two non-Green Belt sites within the borough that are located outside of the existing settlement boundaries. Identified in the GBBR as N1 and N2, these are former housing reserve sites. Since the publication of the GBBR, planning permission has been granted on N2 (Merrileas, Leatherhead Road, Oxshott, Surrey, KT22 0EZ) for 67 residential units. The GBBR identifies that N1 displays similar characteristics to the Green Belt further south and that there is no readily recognisable boundary feature currently separating these two areas. In addition, N1 (Former Molesey Sewage Works) is owned by Elmbridge Borough Council and is not available for development nor considered suitable.

**4.4 Will the Plan provide for a five-year supply of deliverable housing sites upon adoption with particular reference to the definition of deliverable contained within Annex 2 of the Framework?**

Council response

4.4.1 Yes, the Plan on the basis of a plan period of 2022-2037 will provide a five-year supply of deliverable housing sites upon adoption against the housing target of 452 dpa. Based on the updated trajectory, there would be 5.2 years supply. The sites included in the 5-year land supply are considered deliverable in line with the definition of Annex 2 of the Framework. However, should the plan period change to 2024-2039 then the five year supply based on the different housing requirement would be 5.4 years.

4.4.2 Paragraphs 4.6 and 4.7 of this matter and appendix 1 of Matter 3 provides the evidence.

**4.5 HOU002 states that the five-year housing supply position is 4.36 years. How does this accord with paragraph 74 of the Framework which requires Local Planning authorities to identify and maintain a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirements? Is the Plan positively prepared in this regard?**

Council response

4.5.1 Yes, the Council considers that the plan has been positively prepared with regard to the five-year housing land supply. Paragraph 74 and footnote 39 of the Framework states that the LHN figure should be calculated using the standard method where strategic policies are more than 5 years old, which currently the borough's policy is.

4.5.2 For the purposes of monitoring and calculating the 5-year housing land supply position for decision-making purposes in the borough, the figure is calculated on the basis of the standard method. For the 2022 LAA and AMR 2021-22 a 4.36-year land supply was calculated using the standard method LHN figure of 650 dwellings as the target. Following an update to the LAA in 2023, the AMR 2022-23 reported a five-year housing land supply of 3.81 years against the standard method.

4.5.3 However, in December 2023, the Government published the revised NPPF in response to the Levelling-up and Regeneration Act reforms to national

planning policy consultation. For the purpose of decision making, the revised NPPF 2023 states that LPAs will be required to identify a 4-year land supply if the provisions detailed in paragraph 226 apply. For Elmbridge, the provisions do apply because the draft Local Plan is at an advanced stage in plan-making (having been submitted for Examination). This means that as the Council's Housing Delivery Test measurement was at 90%, the Council does not need to include a 20% buffer in the housing land supply for under delivery within its four-year housing Land Supply (4YHLS) calculation.

4.5.4 Using data from the LAA 2023, the current 4-year housing supply is 4.33.

4.5.5 In terms of the Local Plan 5-year housing supply, from adoption using the annual housing target for the plan a 5-year supply of housing would be achieved at 5.2 years.

**4.6 Is the identified housing supply contained within the Plan and set out in the trajectory based on a sound understanding of the evidence? In responding to this question, the Council should provide an updated housing response which identifies the completions, existing commitments, site allocations and any other sources of supply it is seeking to rely upon.**

Council response

4.6.1 The new housing trajectory provided at Appendix 1 of Matter 3 has a base date on the 31 December 2023 and provides the most up to date information on completions, sites under construction, those with planning permission and LAA sites.

**4.7 In addition to the trajectory required by the Framework, the Council should prepare a spreadsheet to support the trajectory which confirms how many dwellings each site allocation is expected to deliver in each year of the Plan period and identify any windfall allowance which is being relied upon. This information should be supported by cross references to the evidence base where necessary.**

Council response

4.7.1 This is included in appendix 1 of this matter.

**4.8 The Planning Practice Guidance provides advice in relation to the preparation of housing and economic land availability assessments, and**

sets out that when carrying out a desktop review, Plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible. It goes on to note that identified sites, which have particular constraints (such as Green Belt), need to be included in the assessment for the sake of comprehensiveness but these constraints need to be set out clearly, including where they severely restrict development. An important part of the desktop review, however, is to identify sites and their constraints, rather than simply to rule out sites outright which are known to have constraints. Is the approach adopted by the Council in terms of the Land Availability Assessments completed consistent with this and if not why not?

Council response

- 4.8.1 Paragraph 3.12 in the LAA 2022 (HOU002) explains that in line with the PPG, sites with absolute constraints were excluded from at the site identification stage as the absolute constraint would prevent development from taking place as it would not be possible to mitigate the impacts. Footnote 5 explains that the Green Belt is not considered an absolute constraint, although national and local planning policy opposes inappropriate development within the Green Belt, development is not wholly prevented by national legislation and policy. Therefore, Green Belt sites have been assessed but separately from the LAA 2022, which only reports urban sites. Detailed proformas of the Green Belt sites are included at OTH39, OTH40 and OTH41. Any Green Belt sites that have been granted permission for additional dwellings are included in the sites with planning permission or under construction appendix if development has started.
- 4.8.2 In future iterations of the LAA, the Council will include Green Belt sites, identifying those sites available for development in the borough notwithstanding national and local Green Belt constraints.
- 4.9 The Housing Needs Assessment (HOU005) notes the greatest demand is for 2 bedrooomed units (50%). Are there any implications for the spatial strategy adopted and the dwelling types which will be delivered?**

Council response

- 4.9.1 It is likely that the plan will be able to meet the demand for 2-bedroom units evidenced in the Local Housing Needs Assessment. Point 3 (d) of SS3 states 'All new residential development adjacent to town, district and local centres



and train stations, should be predominately one- and two-bedroom homes'. The strategy aims to optimize development within the urban area to increase the efficient use of land and the site allocations at Chapter 9 are small in scale and can achieve this.

**4.10 Policy HOU1 cross references to appendix 5 of the Plan however appendix 5 lists two alternative indicative approaches to the housing trajectory. Which is the trajectory the Council is relying upon and is this a justified approach?**

Council response

4.10.1 Paragraph 74 of the NPPF states that once the sites and broad locations have been assessed, the development potential of all sites can be collected to produce an indicative trajectory. This should set out how much housing can be provided, and at what point in the future. An overall risk assessment should be made as to whether sites will come forward as anticipated.

4.10.2 The trajectory at Appendix 5 sets out two approaches. Approach 1 sets out the land supply figures taken from the assessment including a windfall site allowance. Approach 2 includes a non-implementation calculation across the sites with planning permission and the LAA sites.

4.10.3 The windfall allowance for both approaches discounts all 1-4 units for those sites under construction and those units with planning permission. It does not apply a further non-implementation discount for approach 2 as this has already been taken off the planning permissions and under construction sites. A surplus figure and percentage are given for the shortfall.

4.10.4 The Council is relying upon approach 2 as the non-implementation discounts are considered to provide a more realistic picture of delivery.

**4.11 What is the justification for the dpa figure to be included within the policy wording? Is this approach positively prepared and consistent with national policy? Should the policy refer to the homes to be delivered across the Plan period and if so what should this figure be? (noting the actions raised under question 2.2 for the Council in relation to the Plan period).**

Council response

4.11.1 Policy SS3 sets out the number of homes to be delivered across the plan period – a figure of 6,785 additional homes (plan period 2022-2037). Noting the actions raised under question 2.2, the update trajectory for 2024-2039 results in a slight reduction of homes to 6,479 additional dwellings. Within this policy the Council has set out what the overall housing requirement figure is for the whole area, and it shows the extent to which our identified housing need can be met, consistent with paragraph 66 of the NPPF.

4.11.2 The dpa figure of 452 in policy HOU1 is the breakdown of the 6,785 homes to be delivered across the plan period and is commonly used in planning policies to show the annualised figure of housing delivery, where there is no stepped trajectory. Including this in policy HOU1 makes clear in policy what the annual housing requirement is for the Borough. Upon further review of policy HOU1 the Council considers, to ensure the annualised figure is considered in the context of the overall housing requirement of 6,785 homes as set by the Plan in policy SS3, that it should be included in policy HOU1. The Council considers this would improve the clarity over the inclusion of the annualised housing figure. Notwithstanding questions relating to the plan period, the Council proposes the following modification to Policy HOU1 to include the overall housing requirement figure:

Opportunities for housing growth in Elmbridge will be optimised to deliver a minimum of **6,785 additional homes within the 2022-2037 plan period** (452 homes per annum). ~~over the plan period.~~

**4.12 Is it clear what the 30% affordable homes in part 2 of the policy relates to?**

Council response

4.12.1 The 30% affordable homes quoted in Policy HOU1 (2) refers to 30% of the overall quantum of development planned for in the Local Plan and set out in Policy SS3. Having reviewed Policy HOU1 again, the Council acknowledges it could be confusing for readers if the 30% affordable homes target is set out in both SS3 and HOU1. As such, the Council proposes the following modification to remove part 2 of HOU1:

*Opportunities for housing growth in Elmbridge will be optimised to deliver a minimum of 452 homes per annum over the plan period.*

*To achieve this the council will:*

*1. Adopt a requirement in line with the Elmbridge Housing Trajectory.*

*2. Deliver a minimum of 30% affordable homes across the plan period. 3. Deliver homes through site allocations as detailed in Chapter 9 and as shown on the Policies Map.*

4.12.2 It should be noted that the Council also proposes a modification to Policy SS3 in relation to the 30% affordable housing referred to here. This is set out in the Council's response to Matter 6 – Question 5.6.

## **Policy HOU1 – Housing Delivery**

### **The Green Belt**

*These questions relate to the Council's consideration of the release of green belt land to meet their housing and employment needs in the context of the overall spatial strategy. In addition, it does not address the wording of policy ENV4: Development within the Green Belt which will be addressed under the stage 3 hearings. It will not address specific sites and this is not an opportunity for those seeking to promote omission sites to make specific reference to them.*

There is a significant amount of evidence concerning the existing Green Belt and how this land performs against green belt purposes including a Green Belt boundary review. An assessment has been made as to the potential contribution the release of some areas of green belt could have towards meeting housing need over the Plan period. The Council do not agree that there are exceptional circumstances which would warrant the release of any green belt land. The Council also disagree with the assessment made in relation to a number of areas which ARUP have identified as weakly performing areas of the Green Belt.

**4.13 Do the exceptional circumstances identified at paragraph 6.18 Topic Paper 1: How the Spatial Strategy was formed (TP001) represent all of the exceptional circumstances which the Council have taken into account?**

#### Council response

4.13.1 Yes, the exceptional circumstances identified in TP001 represent all the exceptional circumstances the Council have taken into account. These are:

- the acuteness / intensity of the objectively assessed need within Elmbridge and neighbouring authorities (matters of degree may be important);
- the inherent constraints on supply / availability of land prima facie suitable for sustainable development;
- the consequent difficulties in achieving sustainable development without impinging on the Green Belt;
- the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and
- the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.

**4.14 What is the relevance of the fact that the current housing need is significantly higher than the existing target set within the Core Strategy (Paragraph 6.24 of TP001)?**

Council response

4.14.1 The reference in TP001 is there to give context to the change in the Local Housing Need figure throughout the preparation of the Plan, however the target set within the Core Strategy was not taken into account in the exceptional circumstances decision.

4.14.2 As can be seen in the table below, the LHN has increased significantly since the introduction of the Standard Method to calculate housing need.

<b>Source</b>	<b>Status</b>	<b>New homes per year</b>
Core Strategy 2011	Adopted Housing Target (out of date)	225
Kingston and North Surrey Strategic Housing Market Assessment (SHMA) 2016	Local Housing Need Figure	474
Local Housing Need Assessment (LHNA) 2020 calculated using the standard method.	Local Housing Need Figure	626
Local Housing Need Assessment (LHNA) 2021 calculated using the standard	Local Housing Need Figure	641

<b>Source</b>	<b>Status</b>	<b>New homes per year</b>
method.		
Local Housing Need Figure 2022 calculated using the standard method.	Local Housing Need Figure	647
Local Housing Need Figure 2023 calculated using the standard method.	Local Housing Need Figure	650

4.14.3 The Core Strategy housing target of 225dpa was set by the South East Plan (2009). As set out in paragraph 6.202 of the Topic Paper (TP001), though it is now aged and largely revoked in 2013, the South East Plan did not identify land within Elmbridge as regional hub; strategic development area; or as a primary or secondary regional centre (indeed its town centres are not mentioned at all).

4.14.4 Paragraph 6.203 of the Topic Paper (TP001) sets out that the Surrey Structure Plan (2004) identifies the part of Surrey in which Elmbridge falls as restricting the outward spread of urban areas and “restricting new development to...within the existing urban area.”

4.14.5 As set out above, this information is provided as context in that historic regional planning, or its more recent successor, has not identified Elmbridge as a suitable location for meeting the wider area’s range of development needs and is reflective of the critical role played by the land designated as Green Belt within its boundary, as well as the relatively small-scale nature of its settlements and its limited capacity both of existing infrastructure, and for improvements to the same.

**4.15 The Council have stated that the need in Elmbridge is no more acute/intense than in neighbouring boroughs. However, a majority of neighbouring boroughs (Guildford, Waverley, Runnymede, Spelthorne) have progressed a strategy with an element of Green Belt release and/or are able to meet their housing need in full. If the Council consider the need to be no more acute than these neighbouring boroughs, what is the rationale for Elmbridge not following this approach?**

Council response

- 4.15.1 The Council is aware that other Local Planning Authorities, including those in neighbouring Surrey Boroughs and Districts, have concluded that exceptional circumstances exist within their area to fully evidence and justify amendments to the Green Belt boundary to meet their development needs in full or part.
- 4.15.2 As part of the preparation the Local Plan, the Council has carefully monitored the progress of other Local Plans, considering the implications for its own plan-making. However, by working collaboratively with neighbouring authorities as part of the Duty to Cooperate and in responding to their Regulation 18 and 19 consultations, it is apparent that each Council's planning context is different; each faces its own issues and challenges and, as the decision-maker, it is for individual Local Planning Authority to determine the appropriate response. This includes, if necessary, considering whether there are the exceptional circumstances to release Green Belt within their authority area.
- 4.15.3 In regard to those LPAs referred to in this question, only Spelthorne Borough abuts the Greater London Boundary and has a similarly fragmented Green Belt to Elmbridge. Guildford and Waverley Boroughs are significantly larger than Elmbridge, providing opportunities to consider larger scale developments that do not impact as greatly on the aim and Purposes of Green Belt as is the case in Elmbridge. Furthermore, both Guildford and Runnymede Boroughs have significant PDL sites within their Green Belt such as Former Wisley Airfield in the northern part of Guildford (planning application was submitted for various forms of development including 1,730 dwellings) and Longcross Garden Village within Runnymede (anticipated to provide 1700 net dwellings). All these factors give a different Green Belt context to Elmbridge.
- 4.15.4 Spelthorne's Local Plan is currently at Examination, and although as submitted it was proposing to release Green Belt sites that position has now changed and the Council have taken a decision and written to their Inspector to remove all, apart from 2 Green Belt sites from the Local Plan. The recent Spelthorne Council decision provides more detail on the reasoning for the decision -  
<https://democracy.spelthorne.gov.uk/ieListDocuments.aspx?CId=297&MId=4416>
- 4.15.5 Every Local Authority has to consider the impact of development / releases from the Green Belt within their own context, which allows different conclusions to be reached as has been the case in Elmbridge.

**4.16 In general terms, the Framework seeks to support the Governments objective of significantly boosting the supply of homes. Paragraph 35 states that Plans should provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs. Paragraph 11 of the Framework sets out the approach to Plan making. In what way does the Green Belt in Elmbridge provide a strong reason for restricting the overall scale, type or distribution of development?**

Council response

- 4.16.1 In applying paragraph 11b(i) and the application of Green Belt policies, the Council considers it is justified in restricting the overall scale and distribution of development and not meeting the full LHN. 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 present and, therefore paragraph 11(b)(i) of the NPPF provided a strong reason for restricting the scale and distribution of housing development in the borough. A detailed breakdown of the reasoning behind the Council’s decision, including a commentary on each of the Green Belt sites considered for allocation for development as part of Option 5a is set out in Topic paper 1 [TOP001].
- 4.16.2 Like the Secretary of State, the Council attaches great importance to Green Belt. The Green Belt Boundary Review, 2016 and 2018 assessments, produced by Ove Arup, assessed land designated as Green Belt and how different areas performed against the Green Belt purposes set out in national policy. At a strategic level, the 2016 assessment identified three Strategic Areas; identified largely through commonalities in landscape character and natural constraints or barriers that distinguish between different parts of the Green Belt, and functional connections with the wider Metropolitan Green Belt.
- 4.16.3 Strategic Area A was identified as forming part of a narrow and fragmented band of Green Belt which closely abuts the very edge of southwest London. It was identified as a ‘strategically important arc of Green Belt’ that can be traced from Heathrow Airport through to Epsom providing a narrow break between the built-form of outer London and several Surrey towns including for example, Walton-on-Thames / Hersham, Esher and Claygate (Elmbridge).
- 4.16.4 Strategic Area B was identified as forming part of a wide Green Belt buffer which broadly maintains separation between a series of distinct towns and villages in Surrey, Berkshire and Buckinghamshire, as well as the outer-most

fringes of London around Hillingdon. The coherence and continuity of the Green Belt is highly variable, with some sizeable swathes of relatively open land (for example, between Weybridge in Elmbridge and Ashted in Mole Valley, and between Staines-upon-Thames in Spelthorne and Slough) but also significant fragmentation around settlements.

4.16.5 Strategic Area C was identified as being intrinsically linked with a large unbroken swathe of Green Belt extending outwards over the Surrey countryside, including the Surrey Hills Area of Outstanding Natural Beauty (AONB), towards Woking, Guildford, Dorking and the North Downs beyond. At the sub-regional level, the Area maintains the relatively unspoilt character of the Surrey countryside by preventing the encroachment of development into rural areas.

4.16.6 As summarised in the table below, each of the three Strategic Area met the NPPF Purposes 1-3, as well as the fundamental aim of Green Belt in '[preventing] urban sprawl by keeping land permanently open' (paragraph 79).

Strategic Area	Meets the fundamental aim of Green Belt	Strength against Purpose 1	Strength against Purpose 2	Strength against Purpose 3
A	Yes	Very Strong	Very Strong	Weak
B	Yes	Strong	Strong	Moderate
C	Yes	Moderate	Strong	Strong

4.16.7 In regard to the Local Areas and Sub-Area assessment, it is the Council's position that, on the whole, the Green Belt Boundary Reviews, 2016 and 2018 (GBBR, 2016 and 2018), undervalue the performance of the Green Belt sites against the purposes of Green Belt as well as their role in ensuring the fundamental aim of Green Belt - preventing urban sprawl by keeping land permanently open. In addition, the Council considers that, all the sites, either via Arup's assessment or the Council's own, performs some degree (weakly, moderately, strongly) of function when considered against the purposes of Green Belt. It is the Council's view that whilst some areas are considered to perform 'weakly' against the purposes of the Green Belt in the Arup assessments, they still perform some function. Moreover, neither the 2016,



nor 2018, GBBR assessment identified any part of the Green Belt as no longer performing against the purposes overall and in some cases alterations to the Green Belt boundary would not deliver defensible boundaries as required by the NPPF without mitigation.

- 4.16.8 The Council has also looked at an option (Option 3) that could meet need and unmet need delivering 16,300 homes. However, the Sustainability Appraisal (SA) [CD002] clearly shows that Option 3 is demonstrable undeliverable. As well as this option the Council looked at intensification in the urban areas to meet the full LNH. Although the option to meet the Borough's identified housing need in full through intensification of urban areas would protect the existing boundaries of the Green Belt, the Council considers that this option would see the delivery of residential units that would negatively impact the urban structure and grain of local communities through the continued subdivision of plots beyond the scope of 'optimising' / making efficient use of land, which would be contrary to the NPPF, including paragraph 11(a) and 11(b)ii).
- 4.16.9 The Council considers the Green Belt in Elmbridge is fragmented, and this strengthens its importance in preventing the continued sprawl of Greater London. When examining the Core Strategy, the Inspector concluded in paragraphs 26 of her report that "Reflecting the urban morphology, the Green Belt is closely interwoven with the borough's settlements and is generally fragmented. This renders it particularly vulnerable to erosion while it makes a significant contribution to environmental character as part of a green network. This is in addition to serving fundamental Green Belt purposes of preventing neighbouring towns from merging into one another and safeguarding the countryside from encroachment".
- 4.16.10 The Inspector continued in paragraph 27 that "In this context the impact of even small-scale deletions from the Green Belt would be likely to be harmful and undermine its longer-term protection".
- 4.16.11 Having considered the relevant policy tests, the Council does not consider that exceptional circumstances has been fully evidenced and justified. The Council, like the Government attaches great importance to the Green Belt, and, in accordance with the NPPF (as per paragraph 11b(i)), has concluded that the Green Belt provides a strong reason for restricting the overall scale, type and distribution of development in the plan area.
- 4.17 CD034a which was updated in November 2023 states that the Council consider the release of land from the Green Belt for housing purposes**

**would negatively effect the boroughs existing settlement pattern and thus cause harm to the character of Elmbridge’s existing communities. Where in the evidence base is this assessment undertaken which explains how this conclusion has been reached?**

Council response

- 4.17.1 The Council considers that the evidence to support this conclusion is contained within the Green Belt Boundary Review (GBBR) 2016 [OTH018], as summarised in Topic Paper 1 [TP001].
- 4.17.2 Evidence from the Green Belt Boundary Review (GBBR) 2016 identifies that within the Elmbridge context, particularly in the north of the borough the Green Belt is fragmented and in some areas forms a relatively narrow corridor in between settlements. It is identified that due to rapid suburbanization, the once small villages of Thames Ditton and Long Ditton were separated from Surbiton by sizeable swathes of open countryside, the settlements coalesced and are now part of the wider, continuous built-up area of Greater London. The narrow strip of Green Belt laying to the south-west, is therefore particularly important; protecting Walton-on-Thames, Esher and Claygate from coalescence with the Greater London built-up area.
- 4.17.2 Furthermore the GBBR identifies that the Green Belt is important in establishing important gaps between a number of Surrey towns from merging into one another and the Greater London built-up area.
- 4.17.3 The Council considers that given the nature of the Green Belt in Elmbridge, changes to the boundary would affect the settlement pattern. This approach is supported by the conclusions of the Core Strategy Inspectors who, on the 13 June 2011, published their report and in paragraph 26 stated:
- “The balance struck by the Council in selecting the housing provision figure also reflects the weight it attaches to protecting land in the Green Belt, but as concluded above the plan’s approach on this matter is sound in principle. The borough which adjoins Greater London has a dispersed pattern of settlement and its urban areas are tightly bounded by the Green Belt. Reflecting the urban morphology, the Green Belt is closely interwoven with the borough’s settlements and is generally fragmented. This renders it particularly vulnerable to erosion while it makes a significant contribution to environmental character as part of a green network. This is in addition to serving fundamental Green Belt purposes of preventing neighbouring towns from

merging into one another and safeguarding the countryside from encroachment”.

- 4.18 Paragraph 145 of the Framework advises, amongst other things, that local Planning authorities should Plan positively to enhance Green Belt use. Such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land. In what way does the Plan address this?**

Council response

- 4.18.1 Much of the Green Belt in Elmbridge is in private ownership, which does place limitations on what the Council can achieve in terms of paragraph 145 of the Framework on some of the Green Belt land. There are however several policies in the Plan that will contribute positively to enhancing the Green Belt in the borough.
- 4.18.2 The Council is currently in the process of purchasing further land in the Borough for the provision of SANG. The land at Field Common is in the Green Belt. The purchase of this land will offer the opportunity to improve public access to a large area of what is currently private Green Belt land, as well as opportunities for recreation through the creation of walking routes. Through opening this land for public use, the Council will also be able to improve connectivity between Lower Green, Esher with Hersham and Field Common, Walton on Thames to the benefit of these communities, providing increased opportunities to access community facilities and services in neighbouring communities.
- 4.18.3 Through Policy ENV1 the Council seeks to protect and enhance the network of green and blue infrastructure across the borough for biodiversity, recreational, connectivity and health and well-being values, as well as supporting improved public access to existing or new green and blue infrastructure. The borough’s Green and Blue Infrastructure Study 2020 sets out both borough-wide and settlement specific opportunities to enhance green and blue infrastructure.
- 4.18.4 Policy ENV6 positively protects, enhances and seeks to recover biodiversity across the borough, including in the Green Belt. The Council will actively work with partners to achieve this, and the policy requires development proposals to conserve and enhance internationally, nationally and locally designed sites,

as well as achieving a minimum 10% gain in biodiversity (proposed modification M4.6 in document CD009). The Council is working with Surrey County Council and private landowners with land in the Green Belt to identify off-site habitat sites should BNG not be achievable on-site in accordance with the mitigation hierarchy.

4.19.6 Policy INF6 – River (point 3) identifies that the Council supports proposals for the wider River Thames Scheme and will work proactively with partners to deliver improvements. Land at Desborough Island will be safeguarded for the creation of new habitat.

4.19.7 Focusing on the opportunity to improve damaged and derelict land, the Council considers that there are very limited sites of this nature within the Borough.

**4.19 With reference to paragraph 143 (e) of the Framework, are the Council able to demonstrate that Green Belt boundaries will not need to be altered at the end of the Plan period?**

Council response

4.19.1 The Council's interpretation of paragraph 143(e) is that it applies to those authorities that, through the Plan making process, have altered their Green Belt boundaries, ensuring that there is sufficient safeguarded land included so as to not need to alter Green Belt boundaries at the end of the plan period. The Council is not altering Green Boundaries through the Local Plan.

**Windfall Allowance**

*Issue 9: Is the approach to the windfall allowance justified and consistent with national policy?*

Questions

**4.20 Paragraph 71 of the Framework advises that where an allowance is made for windfall sites as part of the anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.**

Council response

- 4.20.1 The allowance for using windfall sites is explained at Stage 3 paragraph 3.28 of the submitted 2022 LAA (HOU002). Historic delivery rates demonstrate that windfall development does consistently form a significant part of the housing land supply in the borough and is likely to continue to do so. There is also little sign of this reducing as figures have stayed consistent for the last ten years. The evidence in table 1 of the LAA 2022 (HOU002) shows that there is an average of 88 units per annum in completed windfall sites for the period between 20 July 2011 (the adoption date of the Core Strategy) and 31 March 2022.
- 4.20.2 This yearly average windfall allowance is used to inform the 15-year housing trajectory. To prevent double counting, the total of 1 to 4 net dwellings that are under construction are discounted as these will be completed. In addition to this, all 1 to 4 net dwellings with planning permission are also discounted. The remaining number of windfall units (987) is then allocated in years 5 to 15. This produces a more realistic allowance of windfall sites in the borough.
- 4.20.3 The windfall figure includes prior notification completions which is an additional source that reinforces the need to include a windfall allowance across the 15 years without factoring in a step decline at this stage. This is likely to be needed after the 15 years as land supply reduces but as already discussed this supply is currently consistent and continues to contribute towards the borough's housing supply.
- 4.21 The Housing trajectory includes a windfall allowance of 987 dwellings over the Plan period, 15% of the overall housing land supply. As 32 of the proposed site allocations contained within the Plan are on sites of 5 units or less, is this approach justified?**

Council response

- 4.21.1 The 32 sites that are under 5 units in the proposed site allocations chapter originate from a detailed pre application enquiry received from PA housing for a proposal to develop a number of underused garage sites in their ownership which are located across the borough. Whilst individually they are small sites, cumulatively they add up to a larger number of units and this is why they were included in the site allocation chapter.

- 4.22 Does the approach to windfall sites take account of the recommendations contained at paragraph 4.2.10 of the SFRA (INF009)?**

Council response

- 4.22.1 Whilst there is no specific policy included in the Local Plan that sets out broad locations that would be acceptable or not in Sequential Test terms for future windfall sites, the recommendation at paragraph 4.2.10 of the SFRA (INF009) has been taken forward in policy CC5. This provides the policy for individual planning applications for all development including windfalls that are submitted for consideration. Policy CC5 states that planning permission will only be granted where it can be demonstrated that through a sequential test, proposed development is located in the lowest appropriate flood risk zone in accordance with national policy and the Elmbridge SFRA.

