

Plan E

Regulation 30 (1) (e) Statement: Representations Made and Summary of Main Issues.

March 2010

This statement sets out a summary of the main issues raised in representations made to the Plan E Regulation 28 proposed submission document during the consultation period. This statement satisfies the requirements of Regulation 30 (1) (e) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and includes a statement of the total number of representations received and a summary of the main issues raised by the representations.

It should be noted that this statement is not a full record of all of the issues which were raised during the proposed submission consultation period and does not contain the detailed content of all the representations. Copies of all the representations received can be viewed at the Town Hall or online at: www.epsom-ewell.gov.uk/planE.

The representation period

The representation period ran for six weeks from Monday 1 February until Monday 15 March 2010. All contacts on the Local Development Framework consultation database were sent an email or letter informing them of the representation period and inviting their comments on the soundness and legal compliance of the document. As with previous consultations, documents were sent to all statutory consultees as well as any other consultees who requested them. Consultees were encouraged to make their comments by using the representation form, either online via the Limehouse Consultation portal or on a printed form.

How many representations were received?

179 responses were received from 40 respondents. Of these, 29 responses indicated that the Plan was unsound and 12 indicated that the Plan was not legally compliant.

Summary of the main issues raised in the representations

Set out below is a summary of the key issues raised. It starts with comments received from the South East England Partnership Board and Government Office of the South East (GOSE), followed by general comments applicable to the whole document. It then provides a summary of the comments received in respect of each policy / section.

Conformity with the Regional Spatial Strategy/ GOSE comments

The South East England Partnership Board are of the view that Plan E is in general conformity with the South East Plan (May 2009), and welcome the DPD, which will help to deliver regional policy objectives.

GOSE has identified four key concerns. These are:

1. The lack of development phasing for the opportunity sites and any critical infrastructure requirements relating to this. They also ask whether we are satisfied that the schemes would be viable and deliverable.
2. Policy E17- The series of site- specific criteria identified for the development of these sites should be included as policy
3. The contingencies are unclear in the event of critical matters not being addressed in Plan E.
4. The AAP should have a housing trajectory which identifies the contribution that the Town will make to housing delivery.

General Comments

Surrey County Council offered their general support of the objectives for the Town Centre and agreed that the development opportunities should strengthen the town's identity. They stated that the document is reasonably consistent in relation to the policies and plans of the County Council. They accept the objectives of Town Centre management, public realm improvements and the opportunity sites.

Surrey CC confirm that Policies E10, E11 and E12 are consistent with the Surrey Local Transport Plan.

Natural England are pleased to see some of their previous comments have been taken into account, including the inclusion of key objectives for decentralised and renewable low carbon energy generation. They are satisfied with the Sustainability Appraisal.

The Epsom & Ewell Cycling Action Group offer their support for many of the sections in Plan E where they relate to cycling they suggest the inclusion of 'Cyclists' alongside pedestrians in various parts of the plan.

The Health and Safety Executive has advised the Council to consult the listed pipeline operator, to confirm the exact location and route of their pipelines in the area covered by the plan and to ensure that records are kept up to date.

Tesco do not consider the policies in Plan E to recognise the severity of the (retail) decline facing the Town Centre and think that these are ineffective.

The University of Creative Arts (Epsom) (UCA), considers the document should indicate that the Council would not object to sites close to the University's campus being developed partly for education purposes or student accommodation. They would also like to see more reference made to the University and to education/ studying throughout the Plan (particular locations are set out in the representations).

Epsom Protection Society suggest an overarching design policy be included in the document (in addition to Core Strategy Policy CS5).

Surrey County Council suggest strengthening the emphasis in the document as Epsom as the home of the Derby and encourage the inclusion of dedicated 'historic environment' actions and schemes.

Chapter 2

Key Issues and Objectives

Tesco consider Plan E to lack balance in terms of the tension between protection and achieving sustainable shopping.

Tesco raises concern that focusing specifically on strengthening the role of the Market area may be at the expense of other parts of the Town Centre.

Epsom Protection Society agree with the emphasis being placed upon improving the present retail mix rather than significant retail expansion.

Epsom Protection Society strongly agree with the objectives for the public realm.

Chapter 3

Town Centre Visions

In general, support has been received for the Visions in Chapter 3.

The Theatres Trust consider that The Playhouse should be included and mentioned in the vision for Ashley Avenue as the Town's main cultural venue.

Tesco supports the Vision for Upper High Street although it is their view that promoting small scale and independent retailers at this part of the Town Centre will not secure viability and vitality.

Surrey County Council state that the Vision for the Old Town and Market Place is an unrealistic ambition. They state this should be changed to 'effectively managed'.

Chapter 4

Policy E1 Town centre Boundary

The UCA considers that the University campus should be included within the Town Centre boundary.

An Agent for Linc Epsom considers the Linton's Centre, Rosebery Park and the University should be included within the Town Centre boundary and query why a large area of the previous Town Centre boundary has been removed.

Policy E3 Town centre retail capacity

Tesco raised concerns over the retail figures and the GVA Grimley Town centre Retail Study, in particular consumer expenditure growth and deductions for special forms of trading. They believe that the Plan underestimates the true retail capacity within the Town Centre.

WM Morrison request that a qualitative argument is included in the policy regarding future foodstore provision, and the amount that should be provided.

GOSE suggest linking these floorspace quantum's to the opportunity sites.

Policy E4 Town centre retail area and primary & secondary retail frontages

Epsom Protection Society comment that they find the layout of this policy confusing and suggest that it should be made clearer that the 'Other Uses' section applies only to secondary frontages.

A local commercial property consultant considered that planning should be relaxed in locations such as the Upper High Street to allow any use within the retail category.

Tesco believe that the secondary retail frontage and Town Centre retail area should be extended east to include the vacant site that they currently own on Upper High Street.

Another local property agent considers that it is unclear from this policy what the Primary Retail Frontage 66% baseline is.

Policy E5 Town Centre employment floorspace provision

A local property consultant considered this could delay and hinder new development.

One respondent stated that there is no evidence of demand for more hotel accommodation and recent planning applications may not be a measure of demand but to make the applications financially viable.

GOSE suggest linking these floorspace quantum's to the opportunity sites.

Policy E6 Leisure, culture and community facilities provision

The Theatres Trust support this policy.

An Agent for Linc Epsom considers Policy E6 should be amended to be made more flexible as not all uses may be beneficial or appropriate in their current locations.

Policy E7 Town Centre building height

This policy received the most responses. They varied greatly with some respondents stating they fully support the policy (mainly local residents and interest groups) to some saying they strongly disagree with it (mainly commercial agents representing developers).

Those who do not support the policy considered; that it did not provide the required degree of flexibility; it to be too prescriptive; that the heights are too low; that it undermines Government policy; that there is insufficient justification for the policy; that the impact on viability has not been considered; it is not based on robust evidence base or that it is not clear how this option was chosen.

Other respondents supported the proposals with some considering the wording is too weak and suggesting it should include reference to varied rooflines.

Policy E9 Public Realm

Epsom Protection Society strongly support this policy.

Natural England fully support the inclusion of this policy and add that Plan E should make specific reference to the multi-functional benefits of Green Infrastructure and how this can contribute to Plan E.

One respondent considers alterations to the specific areas identified for biodiversity enhancement in plan E should be made.

GOSE suggested making stronger links to the Infrastructure Delivery plan in the supporting text.

Policy E11 Deliveries to premises

A local property agent considers providing rear servicing access arrangements on new developments may not be possible/ reasonable.

Policy E13 Changes to the road network

The Epsom & Ewell Cycling Action Group endorse this policy but would like to see the paragraph stating that returning South Street to two way could potentially eliminate the need for a right turn from High Street (West) onto Ashley Road.

One respondent disagrees with some of the highways proposals in Policy E13 and suggests additional points should be added including the possibility of a By-Pass.

One respondent states that the extension of the two-way traffic system along Ashley Avenue should be a long term goal rather than dependent on traffic volumes.

Para 4.80

Surrey CC consider the wording should be changed to 'The approach outlined is only preliminary and further modelling and design feasibility would need to be carried out to establish a preferred approach to traffic management in the town centre. There are a number of issues which need to be resolved, such as routes for buses and taxis, and arrangements for deliveries and accessibility improvements. Potential increases in housing and commercial development either in or close to the borough boundary would also need to be considered.'

Transport/ Movement

Para 4.68- Surrey CC state that it is best practice in interchange development to locate bus stops closer to the interchange than taxi ranks, whenever possible, in order to encourage sustainable travel choices and that this should be reflected in the wording.

Paras 4.76 and 4.77

Surrey CC considers there is little scope for further improvements to strategic lorry signage

The Highways Agency ask that somewhere within the document there is acknowledgement that the M25 could be a constraint to the future delivery of development within Epsom Town Centre without careful consideration of mitigation measures.

Town Centre management

One respondent considered that a Town Centre manager should be deleted from Plan E.

GOSE suggested that this section could be edited as it repeats much of page 29.

Chapter 5

Opportunity Sites (E14-E17)

Responses received are in general support of the inclusion of opportunity sites within the document.

A local commercial property consultant considers any site policy should be flexible to reflect market conditions and another believes that there should be the opportunity for development to be phased.

Policy E14 Depot Road and Upper High Street

The Environment Forum stated that this policy does not appear to be consistent with Policy EC8 of PPS4 and should specify a far lower number of car parking spaces

Representatives for Tesco Ltd raised concerns over how the amount of development set out in the policy can be achieved on the site.

Policy E15 The Utilities Site

Thames Water does not object to the inclusion of the Water Treatment Works (WTW) within the Opportunity Site, however they state there are no plans to relocate the WTW, which is essential to the supply of water to Epsom. As well as the WTW there is also a crucial water extraction borehole on the site and again there are no plans to take this out of service. For these reasons it is unlikely that the WTW will be available for an alternative form of development in the foreseeable future. Thames Water does not object in principle to development in the area surrounding the WTW, but would be concerned at any development that would affect the efficient and safe operation of the WTW

Surrey CC property department have identified that the area has a large number of gas mains and pipes running through it and state that this can stop development. They state that the low density development possible on this site could be very appropriate for police and fire station activity.

Epsom Protection Society suggest that the boundary to this site could be extended to include all of the frontage to Hook Road and the railway line.

An agent for Linc Epsom considers this site policy should be more flexible as not all existing leisure uses will be appropriate in their current locations.

One respondent considers the Policy should make reference to the Health and Safety Executives consultation distances to determine whether the land uses are acceptable in principle.

Policy E16 Epsom Station Site

Maddox & Associates state that the provision of the uses stated in the policy within a four storey building is unlikely to be possible and it is more important for each proposal to be considered on its own merits. They also state that some elements of the policy do not provide sufficient flexibility for a viable development of the site.

A local commercial property consultant suggests that if height restrictions are too low this will not be a viable project.

One respondent considered that if satisfactory redevelopment of the station site can not be achieved, renovation of the station buildings and platforms by the railway operators would represent a more satisfactory alternative.

The E&E Cycling Action Group suggest that the proposed cycle way networks should be extended along Station Approach to West Street.

Policy E17 Other Opportunity Sites

Country and Metropolitan homes consider this policy to be too rigid, little flexibility and unable to deal with changing circumstances. They also think that it undermines Government policy.

Market Place- (A)

The E&E Cycling Action Group considers the term 'pedestrian area' should be amended to read 'shared area' or 'vehicle restricted area'. They would not like to see the de-designation of the Market Place as a highway.

Pickard House- (C)

Steve Clark Associates consider that the restoration of the commercial ground floor use should be subject to a test of feasibility and that this should be mentioned in the policy. They ask for the supporting text to state that 'residential' includes the category of 'institutional residential'.

Emergency Services Uses, Church Street (G)

Surrey CC Property Department consider there should be a greater flexibility in the end solution. They suggest a clause in which the planning authority recognise that in order to re-provide the services, alternative locations within the Town should be permitted.

Surrey CC Property Department suggest that the adjacent Hope Lodge Car Park should be included in this area.

The Comrades Club (H)

Representatives for Storm Land & Estates Ltd consider that bullet points 3 (building height) and 6 (rear servicing) should be removed from the policy as they are too prescriptive. They support the overall inclusion of the Comrades Club as an opportunity site.

Omissions

One respondent felt that Plan E does not address late night transport facilities, policing, management of the night-time economy and dispersal, traffic management, the welfare and safety of residents and rubbish and waste management.

Thames Water consider that Plan E should include reference to the need for adequate utilities (including water and waste water) provision to serve existing and new development

Epsom Protection Society see an inconsistency in the proviso to E17 mentioning design whereas policies E14-E16 do not.

Appendix 3: Implementation table

Surrey CC would encourage the inclusion of dedicated historic environment actions/ schemes in the Implementation table (appendix 3).

Appendix 4: Infrastructure Delivery Plan

Surrey CC support the schemes that include joint working with the County Council.

The E&E Cycling Action Group request that amendments are made to Appendix 4 to reflect the additions they would like to see added to the plan.

A representative for the University has requested that there should be reference to education within the Infrastructure Delivery Plan.