



Local Development Scheme

(Timetable for preparing the Local Plan)

November 2023

Epsom & Ewell Borough Council

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1.0 Introduction

1.1 Epsom and Ewell Borough Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).“(2).

The scheme must specify—

- a) The local development documents¹ which are to be development plan documents².
- b) The subject matter and geographical area to which each development plan document is to relate;
- c) Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- d) Any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee under section 29;
- e) The timetable for the preparation and revision of the development plan documents”.

*Planning and Compulsory Purchase Act 2004
(Section 15)*

1.2 The LDS is a project plan that sets out the timetable to produce new or revised Development Plan Documents which will form the Council’s statutory Development Plan³. This LDS, supersedes all previous versions, sets out a planning work programme for the Council over a three-year period to 2026. It will be reviewed annually through the Authority Monitoring Report which can found [here](#).

¹ As defined in Regulation 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012. E.g., Local Plan, Supplementary Planning Document, Area Action Plan

² Development Plan Documents are for example Local Plans, Area Action Plans. They refer to the development and use of land, the allocations of sites and development management and site allocation policies.

³ The statutory Development Plan is made up of all adopted Development Plan Documents, e.g., any local plan, area action plan both at the borough level and at the county level.

2.0 The current adopted Development Plan

- 2.1 The current adopted statutory development plan for Epsom and Ewell Borough Council is made up of:
- Epsom & Ewell Core Strategy 2007
 - Plan E Epsom Town Centre Area Action Plan 2011
 - Epsom & Ewell Development Management Policies Document 2015
 - Surrey Waste Plan 2008
 - Surrey Minerals Plan Core Strategy 2011

3.0 Other relevant documents

Statement of Community Involvement

- 3.1 The current [Statement of Community Involvement](#) (SCI) was adopted in July 2022 to support the preparation of the Local Plan. The Statement of Community Involvement (SCI) describes how the public, businesses and interested groups within Epsom and Ewell Borough can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process.

Authority Monitoring Report

- 3.2 The Council publishes up-to-date authority monitoring information on its website. This focusses on assessing progress against the LDS and current planning policies that include annual numbers for new homes (including affordable homes). It also includes information about Neighbourhood Plans, the Community Infrastructure Levy (CIL) and the Duty to Co-operate.
- 3.3 The Authority Monitoring Report webpage can be viewed [here](#).

Policies Map

- 3.4 Finally, the Council is required to produce a Policies Map which shows the location of proposals in all current, adopted local development documents on an Ordnance Survey-based map. The map is web based and is kept up-to-date and reflects current adopted policies within the borough.

Community Infrastructure Levy (CIL)

- 3.5 The Community Infrastructure Levy (CIL) raises funds from new development for essential infrastructure. It primarily replaces the older system of financial contributions and planning obligations ('Section 106 agreements'). Under the CIL

regulations limitations have been placed on the ability of councils to use S106 monies to provide for infrastructure beyond the mitigation of specific developments.

- 3.6 The Council adopted its CIL charging Schedule on the 29 April 2014 with an implementation date of 1 July 2014. The CIL charging rates are supported by evidence of development viability.

Supplementary Planning Documents

- 3.7 Although part of the development framework, Supplementary Planning Documents⁴ (SPDs) no longer need to be identified in the LDS. The Council currently has the following SPD's.
- Upper High Street, Depot Road and Church Street Development Brief 2012
 - Revised Developer Contributions Supplementary Planning Document 2014
 - Parking Standards for Residential Development 2015
 - Revised Sustainable Design Supplementary Planning Document 2016.

4.0 The emerging Development Plan

Local Plan 2040

- 4.1 The Local Plan 2040 will set the vision and framework for future development of the borough to 2040. This will include addressing local housing need, the economy, environmental considerations, community infrastructure as well as strategic infrastructure needs. The geographical area covered by the Local Plan 2040 is the borough of Epsom and Ewell.

Stages of Local Plan 2040 preparation

- 4.2 There are several key stages in the preparation of the Local Plan, each are subject to the Strategic Environmental Assessment (SEA) Directive⁵ which will be incorporated into the Sustainability Appraisal⁶:

Pre-publication stage (Regulation 18)

⁴ Supplementary Planning Documents are a type of Local Development Document, that build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan.

⁵ The SEA Directive applies to a wide range of public plans and programmes (e.g., on land use, transport, energy, waste, agriculture, etc.). An SEA is mandatory for plans/programmes which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning, or land use. An SEA can be summarized as follows: an environmental report is prepared in which the likely significant effects on the environment and the reasonable alternatives of the proposed plan or programme are identified.

⁶ A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic, and social objectives.

This initial stage involves extensive evidence gathering, engaging with the local community, businesses and stakeholders on emerging issues and options, consulting with statutory environmental consultees on the scope of the sustainability appraisal, and infrastructure providers with regards to development options.

The consultation took place from 1 February – 19 March 2023.

Note: on the 22 March 2023 at an extraordinary Council meeting a decision was made to pause the Local Plan and to allow specified tasks to be undertaken. On the 24 October 2023, at an extraordinary Council meeting, the decision was made to un-pause the Local Plan.

Publication of Submission Draft Local Plan (Regulation 19)

Following Regulation 18, the next stage is for the Council to publish a draft version of the Local Plan 2040 and invite representations in accordance with Regulation 19. These representations will be based on whether the draft plan is legally compliant and/or sound when assessed against the requirements contained in the National Planning Policy Framework (NPPF). This is scheduled for January – February 2025.

Submission and Examination of the Local Plan (Regulation 22)

Following Regulation 19 stage, the next stage is for the Council to formally submit the draft Local Plan 2040 and evidence base to the Planning Inspectorate for examination on behalf of the Secretary of State. An Independent Planning Inspector will assess the Plan against the tests of soundness contained in the NPPF, taking account of any representations (comments) received. This is scheduled for May 2025.

Adoption

If the Plan is found to be 'sound', the Council may adopt the Plan as soon as practicable following receipt of the Inspector's report unless the Secretary of State intervenes. Once adopted, the Local Plan 2040 will form the main part of the statutory development plan for the borough. This is expected by Spring 2026.

- 4.3 The complete timetable and 'key milestones' to produce the Local Plan 2040 are set out in Appendix 1.

Neighbourhood Plans

- 4.4 There is currently one Neighbourhood Plan Area Designation in the borough. Once adopted, Neighbourhood Plans form part of the Development Plan. These are not programmed by the local authority and therefore are not included within this LDS project timetable. More information can be found [here](#).

5.0 Delivery and Implementation

Joint working - The Duty to Co-operate

- 5.1 The Council has a proven track record of working with neighbouring authorities (including those outside the County) and with Surrey County Council. Where appropriate, inter-authority working groups will be established during the preparation of the Local Plan 2040. The Council will work in partnership with neighbouring authorities where necessary to prepare various evidence base documents.

Resources available for the production of the Local Plan

- 5.2 In preparing the Local Plan, the Council's Planning Policy Team will utilise 'specialist officers', and other strands of expertise from within the Council, other organisations and bodies as appropriate.
- 5.3 The Council also makes provision for the need to use certain expert consultants to assist in producing various elements of the technical background work. This may occur where either the necessary expertise is not available within the Council or insufficient resources exist to be able to bring forward the necessary work within the required timescale. Consultant facilitators may also be used to assist with focus group work and community participation exercises.

Council Procedures

- 5.4 For matters relating to the new Local Plan, the following reporting protocols will apply:
- Licensing and Planning Policy Committee will be responsible for the preparation, production, and completion of the draft local plan (Regulation 18); and
 - Full Council will be responsible for the Proposed Submission Local Plan (Regulation 19) and the formal adoption of the local plan following consultation and examination.

Risk Assessment

- 5.4 The production of a local plan requires consideration of the potential risk involved in its preparation. These vary from local matters, such as changes in staffing levels or political/administrative changes, to those of national significance including revised government guidance.
- 5.5 In preparing this LDS, it was found that the main areas of risk relate to:

Problems with joint working or compliance with the duty to co-operate: Close working with other authorities and organisations will continue to detect issues early in the process.

Capacity of the Planning Inspectorate (PINS) and other agencies to cope with demand nationwide: Advance notification of our programme will be given to assist in the development of PINS/other agencies work programmes' to

address the requirements of the LDS.

Revisions to national planning policy and guidance: Revisions are anticipated to the NPPF. Changes to national planning policy and guidance at a more advanced stage in local plan preparation can cause delay. Close monitoring of national changes will be required alongside liaison with the Department for Levelling Up, Housing and Communities (DLUHC) where required.

Full Council fails to agree Local Plan: Officers will work closely with all Councillors to raise awareness of the Local Plan and seek to achieve 'buy-in' of its proposals at an early stage.

Programme Slippage: An exceptionally high level of response during public consultation on a Development Plan Document could lead to programme slippage.

Transitional arrangement deadline: the government have proposed a "transitional period" within which Councils will need to complete work on preparing their local plans under the existing plan making system before a new system comes into force. The date for submitting a Local Plan to the planning inspectorate is expected to be confirmed as 30 June 2025 when a revised NPPF is published. There is a risk this deadline will be missed if there are delays in progressing the Local Plan.

Legal Challenge: The Council will aim to minimise this by ensuring that Development Plan Documents are 'sound' and founded on a robust evidence base and well-audited stakeholder and community engagement processes.

Monitoring and Review

- 5.6 The Council's Monitoring Report will monitor the progress of the LDS on an annual basis.
- 5.7 The Monitoring Report will monitor the delivery of policies when they have been adopted.

6.0 Appendix 1 - LDS timetable

6.1 Local Plan 2040- timetable to 2025/26

| | | | |
|---------|----|-----|---------------------------------|
| 2022/23 | Q3 | Oct | |
| | | Nov | |
| | | Dec | |
| | Q4 | Jan | |
| | | Feb | Reg 18 - Public Consultation |
| Mar | | | |
| 2023/24 | Q1 | Apr | Pause |
| | | May | |
| | | Jun | |
| | Q2 | Jul | |
| | | Aug | |
| | | Sep | |
| | Q3 | Oct | |
| | | Nov | |
| | | Dec | |
| | Q4 | Jan | |
| | | Feb | |
| | | Mar | |
| 2024/25 | Q1 | Apr | |
| | | May | |
| | | Jun | |
| | Q2 | Jul | |
| | | Aug | |
| | | Sep | |
| | Q3 | Oct | |
| | | Nov | |
| | | Dec | |
| | Q4 | Jan | Reg 19 – Public Consultation |
| | | Feb | |
| | | Mar | |
| 2025/26 | Q1 | Apr | |
| | | May | Reg 22 – Submission of Document |
| | | Jun | |
| | Q2 | Jul | EIP |
| | | Aug | |
| | | Sep | |
| | Q3 | Oct | |
| | | Nov | |
| | | Dec | |
| | Q4 | Jan | |
| | | Feb | |
| | | Mar | R |
| 2026/27 | Q1 | Apr | A |
| | | May | |
| | | Jun | |
| | Q2 | Jul | |

Key

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|---|--|
| | Regulation 18 - Evidence base gathering, early engagement, and initial consultations |
| | Regulation 19 - Public Consultation – Publication of draft Local Plan |
| | Regulation 22 - Submission of document; EIP - Examination hearings; R - Inspector's final report |
| A | Adoption of Local Plan |