

# **Epsom & Ewell Local Plan Examination**

## **Council Responses to Matter 4:**

### **The Green Belt**

**12 September 2025**

At the Hearing 30 September 2025 the Inspector requested a contents page for the Green Belt Exceptional Circumstances Topic Paper TP02. The contents page has been produced and is attached as Appendix M4b

### **Issue 5: Is the Plans approach to the Green Belt justified and consistent with national policy?**

*Please note – this hearing session concerns the Council's approach to the Green Belt. Whilst reference will be made to the sites which the Council are proposing to release from the Green Belt, the specifics of the policy wording in relation to SA31-SA35 will be discussed under matter 11.*

#### **Questions:**

The Council have concluded that exceptional circumstances exist to justify amendments to the Green Belt boundaries and in accordance with paragraph 145 of the Framework, have identified why the Council consider exceptional circumstances exist. These are set out within the Topic Paper TP02. The Council have identified 5 sites within the Green Belt which would deliver 1580 dwellings over the plan period. This approach leaves a significant shortfall in providing for the housing needs of the borough over the Plan period. The Council needs to provide robust evidence to support the approach they have taken, particularly as the Plan as submitted would still result in a 5500 shortfall against the standard method.

**Q5.1 The Framework is clear on a number of steps which need to be followed before reaching this conclusion. These are set out at paragraph 146 of the Framework. I have set these out below with my understanding of the evidence base in relation to these matters: Please could the Council review these and explain where within the evidence base the following assessments have been undertaken:**

- a) Make as much use as possible of suitable brownfield sites and underutilised land – did the Council revisit sites discounted through the LAA exercise and when this did take place?**

- 5.1 The Council addressed each of the following in its Green Belt Exceptional Circumstances Topic Paper (Document Reference: TP02) paragraphs 3.6 and 3.8 address the NPPF paragraph 146(a). The Land Availability Assessment

LAA 2024 (Document Reference HB01a, HB01b and HB01c) is the key evidence base which considers the matter.

- 5.2 Section 3 of the LAA 2024 sets out the methodology including how sites were identified, namely through call for sites, planning applications, pre-apps and desktop review of existing information. To ascertain whether sites were available, landowners of the sites were contacted between the SHLAA 2017, LAA 2022 and LAA 2024 in order to understand the status of sites and likelihood of housing delivery.
- 5.3 As stated in paragraph 3.6: “The previous iteration of the LAA (2022) included sites where the availability had not been confirmed, these were predominantly sites identified by officers as part of the desktop review process. Since the previous LAA was published in 2022, we have contacted landowners again using Hm Land Registry data on multiple occasions to determine whether these sites are available for development”. Copies of the letters sent are contained in Appendix M4a. For those sites where availability has not been confirmed, they were discounted from the LAA 2024 as they were not considered to be available.
- 5.4 The Council's response to Q3.4 outlines a timeline for LAA activities.

***b) Optimise the density of development in line with the policies in chapter 11 of the Framework, including whether policies to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport - TP02 responds to this point at paragraph 3.9 – and HB01a draws a conclusion on this point at paragraph 4.14 however where is the evidence to support the conclusions drawn? Reference is made to document HB06a and HB06b however the only reference here I can see is to a masterplan principle of pursuing mainly low and mid rise high density housing. Is there anything additional to this which the Council are seeking to rely upon?***

- 5.5 The Council has followed a three-stage process to reviewing the site capacities following the publication of the Land Availability Assessment in 2022. The three-stage process is detailed below:
- 1) Urban Site Visits - August 2023
  - 2) Site Assessment Matrix development – standard density multipliers calculated for each site – October 2023
  - 3) Meeting with DM to review capacities of all available urban sites having regard to constraints - (November 2023)
- 5.6 In addition, the town centre masterplan (document reference [HB06a](#) and [HB06b](#)) was being progressed at this time and has informed the capacity of the town centre sites with a consultation undertaken on a draft Masterplan in

November – December 2023 and the final masterplan published in August 2024. Paragraph 2.5, 2.47, 3.3, 3.22, 5.13-5.15 explores building heights of the opportunity sites, this analysis was used to inform the options and densities for the Town Centre sites identified in the Masterplan. The final masterplan increased the capacity of some of the opportunity sites by revising the types of development proposed, for example proposing fully flatted schemes as opposed to town houses.

- 5.7 The outcome of this this process is reflected in Appendix 7 of the LAA 2024 (document reference HB01a).

**c) Has been informed by discussions with neighbouring authorities to meet needs *Statement of Common Ground* have been prepared to address this point**

- 5.8 The Council has agreed a Statement of Common Ground with all of its neighbouring authorities (Document Reference: SCG02 MVDC, SCG03 R&B BC, SCG04 LB Sutton, SCG05 RB Kingston, SCG06 EBC). They have stated that they are unable to meet any additional need beyond their own.
- a) MVDC are unable to meet their housing need in full and cannot assist with meeting any of EEBC
  - b) R&B BC are gathering evidence in preparation for its emerging Local Plan, however, has stated that the Borough is heavily constrained due to greenbelt, flood risk, the Surrey Hills National Landscape and therefore is unlikely to be capacity to meet the needs of needs from other authorities
  - c) LB Sutton is gathering further evidence to identify capacity for new dwellings. They are unlikely to be capacity to meet the needs arising from other authorities.
  - d) RB Kingston is currently reviewing its housing land supply evidence as part of the London Strategic Housing Land Availability Assessment. It is unlikely that RBK will be able to fully meet its Local Housing Need figure or the London Plan target.

**Q5.2 The LAA (September 2024) indicates at paragraph 4.14 that it is ‘unlikely’ that increasing the density of potential sites is likely to yield a sufficient amount to address the shortfall. TP07 states at paragraph 5.30 that the Council have explored a and b above through a desk based study as part of the LAA process, call for sites exercise and development of the draft Epsom Town Centre Masterplan. Can the Council identify where in the evidence base I can find this assessment?**

- 5.9 The LAA (document reference HB01a) demonstrates that approximately 34% of the housing need (calculated by the standard method) can be met within the urban area. Increasing the density of sites in the urban area will not yield a

sufficient amount of housing to address the shortfall and in doing so it would likely change the character of the Borough dramatically.

5.10 In addition, attention is also drawn to responses to question Q3.4, Q3.5, Q3.6. In summary these set out:

- a) Table 3 of the LAA (p9) provides a summary of the housing trajectory for urban sites with LAA sites making up between 1,287 and 1,582 homes over the plan period, and other sources of supply such as outstanding permissions and windfalls making up the remainder.
- b) The individual LAA assessments are contained in (Document reference: HB01b), site capacities are informed by promoter's estimates, planning history and officer discussions.
- c) As set out in response to Q3.4, the Council has undertaken a robust three stage process to reviewing the capacity of sites in the context of making efficient use of land from the limited number of sites in the urban area that the LAA 2024 (HB01a) identifies to be Deliverable (23 sites with a total capacity of up to 947 dwellings) and Developable (10 sites with a total capacity of up to 635 dwellings). Given the limited number of dwellings capable of being accommodated on these urban sites, even if the densities of all these sites were to be uplifted by 50% (which we do not consider to be appropriate following the three stage process detailed Q3.4), the increase in supply would be under 800 dwellings (or 7.7% of housing need (objectively assessed need based on the standard method)).
- d) In addition, there are 16 sites in Appendix 5 of the LAA (covering a total area of 1.7ha) that have been identified as '*too small to accommodate 5 or more dwellings*' and which are '*available*'. The three-stage process detailed in Q3.4 was followed in assessing these sites, however if we assume each of these sites could accommodate 5 units (which we do not consider to be appropriate) then only an additional 80 units could be delivered (which is less than 1% of housing need)
- e) In the Town Centre Masterplan (Document Reference HB06a) principle 1 sets out that the Masterplan will '*Pursue mainly low and mid-rise, high-density housing which afford excellent levels of residential amenity and complement the character of the town centre whilst using land efficiently*'. Paragraphs 2.5, 2.47, 3.3, 3.22, 5.13-5.15 explore building heights of the opportunity site in Town Centre sites identified in the Masterplan. The masterplan was consulted on between draft and finalisation and densities increased for some of the sites.

**Q5.3 A number of concerns have been raised that the Council have failed to address this point correctly or have severely underestimated the capacity of the urban sites which could be achieved whilst balancing the quality of the urban environment – are these concerns valid and where is the evidence base to address these points?**

- 5.11 The concerns are not valid. The Spatial Strategy Topic Paper sets out comprehensively (Document Reference: TP07 paragraph 5.14-5.16, 5.24, 5.28, 5.33-5.36, 7.2-7.4, 8.2, 9.1-9.4) that the Council's approach to development is urban development/intensification first with limited development within the Green Belt, having regard to the geography of the Borough, land availability, environmental constraints and viability.
- 5.12 The Council has due consideration to the availability and capacity of sites in its evidence base outlined in the earlier responses to Q3.4, Q3.5, Q3.6. The LAA demonstrates that approximately 34% of the housing need (calculated by the standard method) can be met within the urban area.
- 5.13 Urban capacity has not been considered in isolation but has been informed by context (surrounding characteristics of the sites, location, constraints), informed by the three-stage approach detailed in response to Question 3.4.

**Q5.4 Are the exceptional circumstances outlined within paragraph 3.3 of TP02 to justify changes to the Green Belt boundaries suitably robust and do they justify the approach taken? A number of representations have stated that the Green Belt boundaries should not be reviewed as the Council has not done enough to optimise densities on brownfield sites. Are these concerns valid?**

- 5.14 We consider the approach is robust and justifies the approach taken. The concerns raised in relation to optimising densities on brownfield sites are not valid, the Council has sought to optimise densities as set out in our detailed response to Questions 3.4, 3.5 and 3.6.
- 5.15 The Green Belt Topic Paper (Document reference TP02, paragraph 3.3 page 10) sets out the main case justifying exceptional circumstances, these include:

1. historic under delivery of housing (based against the standard method with an average housing delivery 197 per annum between 2007-2024)
2. historic under delivery of affordable housing (average of 26% of units completed between 2007-2024)
3. lack of a five-year land supply (the AMR 2023-2024 suggests just over two years supply)
4. Failure of the Housing Delivery Test
5. Increasing levels of homelessness.
6. And a significant number of households on the housing needs register.

5.16 The topic paper (Document reference TP02) as a whole sets out in more detail why exceptional circumstances exist, using the case law Calverton case ([Calverton Parish Council V Greater Nottingham Council](#)) which sets out five planning judgements/matters involved in the consideration of exceptional circumstances, these matters listed paragraph 2.5. The first three matters are addressed under paragraph 3.14- 3.33 in the topic paper and Section 4 addresses the final two matters.

**Q5.5 Paragraph 147 of the Framework states that where it has been concluded that it is necessary for the release of Green Belt land for development, plans should first give consideration to land which has been previously developed and/or is well served by public transport. Has the Council taken this approach and where is the evidence to support this? GB01 appears to indicate 4 assessments at paragraph 1.9 which do not include how well the site is served by public transport.**

- 5.17 Yes, the council has given first consideration to land which has been previously developed and that is well served by public transport. The Local Plan contains two sizable green belt sites, allocations SA31 Land at West Park Hospital (South) and SA32 Land at West Park Hospital (North). In addition to being brownfield sites, both sites are currently served by public transport with the E10 bus service West Park Hospital serving the site and connections to Epsom Town Centre.
- 5.18 In terms of the Local Plan allocations that are on Green Belt sites that have not been previously developed (allocations SA33-SA35) this cluster of sites are all well served by public transport with bus services operating near the site. This is demonstrated by the Transport Assessment Regulation 18 (Document Reference: [IS06](#)) which assessed all the sites contained in the LAA 2022, in terms of mobility and accessibility to various services and amenities. The document explains that public transport time includes the walk

to bus stop or train station, a public transport travel time as timetabled, plus the walk from the alighting stop to the amenity.

- 5.19 Table M4-1 below/overleaf details/extracts the Multi Criteria Analysis (MCA) scores for PDL/partially PDL sites in the Green Belt and also each of the Green Belt Site Allocations. The PDL sites sites that were allocated were generally lower performing against (MCA) and limited bus routes in proximity to the sites. The Green Belt Site Allocations form part of the cluster (which were among some of the higher performing green belt sites) and provides information the bus routes that operate in the Local Area. Surrey County Council has a [published bus route map of Epsom](#) on their website which shows the Green Belt site allocations are well served by various bus routes.

Table M4-1 – Public Transport Analysis of PDL sites in the Green Belt and Site Allocations SA31-SA35

<b>Site Name and LAA reference</b>	<b>Site Area (ha)</b>	<b>PDL</b>	<b>MCA Score (out of 25.5)</b>	<b>Bus services</b>
Karibu, Wells House (LAA ref STA035)	0.45	Yes	N/A	Bus stop along Downs Road, Treadwell Road 318 (between Banstead and Epsom High Street) 617(between Banstead and Leatherhead), 619 (school bus service)
Priest Hill (LAA ref NON013)	8.63	Partially (pavilion hardstanding tennis court)	16	Bus stop along Cheam Road for S2 service runs between Epsom Town Centre to Sutton stopping at St Helier Station
Downs Farm (LAA ref NON016-NON042)	35.15	Partially (farm bldgs.)	12.5	No bus services along Reigate Road A240 adjacent roads
Drift Bridge (LAA ref NON021)	24.02	Partially (farm bldgs.)	10.5	No bus services along Reigate Road A240 adjacent roads
Land at West Cottage, Horton Lane (LAA ref COU028, HOR011)	0.5	Yes	15	The E10 service serves between West Park and Epsom Town Centre every 30 mins. The route passes the site, but the bus stop is located further north on West Park Road
The Looe, Reigate Road (LAA ref NON 014, NON040)	0.41	Yes	12.5	Closest bus stop near Treadwell Road 318 (between Banstead and Epsom High Street).
Hollywood Lodge (LAA ref STA010, HOR002)	4.9	Partial	13	The E10 service serves between West Park and Epsom Town Centre every 30 mins. The route passes the site, but the bus stop is located further north on West Park Road



<b>Site Name and LAA reference</b>	<b>Site Area (ha)</b>	<b>PDL</b>	<b>MCA Score (out of 25.5)</b>	<b>Bus services</b>
SA31 Land at West Park Hospital (South) <b>(Site Allocation)</b>	1.81	Yes	11	The E10 service serves West Park and Manor Park from Epsom Town Centre every 30 mins
SA32 Land at West Park (North) <b>(Site Allocation)</b>	5.22	Yes	N/A	The E10 service serves West Park and Manor Park from Epsom Town Centre every 30 mins
SA33 Chantilly Way <b>(Site Allocation)</b>	0.7	No	21	Site adjoins Hook Road which is served by the E5 service providing connections to the Town Centre and Epsom Hospital
SA34 Hook Road Arena <b>(Site Allocation)</b>	14	No	18.5	Site located close to E5 service (serving residential development to the south) and frequent TFL services that operate along Chessington Road to the north of the site including the 418 (Kingston to Epsom) and 467 service.
SA35 Horton Farm <b>(Site Allocation)</b>	37.9	No	17.5	The E9 service travels around the site and could be diverted to serve the site (as set out in our 14 January 2025 meeting with SCC – Document Reference COUD-005a, Appendix M1b, page 4). In addition, the E5 services operates along Hook Road which borders the site.

**Q5.6 The Framework also states that the Plan should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. Has this been done and where is the evidence to explain this?**

5.20 The Council has had regard to the NPPF (paragraph 147) and ways in which the impacts of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The Green Belt Topic Paper (Document Reference TP02 paragraph 2.16) notes this and signposts to the guidance at the time outlining what this may include. Section 4 of the topic paper (Document Reference TP02 Section 4) considers each site having regard to this and identifies potential measures on site. The policies for the Green Belt sites include requirements to secure these measures, see in the table M4-2 below:

Table M4-2. Environmental quality/accessibility measures identified for SA31-SA35

Site	Site Area (ha)	PDL	Environmental measures quality/accessibility
SA31 Land at West Park Hospital (South)	1.81	Yes	There is limited if any residual impact of removing this land from the green belt because the site is previously developed within a parkland setting. A proportionate approach is considered reasonable which is achieved via the policy requirements of the provision of pedestrian/cycle access, incorporation of SUD measures, retention of existing trees and 10% BNG.
SA32 Land at West Park (North)	5.22	Yes	There is limited if any residual impact of removing this land from the green belt because the site is previously developed within a parkland setting. A proportionate approach is considered reasonable which is achieved via the policy requirements of the provision of pedestrian/cycle access and enabling permeability through the site for pedestrians and cyclists to Horton Country Park. Legal mechanisms in place to ensure green infrastructure and children's play space providing access to the general public. Incorporation of SUD measures, retention of existing trees and 10% BNG
SA33 Chantilly Way	0.7	No	There is limited if any residual impact of removing this land from the green belt because it's a narrow strip of land adjacent to public highway. A proportionate approach is considered reasonable which is achieved via the policy requirements of the incorporation of SUDs and retention of trees and 20% BNG
SA34 Hook Road Arena	14	No	There is some residual impact of removing this land from the green belt because it is currently a public open space. Only part of the site is proposed to be developed alongside a new sports hub comprising of new playing pitches, pavilion and changing facilities. The policy requirements will address some of the impact through the provision of pedestrian/cycle access to Hook Road, incorporation of SUDs, retention of trees and 20% BNG. However wider compensatory measures are explained below in paragraphs 5.21-5.27

SA35 Horton Farm	37.9	No	There is some residual impact of removing this land from the green belt because it is currently a green field site although there is no public right of way through the site. The policy requirements will address some of the impact through the provision of pedestrian/cycle access, permeability through the site for pedestrians and cyclists to Horton Country Park. Provision of a 7-ha public park with a legal mechanism in place to ensure green infrastructure and children's play space providing access to the general public and 20% BNG. However wider compensatory measures are explained below in paragraphs 5.21-5.27
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- 5.21 In addressing the question regarding compensatory improvements regarding accessibility of remaining Green Belt land, the green belt site allocations contained within the Local Plan (SA31-SA35) are located in close proximity to Horton Country Park and Epsom Common, which are public open spaces in the Green Belt owned and managed by the Council.
- 5.22 The Council has a management plan for both sites, [Horton Country Park 2017-2027](#) which sets out the long-term management of the 100ha Country Park including maintaining and enhancing the various habitats (section 2.6.1) as well as management and improved public access and recreation of the park (section 2.6.2). The management plan also provides helpful map on page 82, Map 4 showing the accessibility of the park and proximity to the Green Belt site allocation). [Epsom Common Management Plan 2016-2026](#) sets out the long term management of the Common where a significant proportions is designated as SSSI. The management study sets out maintenance and enhancement of habitats, species and fauna in sections 2.8.6-2.8.8 and public access in section 2.8.9.
- 5.23 The delivery of development near the Country Park and Common will provide the Council with additional opportunities to deliver the management plans and any future updates to them. The Council has recently utilised Community Infrastructure Levy funding to provide enhancements to the accessibility Horton Country Park in recent years, by providing improved footpaths within the site (wider paths with improved surface and drainage).
- 5.24 It is important to note that Site Allocation SA35 does not currently have any public rights of way across the site, and the allocation includes a 7ha public park which will provide an enhanced connections by sustainable modes between the existing urban area to the West and the Country Park and Common.

- 5.25 The Council's Biodiversity Action Plan 2020-2030 (Document Reference: NE02) coordinates the protection of Biodiversity across the Borough focussing on preventing the fragmentation of habitats. The council is looking to improve the accessibility and environmental quality of other Green Belt land in the council's ownership or control. This could include using land to deliver off site biodiversity net gain mitigation from development in the borough.
- 5.26 The Council has also been working with Surrey County Council in the preparation of a new Local Nature Recovery Strategy (LNRS), the new strategy will identify locations to improve nature and provide environmental benefits including improving access to nature-rich spaces where this is most needed for health and wellbeing. The new Strategy is currently being drafted.
- 5.27 In addition the Council has commissioned surveys be undertaken on a four council owned sites in this area to consider their potential to deliver off-site biodiversity measures. The surveys indicate there may be opportunities here but we are still at early stages of this work and further work is required.

**Q5.7 Paragraph 3.31 of document TP02 concludes that the Plan proposes a limited amount of land for Green Belt release and the same position would be unlikely in the event of a much larger release. How is the Council defining much larger' in the context of this Plan and where is the evidence base to support this conclusion?**

- 5.28 The Green Belt topic paper Para 3.31 states *'the key point is that the release at just 3.36% of the borough's greenfield Green Belt for future development is very limited and therefore the benefits clearly outweigh the degree of harm. The same position would be unlikely in the event of a much larger release'*.
- 5.29 This statement was made in the context of a rationale which sought a balanced approach resulting in the least harm for the most benefit. It is based on the findings of the Sustainability Appraisal (document reference SD05a) which tests seven reasonable growth scenarios, ranging from lowest reasonable growth to greater level of growth based on combinations of sub-area scenarios.
- 5.30 The Sustainability Appraisal demonstrates that the higher growth scenarios (Scenarios 6 and 7) which would result in the development of a greater proportion of the borough's Green Belt perform more poorly when assessed against thirteen sustainability topics (see Table 6.1, p50) compared to the Local Plan Spatial Strategy (Scenario 5).

**Q5.8 GB01 (Green Belt Study Update 2024) and GB02 (Green Belt Technical Note 2023) present the remainder of the evidence base in relation to the Green Belt boundaries within the borough. It identifies a scoring system for sites based on selecting sites with the least harm to the Green Belt purposes. Has the Council applied the criteria in a consistent manner? A number of representors have outlined how sites which have been discounted have scored less in Green Belt terms. Is the Council clear in the reasons they have discounted sites and where is this information provided within the evidence base?**

- 5.31 The Green Belt Study Update (Document reference: GB01) and Green Belt Technical Note (Document reference GB02) comprise an assessment of 53 parcels against the purposes of the Green Belt. It is not the case that sites that scored the lowest in Green Belt terms were automatically selected. Lower scoring sites may not have been taken forward due to other considerations e.g. constraints or factors that would make the sites less sustainable/favourable for example poorer in accessibility terms or not achieving a defensible boundary.
- 5.32 The Green Belt study forms part of a wider evidence base and other considerations included informed which sites were taken forward, including Site Assessment Methodology (Document Reference [HB05](#)), Sustainability Appraisal (Document Reference [SD05a](#) and [SD05b](#)) The process is outlined in the Council's response to Q 6.12 (including a process diagram in the response). In addition, the Green Belt Topic paper (Document Reference [TP02](#)) sets out the case for exceptional circumstances for green belt release and considers each site in section 4. The process of site selection comprised a balanced consideration of a range of issues and therefore it was not the case that sites that scored lowest in Green Belt terms were the sites that were proposed to be allocated.
- 5.33 In regard to whether the assessment scoring of document GB01 and GB02 has been applied in a consistent manner. The Council consider it has. The 53 parcels assessed as part of the Green Belt Study were undertaken in 2017 by external consultants on behalf of the council. The full study is appended to The Green Belt Technical Note 2023 (document reference [GB02](#)), the original assessment outlines the study took a seven stage approach set out in paragraph 1.7 (page 14 of the [GB02](#)), including 1 establishing the scope, 2 establishing the methodology, 3 identification of the parcels, 4 detailed assessment of the parcels, 5 scoring and draft reporting, 6 stakeholder workshop and 7 final reporting, the assessment criteria is set out in detail in Table 1 (page 18 and page 19 of [GB02](#)). The study remains relevant as national policy tests had not changed by 2024 (i.e. the 5 tests) and there has been minimal development consented in the Borough's Green Belt since that would fundamentally change the scoring of the larger parcels that they sit within.

5.34 The Green Belt Study update 2024 (document reference GB01) took forward the scores from the original study (Table 1 on page 6 and page 7) excluding the scores relating to purpose 4 'to preserve the setting and special character of historic towns' as this was not considered to be applicable in the Borough where the Green Belt is located away from the historic core. Section 2-4 – were carried out by Council Officers following a consistent methodology that is set out at the beginning of each:

- a) Section 2 consisted of an assessment of the Major developed sites and former hospital sites in the Borough. It consisted of a two-step assessment (paragraphs 3.4-3.11) looking at the MDS contribution to the open character and then whether the major developed site exhibit defensible boundaries consisting of physical features that are recognisable and likely to be permanent to allow for inseting (paragraph 3.28-3.30).
- b) Section 3 reviewed the Green Belt boundaries to check for anomalies in the existing Green Belt boundary to check it followed readily recognisable physical features that are likely to be permanent (paragraph 4.28-4.32).
- c) Section 4 assessed the potential for defensible Green Belt boundaries around strategic sites (paragraph 5.1-5.9).

#### **Q5.9 Could the Council be doing more to address the 5500 dwelling shortfall?**

5.35 No, this would not be sustainable. This is evidenced by:

- a. Undertaken an exhaustive search and assessment of sites through the LAA (document reference HB01a) including a desktop review process to identify potential sites and has put forward a deliverable Local Plan to deliver at least 4700 dwellings over the plan period.
- b. Identified sites in the LAA and have assessed and reassessed densities optimising where appropriate.
- c. considered the Borough's significant constraints, including the Green Belt
- d. assessed the environmental implications of growth through the Sustainability Appraisal (SA), which informed the spatial strategy contained within the Local Plan;
- e. fully engaged with neighbouring authorities and written to authorities beyond our direct neighbours (Document Reference COUD\_001 and COUD\_001a Appendix 5) to ask if they can assist in the shortfall- however no assistance was offered and in most cases other authorities find themselves in similar circumstances either struggling to meet or

unable to meet their housing needs in full (as set out by the Standard Method).

**Q5.10 In light of the representations made by Epsom College, should the land be allocated to reflect the potential for enhanced education facilities at the site? The Council have stated that the site has been assessed as part of the LAA. Please could the Council provide the page/paragraph references for this?**

- 5.36 No, we do not consider that the land should be allocated as set out in Representation 133 Epsom College (Bidwells on behalf of Epsom College). The site contains large open areas and is located in the Green Belt. We have not been presented with any evidence to justify exceptional circumstances. The Council considers that future applications for enhanced education facilities at the site could be determined in accordance with Green Belt policy, as they have in the past.
- 5.37 The site area forms part of a site assessed COL019 in the LAA 2024 (Document Reference: HB01a, HB01b and HB01c). The assessment for the wider site COL019 is contained on page 6 of the LAA site maps and details HB01b, where the proposal was for housing use.
- 5.38 There has not been a proposal for part of the site to be used to extend Epsom College prior to the Regulation 19 consultation. Representation 133 is the first time where it has been proposed that the area outlined on page 30/31 of the representation be allocated for educational purposes.

**Q5.11 The transitional arrangements confirm that policies in the NPPF 2024 apply to planning applications from the day of publication. Footnote 58 indicates that the golden rules contributions in paragraph 156 do not apply if sites were released from the Green Belt in a plan which was adopted prior to publication of the NPPF 2024. As this Plan is in the process of being examined, this exception would not appear to relate to new Green Belt release sites within this Plan. Does the Plan need to be modified to include requirements for development on housing allocations removed from the Green Belt relating to the contributions (Golden Rules) referred to in NPPF 156 (affordable housing, infrastructure and accessible green spaces)?**

- 5.39 No, the plan does not need to be modified. The submitted Local Plan (Document Reference: SD02) is being assessed against the NPPF December 2023 which does not make any reference to the Golden Rules, found in the NPPF 2024.
- 5.40 We acknowledge the conflict between the transitional arrangements for submitting plans set out in the NPPF (Dec 2024) Annex 1 (i.e. That those plans submitted for examination on or before 12 March 2025 will be examined



under the relevant previous version of the Framework) and the requirements of paragraph 156 NPPF (Dec 2024) taking effect for planning applications from December 2024.

- 5.41 Given the timings of National Policy changes and the submission of Epsom and Ewell's Local Plan, consistencies issues are unavoidable. In this particular case, the NPPF will be material consideration in decision making and therefore we consider that the policy could remain as written and applications for these sites would be captured by and assessed in accordance with paragraph 156 in the NPPF.
- 5.42 We consider that further clarification on this matter could be provided through the preparation of an Affordable Housing SPD which will be produced following adoption of the Local Plan.

**Q5.12 If so, how would such requirements affect the viability of development on the relevant allocations?**

- 5.43 As noted above, we do not consider that the change needs to be made to the Plan.
- 5.44 However, we note that for the purposes of decision taking, the December 2024 NPPF at para 157 states that 'the use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability'.
- 5.45 The Viability Assessment that informed the Local Plan has not tested the implications of requiring 50% affordable housing on Greenbelt sites, which is what would be required following the introduction of the Golden Rules.

**Policy DM15 Green Belt**

**Q5.13 Is the policy justified? In particular, is the reference to the National Planning Policy Framework correct and are the Council clear about which Framework they are intending to refer to here?**

- 5.46 We consider the policy is justified given the extensive coverage of Green Belt in the borough beyond the defined urban area. Whilst the submitted Local Plan (Document Reference: SD02) will be assessed under the NPPF December 2023, the reference in the policy is to the NPPF, and for the purposes of decision making it will be whichever the current NPPF is at the time. This ensures that the plan is consistent and up to date.

**Q5.14 What does the wording of the policy add over and beyond the wording of the Framework. Is the policy justified?**

- 5.47 The supporting text in the policy clarifies information/definitions relating extensions, alterations and replacement buildings in the Green Belt. Due to the amount of land designated as Green Belt in the Borough, we consider that the policy is justified, however we would be happy to discuss amendments to make the policy more locally specific.