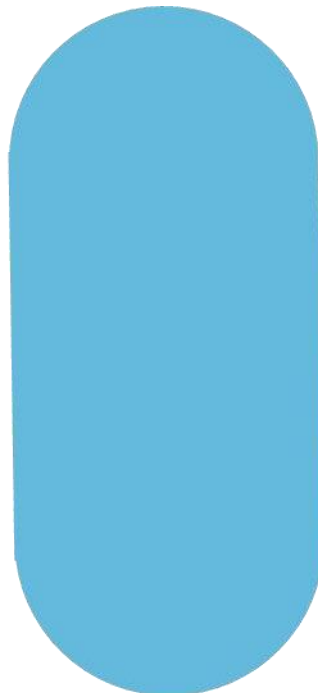




EPSOM AND EWELL LOCAL PLAN EXAMINATION MATTER 5 HEARING STATEMENT

PREPARED ON BEHALF OF DANDARA SOUTH EAST

September 2025





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1. INTRODUCTION

- 1.1 This Matter Statement has been prepared on behalf of Dandara South East in respect of Matter 5 of Epsom and Ewell Borough Council's (the Council) Local Plan Examination.
- 1.2 Dandara has land interests in the Borough at Downs Farm, Epsom (hereafter referred to as "the Site"). The Site is not currently identified as an allocation in the draft Plan.
- 1.3 Notwithstanding specific land interests, this Matter Statement has been prepared in objective terms, in response to the Inspectors' questions and have been considered in the context of the tests of 'Soundness'. These require that a Plan is:
- Positively Prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Consistent with National Policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 1.4 The focus of this Matter Statement is on areas of relating to the Sustainability Appraisal (SA) and the approach site selection. This follows our comments relating to legal compliance of the SA as set out in response to Matter 1.
- 1.5 The most recent version of the National Planning Policy Framework was published December 2024 (NPPF 2024). Para 234, within Annex 1, sets out plan-making transitional arrangements which states policies in this version of the Framework apply from 12 March 2025 unless certain criteria apply. In this case, the Plan was submitted ahead of 12 March 2025 and the NPPF December 2023 continues to apply (hereafter referred to as 'NPPF'). Reference is made to the NPPF 2024 where relevant.



2. THE SA AND THE APPROACH TO SITE SELECTION

Q6.2. From reading the SA, I am not clear how the strategy on site selection to inform the reasonable alternatives has developed. Paragraph 4.1.5 states that the objective is to allocate a package of sites to meet needs and wider objectives. In terms of establishing growth scenarios, should the focus not be on alternative growth scenarios in the context of identified needs, rather than individual sites themselves?

- 2.1 As set out in our response to Matter 1, we consider the approach taken by the Council, which has defined sub-area options based on the conclusions of the site-selection evidence base, is logical and sound. This takes account of available and suitable options for growth in a fair and sensible manner which applies a judgement in line with the conclusions of the Evidence Base.
- 2.2 The 'choice' of sites which underpin the sub-area options stem from other officer-led workstreams including the Land Availability Assessment and Green Belt Study. The SA is clear at para 5.4.5 the aim is "not to discuss all site options to the same level of detail, but rather to focus attention on those judged to be more marginal, i.e. where the question of allocation is more finely balanced".
- 2.3 These sites are identified in the SA as either constants or variables, with SA Figure 5.8 providing an overview of this for Green Belt sites. There is no clear explanation as to what makes a site a constant or a variable, only that this forms part of the judgement undertaken when considering options.
- 2.4 Scenario 1 is identified as the "lowest reasonable growth scenario" including only sites identified as a constant. Thereafter the 'reasonable alternative growth scenarios' build on this with the introduction of variables; however, not all variable options are considered.
- 2.5 We consider the choice of reasonable alternative growth scenarios is flawed not having considered a clear reasonable alternative of Scenario 2 + Downs Farm + Horton Farm.
- 2.6 Whilst the SA at para 6.15.4 acknowledges there are "other scenarios falling in between those appraised that were not defined and appraised as a pragmatic step" we consider it would have been reasonable to consider this further before the 'preferred' option had been defined.
- 2.7 Material to this is the fact the preferred option does not meet identified needs in full. In this case Scenario 5 results in a housing supply of 4,914 dwellings, significantly below (less than half) minimum housing needs of 10,242 dwellings.



- 2.8 Notwithstanding, it would have been appropriate to then re-assess whether other scenarios “in between” perform as well or better than Scenario 5. This could be done in a way which considers Scenario 5 as the ‘constant’ with the remaining variables layered on top, i.e.:
- Scenario 5a – Scenario 5 plus COL017, COL19, COL023 (southern cluster)
 - Scenario 5b – Scenario 5 plus Downs Farm
 - Scenario 5c – Scenario 5 plus HOR007 / HOR002
 - Scenario 5d – Scenario 5 plus Land adjacent to Ewell East Station
- 2.9 The conclusions of this iterative process would identify whether these additional scenarios perform better, worse or the same as Scenario 5 alone. We would expect of those above, Scenario 5b would perform better than Scenario 5 alone.
- 2.10 If better or the same, this ‘in between’ scenario would thereafter be adopted as the preferred scenario. If considered reasonable, the process could be repeated with variables until it is clear the right balance has been struck.
- 2.11 This process should recognise the importance of establishing a growth scenario in the context of identified needs. In this respect, it is our view not enough weight is being given to the delivery of additional homes and affordable homes against the desire to minimise release of Green Belt land.
- 2.12 Even if a scenario which delivers more housing scores less favourably in other factors, a balanced judgement needs to be made, especially in the context of housing needs not being achieved.

Q6.4. What is the rationale for excluding the south sites (COL017, COL019, COL023) from growth scenario 4?

- 2.13 As set out above, we consider a reasonable approach to defining sub-area options has been completed however there is a clear issue in the lack of consideration for “in between” scenarios.
- 2.14 The choice of sites for the scenarios is sound, but it should not stop other scenarios also being assessed once the “preferred” option is established.
- 2.15 This should be an iterative process, reflective of the fact the growth options are largely based on site availability and site suitability, as opposed to setting different options to meet needs in full.



2.16 As scenario 5 is identified as the preferred option, any additional scenarios are likely to build on this, i.e. as set out above scenario 5a, 5b, 5c and 5d.

2.17 Whilst a scenario 4 + southern cluster sites scenario has not been considered; it is likely to perform worse than a scenario 4 + Horton Farm (i.e. Scenario 5b) option which should be considered in the first instance in line with this iterative process.

Q6.5. What is the rationale for excluding the south (COL017, COL019, COL023) and East (Downs Farm) sites from growth scenario 5?

2.18 For the reasons set out above, in the first instance the option of Scenario 5b, i.e. Scenario 5 plus Downs Farm, should be considered.

2.19 Subject to the outcome of this work, it may be further scenarios be appraised including Scenario 5b + COL017, COL19, COL023 (southern cluster).

2.20 Whether this is a reasonable scenario falls to the balance between protecting the environment and restricting growth in the Green Belt and meeting housing needs.

Q6.7. Section 7 of SD05a identifies that there is a missing scenario – whereby Downs Farm is allocated in addition to Horton Farm – the document cross references to paragraph 6.15 however from reading this section, the only justification appears to be to keep the scenarios manageable and due to a lack of confidence that there would be a meaningful differentiation in terms of significant effects – is this the extent of the reasoning for not considering this as an alternative growth scenario?

2.21 We appreciate the SA has sought to take a focused approach to considering the reasonable alternatives. It has avoided being too long, repetitive or non-user friendly (as many of these SA documents can often be).

2.22 However, in doing so, rather than keeping the number of scenarios “manageable” it has resulted in clear options being “missing”.

2.23 This includes Scenario 5b which would reduce unmet needs in a way which would not lead to further significant effects beyond that for Scenario 5. This is broadly recognised in the SA, including para 6.9.2 which reflects the choice of Horton Farm over Downs Farm was a “marginal judgement”. There is no clear justification for why the Council consider it had to be one or the other when the housing shortfall is so acute.



2.24 The iterative process already described in response to earlier questions would not result in the SA becoming an unmanageable process. It would be eminently sensible in response to the challenge of seeking to meet minimum housing needs as much as reasonably possible.

2.25 Further, the Council has further sought to justify the preferred growth scenario through its Matter 1 response (COUD_005) which states:

It is acknowledged that the higher growth scenarios (i.e. Scenarios 6 and 7) detailed in the SA, could close the gap to Local Housing Need / reduce unmet housing need, however a key issue is clearly the impact on the Green Belt with resulting implications for wide-ranging objectives (including landscape, biodiversity and communities), and in addition there would be a need to allocate some sites in less accessible locations. Further information is set out in Section 7 of the SA report.

2.26 As set out throughout our matter statements, we consider the Council has elected to give more weight to protecting the Green Belt than increasing housing delivery. There is a clear contradiction here reflecting that Downs Farm is the lowest performing strategic Green Belt site but has not been allocated.

2.27 Whilst there may be greater impacts resulting from allocating additional sites, it is our view this is not the case for Downs Farm. The Sustainability Appraisal highlights there is no difference in 'scoring' for biodiversity and communities between the growth scenario 4 (Downs Farm) and 5 (Horton Farm).

2.28 Further, for the reasons set out below, we consider the landscape 'score' for Downs Farm should be no worse than that for Horton Farm. The Sustainability Appraisal criticism in this regard not being supported by the wider Evidence Base.

2.29 The Council's position is therefore unjustified and should be rectified through allocation of Downs Farm, increasing housing delivery in an eminently suitable location.

Q6.8. Concerns have been raised regarding factual inaccuracies raised with the Council in October 2023 within the SA as well as inconsistencies between the SA and the site assessment methodology (see representation 163 Carter Jonas). Could the Council provide a full response to the concerns raised.

2.30 We consider there are conflicts between elements of the Council's evidence base and the SA when it comes to 'scoring' sites. Specifically for Downs Farm, the SA identifies a 'key issue'



- being landscape constraints noting “as well as a clear sensitivity relating to settlement separation, the land in this area begins to rise towards the Epsom Downs”.
- 2.31 This position is not supported by the landscape evidence base with the Green Belt Study (2024) concluding:
- Against the purposes of the Green Belt, the Site performs poorly against purpose 1 (to check unrestricted sprawl), moderately against purpose 3 (to assist in safeguarding the countryside from encroachment), and high against purpose 2 (to prevent neighbouring towns merging into one another);
 - The Site performs weakest overall against the Green Belt purposes of all assessed strategic Green Belt sites;
 - The condition of the landscape is mixed, the landscape sensitivity is low and the site is already affected by urbanising features. There are also readily recognisable physical features which are likely to be permanent even post-development;
 - The Site forms part of a series of pockets of land, which together form a gap between the Boroughs of Epsom and Ewell and Reigate and Banstead.
- 2.32 In respect of the settlement separation point, the Green Belt Study assesses the potential of a parcel, as a whole, in how it performs against this purpose. To address this, Dandara produced a concept plan showing how development could come forward on the Site in a way which does not undermine this function.
- 2.33 The Downs Farm concept plan is shown at Figure 6.2 of the SA. Despite this, there is no reference elsewhere in the SA to the concept plan or how the proposals have sought to reflect the separation sensitivity.
- 2.34 Instead, the SA at para 6.12.1, identifies “concerns remain regarding pressure for future development within Green Belt parcel 35, to the south of the site, which would have the effect of closing a key settlement gap”. These concerns form most of the discussion in respect of the landscaping ‘scoring’ for the Site.
- 2.35 We do not consider this is a valid criticism. This land is under the control of Dandara South East but does not form part of the proposals for the Site, other than offering the potential for off-site pedestrian / cycle improvements.



- 2.36 The Site should be considered on its own merits, without unduly being influenced by other land. The Council, through the Local Plan, has the ability to control what land does and does not come forward. The SA 'score' of 3 for Landscape for Downs Farm is therefore flawed.
- 2.37 It is notable the SA has undertaken a more in-depth analysis of landscape in respect of Horton Farm which includes a critique of the Green Belt Review conclusions for the site, including summary of potential defensible boundaries, and weight given to the "concentrating" of new homes thus avoiding an alternative of delivering the same number of homes across smaller sites.
- 2.38 These conclusions could equally apply to Downs Farm (albeit Downs Farm scored weaker than Horton Farm overall against the purposes of the Green Belt). There is potential for a clear 'defensible boundary' for Downs Farm in the form of the A240 and College Road, both of which already comprise the Green Belt boundary in other places.
- 2.39 We consider the SA scoring for Downs Farm in respect of landscape is unjustified and not supported by the wider evidence base. The conclusions have unduly been influenced by land which does not form part of the Site. Conversely, the SA has had to justify Horton Farm through a critique of the Green Belt study.
- 2.40 It is our position the SA scoring for Downs Farm for landscape should be a 1, consistent with the conclusion of Horton Farm. This should be factored into the consideration of reasonable alternatives which ultimately will demonstrate the balance is clearly in favour of Downs Farm being allocated.

Q6.11 Have all reasonable alternatives been considered in terms of the spatial strategy, policies and sites including increases in density or the housing proposed over the plan period?

- 2.41 No, for the reasons set out throughout this and other hearing statements we consider the Council has failed to justify the non-allocation of Downs Farm.
- 2.42 The allocation of Downs Farm can deliver a further 675 dwellings over the Plan period, in a location which has been identified as suitable in the Council's evidence base.
- 2.43 We consider the Site assessed fairly, post-resolution of the unjustified SA criticisms referenced above, as part of a scenario "in addition" to Horton Farm (i.e. Scenario 5b) would clearly perform better than the current preferred option of Scenario 5.



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- 2.44 This should be completed as part of a SA addendum, thus ensuring all reasonable alternatives have been considered, and the Plan be modified to allocate Downs Farm such that unmet needs are reduced over the Plan period.