

Epsom & Ewell Local Plan 2022-2040 Local Plan Examination MIQs

Matter 4: Green Belt

obo North East Surrey College of Technology

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Prepared for:
North East Surrey College of
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Matter 4 Green Belt:

Issue 5 – The Green Belt - Is the Plans approach to the Green Belt justified and consistent with national policy?:

Q.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 did this take place?

In line with NPPF *para 145 (2023)* Epsom and Ewell Borough Council have used the emerging Local Plan 2022-2040 to set out its own strategic policies to establish “the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.”

The NESLOT site has been considered against the NPPF *para 146 (2023)*, in regard to being omitted from the Green Belt as an operational campus, and our clients welcome this amendment to omit the site from the Green Belt boundaries, as shown on the Proposals Map.

This is supported by NESLOT, as it will provide additional clarity to aid more comprehensive future development opportunities, and ensure investment to provide high quality educational provision on the site.

However, there is concern that the NESLOT assessment cited in Topic Paper TP02 does not go far enough in providing clarity for the whole of the site, and therefore the exceptional circumstances challenge for any further alterations under *para 146* could restrict future potential educational led development.

This is most significant on the farmland to the South of the campus which is also educational land with outbuildings and access, used for educational purposes currently such as animal studies and animal management and other courses.

The omission to Green Belt also does not extend to the buildings or land to the East with an existing MUGA and Sports Centre and Pavillion building despite them being a brownfield site. (see Appendix Two for map extracts).

To assist, our client has undertaken an assessment of the brownfield areas and confirms that the hardstanding and buildings on the site currently exists for Pavillion, hard courts, parking and garaging – with an area of 5683m² / approx. 61168 ft² of development as existing.

In addition, on the farmland, there are other buildings, including stables which include 2589m² / approx. 27867 ft² which are also outside the omission site boundaries and would remain Green Belt under the current assessment.

EEBC's own TP02 assessment for the site (see Appendix One) considers land outside and inside the omission boundary as proposed. It states that:

"Derelict land/buildings: The area is largely previously developed and there are sites being put forward for future development. These sites consist of buildings that have become derelict and no longer in use. The impact on openness will be limited and will depend on the development proposed. The redevelopment of the site offers the opportunity to make use of a derelict site/building and improve the quality of the environment here. It is also important to note that reuse of buildings, limited infilling or partial or complete redevelopment is not considered inappropriate development in the Green Belt provided that there is no greater impact or harm to the openness of the Green Belt"

Therefore, whilst the TPO2 site assessment considered a total site area of 14.36 ha, it only proposes with a reduced proposed inset area of 10.08ha. This does not go far enough with the proposed insetting, and inconsistently looks to define some areas as omitted, rather than others, despite their cited limited value in the Green Belt.

If the assessment confirms that redevelopment is not considered inappropriate development of the Green Belt, then the omission area for the college and its educational campus should be increased to include land to the south and east.

The Inspectors MIQs ask if the assessments *"Make as much use as possible of suitable brownfield sites and underutilised land"* which we would contest is not the case for the additional land to the West, or the South. It also does not appear that this has been revisited despite the NPPF framework requiring in para 146 that where exceptional circumstances exist, *"where an authority cannot meet its identified need for homes, commercial or other development through other means"*, that this is undertaken.

Q13. Policy DM15 :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?

Policy DM15 of the Emerging Plan states that development in the Green Belt will be resisted unless:

1. *a) the development itself is an exception to the definition of "inappropriate" as defined by the National Planning Policy Framework;*
b) there are very special circumstances to justify the inappropriate development.
- 2) *Very special circumstances are circumstances where other considerations clearly outweigh the harm to the Green Belt as a result of the development.*

The NPPF (2023) is clear in para 153 that *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances'*

will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The very exceptional circumstances test will restrict the NESCOT land ownership, outside of the omission boundaries proposed, and as stated in our Regulation 18 and 19 representations, those conclusions in TP02 : Green Belt Topic Paper state that NESCOT was considered under exceptional circumstances, and resulted in the omission to Green Belt, but this was only in part with the site boundary covering NESCOT campus and the car park.

Whilst the assessment omits only the campus, the farmland to the south and land to the West, are not proposed to be omitted from Green Belt.

We reiterate that this is inconsistent with the Green Belt assessment required by the NPPF and the site boundary should be redefined including the farmland which currently includes further hardstanding and farm buildings.

The Councils GB01 update Dec 2024 on the campus looks at only 2 of the parcels at NESCOT separately.

Parcel ID P42 relates to the omission site as defined currently with the additional sites to the east scoring 8, and that to the south west P43 gives an overall scoring to the site of 5 relating to :

Purpose 1: To check the unrestricted sprawl of large built-up areas. (scored 3)

Purpose 2: To prevent neighbouring towns merging into one another (scored 3)

Purpose 3: To assist in safeguarding the countryside from encroachment; (scored 2)

The council confirm that against the scoring from the NPPF that they have not scored the site or any others against purpose 5. GBO1 states *“In terms of purpose 5, “to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”; by virtue of its designation, all Green Belt land is considered to make an equal contribution to the fifth purpose of Green Belt ‘to assist in urban regeneration, by encouraging the recycling of derelict and other urban land’. Therefore, parcels will not be scored against this purpose”.*

The plan on page 9 shows the scoring of the site to the south of the college campus (animal studies area) to score equal to that of the sports pitches and local nature reserve but are also sandwiched against Glynn School which is also scored a 5. We therefore question the consistency in the assessment.

Q14. What does the wording of the policy add over and beyond the wording of the Framework. Is the policy justified?

The policy provides some limited clarity over replacement buildings *b) A new building will only constitute a “replacement” if it is sited on or in a position that substantially overlaps that of the original building, unless it can be clearly demonstrated that an alternative position would not increase the overall impact on the openness of the Green Belt.*

However, we would also argue that the supporting text around Policy DM15 – Green Belt in para 7.39 which confirms that c.40% of Epsom and Ewell is Green Belt; and that it serves five purposes, could be further expanded to justify how land retained vs omitted sites achieve the 5 purposes.

To support an increased omission site boundary, we suggest that the land to the south and the west can be utilised *“and the remaining green belt ensure unrestricted sprawl of large built-up areas”*;

The increase to the omission site area, *“will not adversely affect neighbouring towns merging into one another; and can as cited in the Topic Paper, assist in safeguarding the countryside from encroachment;”*

The additional land can also enhance & *“preserve the setting and special character”* of Epsom & Ewell *“as a historic town”*; and can *“further assist in urban regeneration, by encouraging the recycling of derelict and other urban land”*, to the west and south of the campus whilst facilitating more effective and comprehensive development of the campus, enhancing local skills, access and social mobility.

Matter 7: Issue 9: Policy DM21 Education Infrastructure

Q7. Should this policy and/or the supporting text include a reference to student accommodation as a supporting facility? If not why not?

NESCOT recognise the local support for the college and from Epsom & Ewell Borough Council and support para 8.26 of the Local Plan that states that the town *“is home to three further and higher education campuses, notably the University for the Creative Arts, North East Surrey College of Technology (NESCOT) and Laine Theatre Arts, in addition to 6th form facilities at schools that play a valuable role in supporting the social fabric and economic success of the borough and its residents.*

NESCOT support the policy on education infrastructure which confirms that:

1) Development proposals for the intensification and enhancement of established education facilities in the borough will be supported.

and 2) Proposals which maximise the extended or multiple use of educational facilities for community or recreational use will be supported.

This aligns with the future aspirations of the college to ensure both enhancement of the college and multiple use of facilities across the college landownership.

Para 8.27. also recognises that Education establishments often provide a range of educational, recreational and sporting facilities which can be used to meet a variety of needs not only for pupils, but for local communities.

Para 8.28 confirms that the council will support investment in the existing educational infrastructure to ensure facilities continue to support changing needs and demands. The college are committed to creating a campus that is able to respond to changing demands both from students, and academia and cross partnering opportunities.

However, given the split constraints across the campus ownership, with the Green Belt omission being only to the campus elements of the site, the scope and defined boundaries at present will limit the opportunities for educational and mixed use community facilities, whereas the whole site as an omission site will allow a more comprehensive master planning exercise and support to continued delivery and phasing which is key constraint to educational redevelopment .

The Inspector asks if the policy should have reference to student accommodation. Whilst the College at this time do not wish to develop student accommodation, there is a need to ensure that flexibility over uses on the wider campus will allow for any agile buildings and uses related to both community and educational facilities, as the campus develops and responds to changing educational needs.

Appendix One: Topic Paper TP02 Nescot extract

Insetting NESCOT	
	
<p>Total Site Area: 14.36 ha Proposed Inset Area: 10.08</p>	

Stage 1 score					
Parcel ID	Site Description	Purpose score 1	Purpose score 2	Purpose score 3	Overall Score
P42	Land at and associated with NESCOL College	1	3	1	5
What is the nature and extent of the harm to the Green Belt in this location if the site is developed? (Calverton (iv))		<p>The site scores high against purposes of the GB in terms of merging and scores low against the purpose of sprawl and safeguarding the countryside from encroachment.</p> <p>The main impact of inseting of this site would the reduction of a gap between built up areas.</p> <p>There are no landscape designations and approximately half the site comprises of previously developed land in educational use.</p> <p><u>Defensible Boundaries</u></p> <p>The site has clear defensible boundaries, public right of way to the south, railway line to the north, public highway the west and field boundary to the east.</p> <p>The proposed area for inseting would follow tightly the built up elements of the campus to the north., where the southern boundary would follow the line of the property edge parallel to the extensive surface car park to the south.</p>			
To what extent can the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent? (Calverton (v))		<p>The individual scores for the GB purposes is high with respect to merging.</p> <p>The proposed area for inseting would follow tightly the built up areas of the site, the agricultural field to the south is proposed to remain in the Green Belt.</p> <p><u>Landscape</u></p> <p>The landscape is of low sensitivity and most of the site to the north is previously developed. In this regard, It is important to note that reuse of buildings, limited infilling or patial or complete redevelopment is not considered inappropriate development in the Green Belt provided that there is no greater impact or harm to the openness of the Green Belt</p>			

	<p>Without a Green Belt designation, the area will be on the edge of settlement, and the impact from any proposed development could be ameliorated by way of it where careful masterplanning. An LVIA should be required.</p> <p>Proposals should consider carefully height, mass and density of development and the use of natural features to soften or screen views of the built form.</p> <p><u>Biodiversity</u></p> <p>The site is adjacent to Priest Hill Nature Reserve to the south and is located within the 'North Downs' Biodiversity Opportunity Area. BOAs are identified as locations where targeted habitat conservation and enhancement should be focussed to achieve greatest benefits. In this regard, any future development of this site would require careful consideration on whether the proposal would affect any existing habitats and species in the BOA or their connectivity and how these can (or cannot) be mitigated and enhanced.</p> <p><u>Designations</u></p> <p>The character of the MDS would be protected by other existing designations</p> <ul style="list-style-type: none"> • Contaminated land • Archeological Site • Adjacent BOA • Adjacent SNCI.
Concluding Assessment of whether there are exceptional circumstances that would outweigh the harm to the Green Belt and justify the release of the site from the Green Belt.	<p>Having weighed up the issues outlined above, it is considered that the major developed site does not exhibit an open character that makes an important contribution to the Green Belt and should therefore be excluded from the Green Belt Boundary.</p>

Appendix Two: Google maps image of Campus and Pavillion and MUGA to east of site

