



Finachem House - 2-4 Ashley Road

Epsom and Ewell Local Plan Examination

Stage 2 Hearing Statement

Matter 2: Housing Need and Supply

Andrew Black Consulting on behalf of Gavil Group

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Project	Finachem House
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Local Authority	Epsom and Ewell Borough Council
Client	Gavil Group

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1. Introduction

1.1 This matters statement has been prepared by Andrew Black Consulting on behalf of Gavil Group in relation to their interest in the land at Finachem House, 2-4 Ashley Road, Epsom. The land is allocated in the local plan under policy SA11.

1.2 These representations are made in the context of the tests of soundness as set out in paragraph 36 of the current National Planning Policy Framework (NPPF). This states that plans are ‘sound’ if they are:

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.

1.3 Finachem House is located within Epsom Town Centre and is allocated for development of approximately 20 dwellings under policy SA11 of the local plan.



Figure 1 – Site Area

1.4 The allocation of the site, follows previous pre-application with the council on the potential redevelopment of the site. Whilst the allocation of the site is welcomed, the allocation for 20 dwellings is not reflective of the true development potential of the site or reflective of the aspirations presented to the council during the pre-application discussions. It is recognised

that any capacity in the plan is indicative and does not represent a maximum capacity. Nevertheless, the low indicative capacity of this site would not represent a viable, realistic or developable amount of housing. More importantly the approach taken to the development potential of this site is indicative of wider issues with the plan, particular in reference to the approach taken to urban capacity.

- 1.5 These representations set out comments in relation to key matters of soundness for stage 2 of the hearings in relation to Matter 2: Housing Need and Supply.

2. Matter 2: Housing Need and Supply

2.1 They key questions raised by the inspector which benefit from a response are set out below with comments set out against each in turn.

3.1) Policy S1 identifies that the housing requirement for the period 2022-2040 is 4700 homes. This is a shortfall of 5500 homes when considered against the standard method. The Plan makes provision for 4914 homes over the plan period. The Council are not suggesting that an alternative method for the calculation of housing need should be adopted here – is this correct?

2.2 This is understood to be the position of the council

3.2) Is the Plan justified in not meeting the full LHN?

2.3 No it is not justified for the plan to not meet the full LHN, particularly to the extent of the shortfall as proposed. Adoption of this plan would do nothing to meet the chronic shortfall in housing in the borough and would give rise to increasing shortfalls in much needed affordable housing.

3.3) Does the approach demonstrate that the Plan has been positively prepared in accordance with paragraph 35 of the Framework and will it be effective?

2.4 No, in order to be effective, the plan must be deliverable over the plan period. There are several issues with the approach to housing need and supply, notwithstanding other matters, that would mean that the plan would not be effective in this regard.

3.4) The Planning Practice Guidance (PPG) advises that when preparing strategic policies, it may be concluded that insufficient sites / broad locations have been identified to meet objectively assessed needs, including the identified local housing need. In the first instance, strategic policy-making authorities will need to revisit their assessment, for example to carry out a further call for sites, or changing assumptions about the development potential of particular sites to ensure these make the most efficient use of land. This may include applying a range of densities that reflect the accessibility and potential of different areas, especially for sites in town and city centres, and other locations that are well served by public transport. Has the Council completed this exercise?

2.5 There is no evidence that the council has undertaken this sequential approach to identifying suitable sites or broad locations. There is no site-selection topic paper in this regard as would normally be expected in a local plan, particular one where the local authority is suggesting that no other sites exist or that development at a higher density would cause harm to heritage assets. It is often the case that inspectors examining local plans which seek to not meet housing needs in full will want to be satisfied that 'no stone has been left unturned'. That is certainly not the case with this local plan and there is no evidence that the council can point towards that demonstrates that such an approach has been undertaken.

- 3.5) Where is the evidence base to support this? As far as I can see, the evidence base in this regard consists of the LAA 2024 (HB01a) . The conclusion from this assessment suggests there is insufficient land within the urban area to meet the identified need against the standard methodology of 573 dpa (around 34%). Is this the totality of the evidence in relation to this point?**
- 2.6 This is a question for the council to respond to, but no other evidence has been found on this matter in the publicly available documents.
- 3.6) The LAA 2024 (HB01a) states that it is ‘unlikely that increasing the density of potential sites is likely to yield a sufficient amount to address the shortfall, nor would revisiting discounted sites’. What evidence has the Council to support these statements?**
- 2.7 There is no evidence to support this position. Submissions have been made against other matters which demonstrate that a higher density on the Finachem House site would not only be possible, it is actual required to make the delivery of the site viable.
- 3.7) Has the Council identified land to accommodate at least 10% of their housing requirement on sites on larger than one hectare, as required by paragraph 70 (a) of the Framework?**
- 2.8 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.
- 3.8) Could the Council identify which sites make up this requirement and where in the evidence base is the support for the approach put forward?**
- 2.9 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.
- 3.9) Will the plan provide for a five year supply of deliverable sites upon adoption, with particular reference to the definition of deliverable contained within annex 2 of the Framework?**
- 2.10 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.
- 3.10) Is the trajectory contained within the Plan up to date? The Council should provide any updates which should include identified completions, existing commitments and any other sources of supply the Council are seeking to rely upon**
- 2.11 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.
- 3.11) In terms of windfall, paragraph 72 of the Framework advises that where an allowance is made for windfall sites as part of an anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. The**

housing trajectory includes a windfall allowance of 455 (small windfall) and 407 (large windfall) over the plan period, is this a justified approach to provide separate figures for large and small sites?

- 2.12 It is not considered justified for the council to rely on a high delivery from Windfall Sites. It is likely that a large portion of recent windfall sites have been in the form of prior approval applications of which there is a finite amount of in the borough. It cannot be assumed that windfall of such sites will continue at the same rate.

3.12) Document TP04 explains the approach to large windfall sites. Is this a justified approach given (a) the allocation of sites within the urban area as assessed by the LAA and (b) given the fact that the allocation of town centre sites is the primary source of housing supply over the plan period?

- 2.13 It is considered that there is significant risk of double counting of potential windfall sites with sites that are now allocated in the town centre. This is a matter which requires sufficient further justification from the council and detailed scrutiny by the inspector on this matter.

3.13) Paragraph 4.4.1 of document TP04 states the Council does not intend to be reliant on the delivery of windfall sites in order to meet the housing requirement. With reference to the housing trajectory presented at appendix 2 of the Plan, is this statement correct?

- 2.14 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.

3.14) Section 3.3 of document TP04 considers the sites which have contributed to the largest windfall sites. Please could the Council explain the rationale for the conclusions drawn in relation to the sites considered at paragraphs 3.3.2,3.3.3, 3.3.5?

- 2.15 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.

3.15) If the windfall rate to be applied to this Plan only focuses on small and medium sites, (units 1-9) what would this mean for the windfall delivery rates to be applied to the housing supply?

- 2.16 This is a question for the council to respond to. Further oral submissions will be made at the hearing sessions following review of the council matters statement on this question.

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