



Finachem House - 2-4 Ashley Road

Epsom and Ewell Local Plan Examination

Stage 2 Hearing Statement

Matter 5: The SA and approach to site selection, Plan Viability and the IDP

Andrew Black Consulting on behalf of Gavil Group

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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 5: The SA and approach to site selection, Plan Viability and the IDP Issue 6 of the MIQs is whether the *plans approach to site selection is justified and effective*.

2. Matter 5: The SA and approach to site selection, Plan Viability and the IDP

- 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.

The SA and the Approach to Site Selection

- 6.1) Paragraph 5.2.44 of the SA states that it is reasonable and appropriate to hold constant the preferred development densities arrived at on the basis of the work through the Town Centre Masterplan and other work streams. Where is this work within the town Centre masterplan and what other work streams which relates to preferred development densities referred to here?**
- 2.2 Whilst the work undertaken on the Town Centre Masterplan is acknowledged it is not considered that it has been progressed to a specific level of detail necessary that variance of the development densities can be ruled out. Given the significant shortfall in housing delivery from the plan it is not considered that it is a sound approach for the council to not test the effects of an increase in housing densities against the key sustainability criteria.
- 2.3 The Planning Practice Guidance sets out that reasonable alternatives *need to be sufficiently distinct to highlight the different environmental implications of each so that meaningful comparisons can be made.* (Paragraph 038 Reference ID: 11-038-20190722).
- 2.4 It is not considered that the application of a constant development density for town centre sites can be considered sufficiently distinct so that meaningful comparisons can be made.
- 6.2) 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?**
- 2.5 It is agreed that the approach to site options in paragraphs 4.1.5 and 4.1.6 is vague and unclear. Further explanation of this point will be required by the council in their response and further submissions may be made at the hearings dependent on their response.
- 6.3) Table 5.2 of document SD05a sets out the 6 reasonable alternative growth scenarios tested. It would appear that the only difference between scenario 1 and 2 is the addition of 100 dwellings – is this correct?**
- 2.6 This is a matter for the council to confirm.
- 6.4) What is the rationale for excluding the south sites (COLO17, COL019, COL023) from growth scenario 4?**
- 2.7 This is a question for the council to respond on.

- 6.5) What is the rationale for excluding the south (COLO17, COL019, COL023) and East (Downs Farm) sites from growth scenario 5?**
- 2.8 This is a question for the council to respond on.
- 6.6) What is the explanation for the scoring attributed to scenario 7 in relation to the Historic Environment?**
- 2.9 This is a question for the council to respond on.
- 6.7) 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?**
- 2.10 No comments
- 6.8) 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.**
- 2.11 No comments.
- 6.9) Have the individual site allocations been chosen according to a robust site selection methodology?**
- 2.12 There is no Site Selection Topic Paper or Methodology included in the evidence base. It is considered that the preparation of such a document by the council would assist the inspector in coming to conclusions on the site selection process.
- 6.10) The 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. It goes on to advise that 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. 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. Have the Council completed this exercise?**
- 2.13 There is no evidence that the council has complied with the requirements of the PPG in regard to retesting assumptions on sites. The PPG is clear that a range of densities should be applied particularly for town centres. Given the proportion of development which will come forward

in the town centre it is highly surprising that a scenario for higher density development has not been considered.

6.11) 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?

2.14 No, it is not considered that reasonable alternatives have been adequately considered as part of the spatial strategy. There is no indication that the council has considered a higher density of development on site allocations or in the town centre.

6.12) Are the allocated sites identified at Chapter 4 of the Plan (Planning for Places) including the size and mix of uses proposed justified and in what way do they reflect the outcomes of the SA and testing of reasonable alternatives through the site selection methodology?

2.15 Whilst the allocation of the land at Finachem House under policy SA11 is welcomed, the allocation for 20 dwellings does not reflect the submissions made on the site and the intention for it to deliver student accommodation in line with the expected growth of students in the lifetime of the plan. Further evidence is set out in this regard in the statement submitted for matter 11.

6.13) Does the evidence demonstrate that there is a realistic prospect that each of the allocations will be deliverable within the Plan period? If this is not the case, is the allocation justified?

2.16 For the reasons set out against the matter 11 statement it is not considered that the allocation of the land at Finachem House for 20 dwellings would be viable for delivery in the plan period.

6.14) With regards to the sites that will be delivering in years 1-5 of the Plan period, are the timescales identified justified by the evidence base?

2.17 This is a question for the council to respond on.

6.15) With regards to the methodology for the selection of sites to be included within the Plan, is it clear why the sites listed at appendix 5 of HBO1a have been discounted?

2.18 This is a question for the council to respond on.

6.16) Of the sites discounted at stage 2 (listed within appendix 5.4, page 25 of HBO1a) did the Council contact the owners of these sites as part of a further call for sites? Where the evidence states 'site not available' can the Council explain what steps they have undertaken to reach that conclusion?

2.19 No comments.

6.17) As I understand it, the Plan has been submitted under the transitional arrangements set out at paragraph 234 of the Framework. Is this correct? If it is correct, what is

the purpose of paragraph 4.6-4.23 of EV03 which appear to set out how that plan making has been effected by the new Framework?

2.20 This is a question for the council to respond on.

Plan Viability

2.21 No specific comments are made in relation to the general comments on viability for the plan. Specific concerns are raised in relation to the viability and deliverability for the allocation of Finachem House and these are set out in response to the questions set out for matter 11.

The IDP

2.22 No specific comments are made in relation to the IDP.

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