

Epsom & Ewell Local Plan 2022-2040 – Examination
in Public

Examination Statement: Matter 4 – The Green Belt

September 2025

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1. Introduction/Background

- 1.1 This hearing statement has been prepared by Savills on behalf of Atkins Properties Ltd, in relation to the Epsom & Ewell Local Plan 2022–2040. It responds to the Inspector’s Stage 2, Matter 4 questions concerning The Green Belt.
- 1.2 Atkins Properties is promoting Land at Downs Road, Epsom (site reference COL023) for residential development. The land comprises four parcels: the northern field, which is proposed for up to 160 homes, and three additional parcels (references COL020, COL021 and WOO019) which are promoted for Green Infrastructure and biodiversity enhancement.
- 1.3 This representation raises fundamental concerns regarding the Council’s approach to the Green Belt in preparing the Plan. In particular:
- Certain sites have been mischaracterised in terms of the extent of development proposed, leading to flawed assumptions about landscape and environmental effects;
 - Clear exceptional circumstances exist to support the release of Green Belt land to help meet housing need;
 - Exceptional circumstances are a Borough-wide matter, not to be proven site by site, and should be addressed through the Plan.;
 - Without releasing additional sites, the shortfall of over 5,500 homes will persist, worsening affordability pressures and undermining the Plan’s effectiveness.
- 1.4 Unless further sites are released, the Plan cannot be considered positively prepared.
- 1.5 This statement provides a response to Inspector’s questions 5.4, 5.8 & 5.9, and draws on the Regulation 19 representations submitted on behalf of Atkins Properties in February 2025.

2. Response to the Inspectors Questions

Stage 2, Matter 4: The Green Belt

Q 5.4 - 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?

- 2.1 Exceptional circumstances for Green Belt release clearly exist in Epsom & Ewell. Unmet housing need of over 5,500 dwellings, persistent under-delivery, and acute affordability pressures together justify a review of Green Belt boundaries.
- 2.2 The exceptional circumstances outlined are suitably robust and justify Green Belt release for the delivery of housing to come forward through the Local Plan. The circumstances outlined are considered to be suitably robust as set out in paragraph 3.3, but could be further reinforced through identifying the affordability ratio which helps to quantify the affordability pressures that are present in the Borough.
- 2.3 The LHN applied in the formulation of this Plan is 569 dwellings per annum. The Plan as submitted only seeks to deliver 273 per annum. There is a clear and acute need for housing across Epsom & Ewell Borough, as set out in the evidence base, and the proposed level of delivery is insufficient. There is a lack of identified brownfield sites within the Borough that are available to deliver significant housing delivery, and as a result exceptional circumstances are clearly present, and have not been given sufficient weight in the Plan making process.
- 2.4 At the Elmbridge examination, high unmet need, worsening affordability and limited urban alternatives were held to amount to exceptional circumstances justifying selective Green Belt release. The same considerations apply here. Downs Road represents a modest, contained and defensible release where the benefits would outweigh any limited harm..
- 2.5 The Inspector should note that the Council's own Stage 1 material confirms that unmet need alone can amount to exceptional circumstances in combination with the capacity evidence. A site such as Downs Road offers a clear opportunity for modest and defensible release that would help the Plan respond positively to need.

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?

- 2.6 Inconsistencies are evident where sites with similar scores have been treated differently, suggesting that political considerations may have influenced site selection. Paragraph 7.2.1 of the SA even acknowledges that higher growth scenarios were discounted due to anticipated local opposition. This approach is not evidence-led and undermines confidence in the robustness of the assessment. This does not align with undertaking an evidence-led approach to reach a balanced decision, and suggests that the submitted Plan has not appropriately considered the evidence in a fair manner.

Indeed, it is arguable that the reasons for site exclusion reached in the assessments set out in TP2 are not truly clear, as similar scores have resulted in markedly different conclusions being reached.

- 2.7 The Green Belt Review Update (GB01) treated Downs Road (P08) as a single homogenous parcel. This masked the fact that the northern field—the only part promoted for housing—makes only a moderate contribution to Green Belt purposes and is visually contained. The southern fields were promoted for biodiversity and community benefits, not housing. By failing to disaggregate, the Review has overstated harm and misrepresented the site’s suitability..
- 2.8 Notwithstanding the misapplication of where development would be located within Site COL023, it is also the approach taken and conclusions drawn within TP02 (the *Green Belt Topic Paper - Exceptional Circumstances*) that raises concern with how Green Belt sites have been considered.
- 2.9 The site assessments in TP02 are vague and inconsistent. For several sites the conclusion is that exceptional circumstances do not exist, even where the evidence suggests otherwise. In relation to Downs Road, TP02 recognises that development could be confined to the northern field and mitigated with planting, yet still concludes that exceptional circumstances are not shown. This reasoning is unclear and conflicts with the Borough-wide exceptional circumstances identified earlier in TP02, such as persistent under-delivery and acute affordability pressures.
- 2.10 This approach is concerning, as not only has the site seemingly been dismissed when mitigation measures could be included and landscape concerns addressed, the exceptional circumstances that EEBC have identified to justify their approach of Green Belt release are set out in Paragraph 3.3 of TP02. It therefore seems to be, at best, confused thinking in suggesting that the assessments are assessing site-specific exceptional circumstances (as would be expected through an application). The exceptional circumstances set out in paragraph 3.3 of TP02 are issues that go beyond a single site - historic under delivery of housing; EEBC failing the housing delivery test; EEBC lacking a five-year housing land supply; increased homelessness in EEBC; and a high number of households on the housing register are all matters that contribute to the need to deliver more housing sites. The allocation of a site (or sites) in the Green Belt is as a result of the exceptional circumstances that exist. It is incorrect that, as a prospective site allocation, a site should be required to demonstrate exceptional circumstances exist for allocation in the plan, when the exceptional circumstances - set out in paragraph 3.3 of TP02 by EEBC - are not site-specific and should be actively addressed as part of preparing a plan.

Q5.9 - Could the Council be doing more to address the 5500 dwelling shortfall

- 2.11 The Council could and should be doing significantly more to address the identified shortfall of over 5,500 dwellings. Allocation of additional Green Belt sites is necessary to ensure that needs are met and that the Plan is positively prepared. Sites such as Downs Road offer a sustainable and deliverable opportunity to help close the gap.
- 2.12 Allocation of additional Green Belt sites would be a positive step for EEBC to take as part of the Plan. There are clearly exceptional circumstances in place that justify Green Belt release, and a clear need for additional housing allocations to be delivered through the Plan.

3. Conclusion

- 3.1 Exceptional circumstances for Green Belt release are clear and are set out in TP02, reinforced by the evidence of unmet need, affordability pressures and historic under-delivery. The Council's Stage 1 material confirms that unmet need alone can amount to exceptional circumstances. A greater level of Green Belt release is therefore urgently required..
- 3.2 The SA (at the end of paragraph 7.2.1) notes that higher growth could cause significant local objection, indicating the strategy is not based solely on evidence, but also anticipated levels of local objection. This does not align with undertaking an evidence-led approach to reach a balanced decision, and suggests that the submitted Plan has not appropriately considered the evidence in a fair and balanced manner.
- 3.3 The assessment of Downs Road set out in TP02 acknowledges that development in the site could be focused towards the northern field, but makes no reference or acknowledgement that this constitutes less than half the sites area, and has overstated its consideration of harm by failing to consider the site in disaggregated form. The conclusions drawn are unclear, and do not set out what the identified issues are that have resulted in a conclusion that exceptional circumstances have not been shown.
- 3.4 It is also unclear why the assessment places the onus on the potential site allocations to demonstrate exceptional circumstances, when the exceptional circumstances are set out in paragraph 3.3 and relate to matter that occur off-site to all sites.
- 3.5 The Plan is not positively prepared. The identified exceptional circumstances require additional Green Belt release to deliver more housing. The assessment of Downs Road in TP02 is flawed: by failing to disaggregate the site and by placing the onus on site-specific exceptional circumstances, the Council has dismissed a sustainable option without justification. Downs Road represents a modest, defensible release that would directly address the Borough-wide exceptional circumstances identified. Its allocation is essential if the Plan is to be found sound.

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