

Epsom and Ewell Local Plan Examination

Our ref 14836/01/SSL/SBi
Date 12 September 2025
From Lichfields on behalf of the Church Commissioners for England 'The Commissioners'
ID 155
Subject **Matter 7: Built Environment**

1.0 Issue 9: Are the Plans policies in relation to the built environment positively prepared, justified, effective and consistent with national policy?

Policy S11 Design

Question 9.1 Does the policy wording as currently drafted look to optimise densities as required by the framework?

- 1.1 Yes. The Commissioners supports the policy wording and associated supporting text of draft Policy S11 and consider that it aligns with the NPPF (2023), which sets out the importance of achieving appropriate densities, including policies to optimise the use of land in order to meet as much of the identified housing need as possible (paragraph 129a).
- 1.2 Draft Policy S11 requires development proposals to make 'efficient use of land'. It also states that development should: be of an appropriate use, scale and mass etc.; respect the scale and appearance of the surrounding area; and, where appropriate, provide well-structured landscaping and open space. This is aligned with paragraph 128 of the NPPF (2023), which requires that planning policies should support development that makes efficient use of land, taking into account: housing / other types of development need; local market conditions and viability; the availability of infrastructure and services; maintaining prevailing character; and, securing well-designed places.
- 1.3 Importantly, the draft policy will not only enable the Council to optimise densities through ensuring development proposals make the most efficient use of land, but also ensure that schemes have due regard to the character, appearance and functioning of the built and natural environment. As such, the objectives set out in draft policy S11 also account for individual site/area based characteristics, opportunities and constraints in terms of determining appropriate densities which the Commissioners welcomes and supports, in line with the NPPF (2023).

Question 9.2 Does the approach accord with paragraph 129 a and b of the Framework and should density standards be expressed as a minimum within the policy wording? If not why not?

- 1.4 We address the two parts of this question separately below.

Does the approach accord with paragraph 129 a and b of the Framework?

- 1.5 Yes, as above, the approach accords with paragraph 129 a) and b) of the NPPF (2023), which state that where there is an “existing or anticipated shortage of land” for meeting identified housing needs, it is especially important that planning policies ensure that developments make optimal use of the potential of each site.
- 1.6 Paragraph 129, part a) goes on to state that plans should contain policies to optimise the use of land in their area by setting minimum density standards for locations that are in town centres or those that are well served by public transport – this is in order to meet as much of the identified housing need as possible. These standards should seek a significant uplift in the average residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate. Aligned to this, the Council’s draft policy S11 requires that development should make ‘efficient use of land’ and this is subsequently defined at supporting text to paragraph 7.2 with minimum standards for land that is either density per hectare (dph) within Epsom Town Centre (80dph) and ‘near public transport hubs, outside the town centre’ (60dph). The policy also accords with paragraph 129 part b) in that supporting paragraph 7.2 considers a range of densities that reflect the accessibility potential of different areas – this includes setting the target density of 40 dph ‘in other urban areas’.
- 1.7 The Commissioners therefore agrees that the density standards at paragraph 7.2 would represent significant uplift in the average density – for example prevailing density nearby the Horton Farm (SA35) site ranges from 15 – 30dph. It would therefore facilitate development that would make efficient use of land, thus aligned with paragraph 129 (a and b) of the NPPF (2023).

Should density standards be expressed as a minimum within the policy wording? If not why not?

- 1.8 No, as above, the Commissioners considers that draft Policy S11 (Design) is ‘effective’ as drafted and, therefore, that minimum density standards should not be added to the Policy itself.
- 1.9 The Council’s Spatial Strategy Topic Paper 2025 (TP07 para 5.25 and 8.2) confirms that, given the limited availability of previously developed land in the Borough, the spatial strategy focusses on making the effective use of land in the existing built-up and urban areas and through the release of accessible green belt sites, such as the Commissioners’ site at Horton Farm (SA35) – this is reflected in the Plan’s policies, including draft S11.
- 1.10 As above, aligned to the NPPF (2023), draft Policy S11 seeks to make efficient use of land to optimise site density, including with paragraph 7.2 which is directly referenced within draft Policy S11. Therefore, reference to these density levels within supporting text is sufficient to ensure sites are optimised without being too prescriptive through minimum standards set in policy and, significantly, providing some flexibility accounting for site specific circumstances and ensuring that places created respond effectively to the existing character and environment.

- 1.11 The densities stated at para 7.2 in the draft Plan, whilst useful to ensure sites are appropriately optimised, should and will be tested for site specific circumstances and constraints and assessed through development proposals, at the planning application stage. The policy and supporting text as currently drafted allows for this and so the Commissioners supports this approach. Notwithstanding that, as above - the Commissioners considers the Council has proposed suitable, yet ambitious, density targets at para 7.2 with regard to the existing surrounding context in the Borough. Please see Matter 11 Statement which responds to the Inspector's question regarding how the SA35 relates to the stated minimum densities.
- 1.12 Setting a minimum density requirement for the site or areas of the Borough in Policy without enabling full consideration of design options that respond to a site's location, constraints, capacity for growth and existing and planned supporting infrastructure, risks setting a potentially unfeasible quantum of homes – or a quantum that could only be achieved by lower-quality design that is less responsive to the site's surrounding context, and one that may be unable to meet other policy considerations as a result (e.g. housing mix). The Commissioners' objective at Horton Farm, is to deliver a place of the highest quality that optimises the delivery of homes at the site, whilst also delivering necessary infrastructure, including open spaces and biodiversity benefits.
- 1.13 The Commissioners therefore considers that the Policy S11 is aligned to the NPPF (2023) and is sound as drafted – the density targets are proposed with a level of flexibility to allow for site specific circumstances and full testing at the planning application stage – and this is supported.

Policy DM13 Development Impacting Heritage Assets

Question 9.4 - Does the wording of the policy accord with the Framework? In particular, is the wording of part 1 of the policy clear and precise and is it clear how a decision maker should respond?

- 1.14 No. CCE considers amendments are required to the wording of draft policy DM13 (Development Impacting Heritage Assets), part 1 and 2, to ensure the policy is consistent with the NPPF (2023).
- 1.15 Part 1 of the policy should be clearer by stating that where proposals cause harm to the significance of a heritage asset there must be clear and convincing justification for that harm. As currently drafted the policy does not refer to 'harm' to heritage assets. Chapter 16 of the NPPF (2023) consistently refers to harm to heritage assets therefore amendments are required to this policy to accord with the NPPF (2023).
- 1.16 The proposed amendments set out below (bold/underlined are additions, and strikethrough deletions) would provide further clarity on how a decision maker should respond (i.e. supporting applications that preserve or enhance the significance of a heritage asset, in line with the NPPF (2023)).
- 1 Development proposals **should seek to preserve or enhance the significance and/or the setting of heritage assets** ~~which have an impact on heritage assets will~~

be permitted where they preserve or enhance them, their significance and/or their setting; or

- 2 Where proposals **harm the significance of a heritage asset** which impact but do not preserve and/or enhance heritage assets, **there must be** clear and convincing justification **for that level of harm** of that impact will need to be provided, in accordance with the decision-making approach directed by the National Planning Policy Framework, Planning Practice Guidance or relevant revision. **Proposals that cause substantial harm to the significance of a heritage asset will be resisted.**

Policy S17 Infrastructure Delivery

Question 9.6 Is part 2 of the policy sufficiently flexible?

- 1.17 Overall, the Commissioners is supportive of the approach set out within Policy S17, which seeks that new developments should provide the infrastructure necessary to support it and that all new development must contribute to the provision of infrastructure and services in the Borough. CCE supports that paragraph 8.6 requires the Council to maintain an Infrastructure Delivery Plan (IDP), which is prudent in ensuring the impact of developments are mitigated.
- 1.18 However, for larger, strategic sites it is not always feasible or pragmatic to provide all infrastructure prior to the development being occupied or operational – for example, some developments need to be phased to ensure infrastructure is delivered at the optimal time to meet required need to ensure success and viable utilisation. Whilst part 2 of S17 recognises larger developments may need to be phased, to be effective and to ensure that it is sufficiently flexible, the Commissioners requests that it is made more explicit that an appropriate phasing plan would be determined on a site by site basis, and agreed via the S106 agreement at the planning application stage. Requested modifications, are as follows:
 - 2) *Infrastructure must be provided at the appropriate time, **for smaller developments, this may be** prior to the development becoming occupied or becoming operational. **For** Larger developments, **infrastructure** may need to be phased **and appropriate delivery of infrastructure should be agreed on a site-by-site basis. to ensure that this requirement can be met.***

Policy S19 Transport

Question 9.11 Does the term parking stress require definition within the glossary?

- 1.19 The Commissioners transport consultant, Pell Frischmann, has advised a definition of parking stress would be useful within the Plan glossary. The following definition is recommended:

- *Parking stress refers to the demand for parking against the available supply, expressed as a percentage, indicating how much of the available parking space is occupied.*

Question 9.12 Is the policy wording clear as to be effective?

1.20

No, the Commissioners proposes modifications for clarity and to ensure the policy is effective:

1) To ensure the delivery of a sustainable transport network, new development in the borough will:

a) need to be well designed to promote, safe accessibility and movement which prioritise the access needs of pedestrians and cyclists, protecting and enhancing pedestrian and cycle access routes;

*b) **where required** improve existing walking and cycling routes to local facilities, services, bus stops and railway stations;*

c) where appropriate and practicable, provide on-site facilities for cyclists, including showers, lockers and secure, convenient cycle parking (in accordance with the standards detailed in Appendix 4);

d) meet the council's parking standards with consideration given to highway safety and congestion;

e) consider establishing car clubs and cycle rental schemes or other similar sustainable transport schemes;

f) provide facilities situated in convenient and easy to use locations that will increase the uptake of electric and other zero emission vehicles; and g) provide appropriate servicing to the site, including waste and recycling storage areas and accessible collection points for refuse vehicles.

2) Where any new development would generate a significant number of trips by users of the development (these would include but are not limited to development of educational establishments, large business premises or residential developments of 50 homes or more) the council will require:

a) planning applications to be accompanied by a Transport Assessment;

*and b) developers to develop, implement and keep up to date a proportionate, robust and effective **on-site Travel** plan associated with the development which contains measures to reduce car use and promote sustainable transport modes car use and promote sustainable transport modes.*

*3) Car free development will be encouraged in appropriate locations and where supported by evidence demonstrating that proposals would not lead to **unacceptable levels of** parking stress.*



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