

Schedule of Proposed Modifications

March 2025

Epsom and Ewell
Local Plan 2022-2040



Schedule of Proposed Modifications to the Submission Epsom and Ewell Local Plan 2022 – 2040 proposed by Epsom and Ewell Borough Council (March 2025)

The schedule sets out the Council's proposed modifications to the submitted Epsom and Ewell Local Plan 2022 – 2040. These modifications are related to the submitted Local Plan and predominantly relate to updates in cross referencing, typological errors and consistency.

The majority of these proposed changes have been included to address comments from statutory agencies. Additions to the Plan are indicated using **bold text** and deletions are shown using ~~striketrough~~.

Proposed Modification reference	Policy or Paragraph reference	Page no.	Proposed Additional Modification. Deleted (strikethrough) and new / additional text (bold)	Reason for Change
Chapter 1 – Introduction				
PM1	1.9	9	Once adopted, the Local Plan and its supporting Policies Map will form part of the Epsom and Ewell Development Plan together with other ‘development plan’ documents such as the Surrey Minerals Development Plan , Surrey Waste Development Plan and any adopted Neighbourhood Plans.	To align with the names used by Surrey County Council
Chapter 3 – Spatial Strategy				
PM2	3.45	27	The council has an important role in shaping new and existing developments in ways that reduce carbon emissions and positively build community resilience to problems such as flood risk or heat stress. Policies in the Local Plan must ensure that development within the borough contributes to the mitigation of, and adaptation to climate change. The council is committed to tackling climate change and this policy sets out the overarching policy approach to climate change, drawing on the evidence from the Epsom and Ewell Climate Change Study – Stage 1 (2022) and the emerging Surrey County Council Net Zero Toolkit (2024).	To reflect that the Net Zero Toolkit has now been published.
PM3	3.48	27	Developments should be designed to minimise surface water flooding through the use of Sustainable Drainage Systems (SUDS). SUDS provide a multifunctional role providing amenity, biodiversity and water quality improvements.	Comments from Surrey County Council

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PM4	Chapter heading	27	Change chapter heading from “Climate Change and Mitigation” to “Climate Change Adaption and Mitigation”	For clarification purposes – the policy refers to both adaptation and mitigation.
PM5	S3	28	Change policy name from “Policy S3 – Climate Change Adaption and Mitigation” to “Policy S3 – Climate Change and Mitigation”	For clarification purposes – the policy refers to both adaptation and mitigation.
PM6	S3	29	Key supporting documents <ul style="list-style-type: none"> • Epsom and Ewell Climate Change Study – Stage 1 (2022) • Local Plan Viability Assessment (2023) • Emerging Surrey County Council Net Zero Toolkit (2024) 	To reflect that the Net Zero Toolkit has now been published.
Chapter 4 – Planning for Places				
PM7	Policy SA1	34	Be Design designed to enable the comprehensive redevelopment of the adjoining Hook Road Car Park site (Site Allocation SA2) as a future phase.	For clarification purposes
PM8	Policy SA3	36	g) Undertake archaeological investigations in accordance with Policy DM15 13 , taking account of the site’s location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council

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PM9	Policy SA5	38	e) Undertake archaeological investigations in accordance with Policy DM1513, taking account of the site's location within an Area of High Archaeological Potential	Correction, identified by Surrey County Council
PM10	Policy SA6	39	e) Undertake archaeological investigations in accordance with policy DM1513, taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM11	Policy SA7	40	Planning history: 22/00923/FUL (approved, subject to S106 agreement)	Clarification - to reflect that the S106 agreement has since been signed
PM12	Policy SA8	41	c) Undertake archaeological investigations in accordance with Policy DM1513, taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM13	Policy SA9	42	e) Undertake archaeological investigations in accordance with policy DM1513, taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM14	Policy SA11	44	f) Undertake archaeological investigations in accordance with Policy DM1513, taking account of the	Correction, identified by Surrey County Council

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			site's location within an Area of High Archaeological Potential.	
PM15	Policy SA12	45	f) Undertake archaeological investigations in accordance with Policy DM1513 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM16	Policy SA13	46	g) Undertake archaeological investigations in accordance with Policy DM1513 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM17	Policy SA17	50	e) Undertake archaeological investigations in accordance with policy DM1513 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM18	Policy SA20	53	d) Undertake archaeological investigations in accordance with Policy DM1513 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM19	Policy SA24	57	Planning history: Multiple applications for the redevelopment of garages to 6 flats (20/01758/FUL-	For clarification purposes - older

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			20/01760/FUL 23/00188/FUL, 23/00192/FUL & 23/00193/FUL – refused	applications referenced in error
PM20	Policy SA25	58	d) Undertake archaeological investigations in accordance with Policy DM15 13 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM21	Policy SA31	64	f) Undertake archaeological investigations in accordance with Policy DM15 13 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM22	Policy SA32	65	g) Undertake archaeological investigations in accordance with Policy DM15 13 , taking account of the site's location within an Area of High Archaeological Potential.	Correction, identified by Surrey County Council
PM23	Policy SA35	68	a) Provide appropriate vehicle, pedestrian and cycle access to the site and enable the site to be served by public transport to include the provision of appropriate bus priority, and other passenger transport facilities.	Recommended wording by Surrey County Council

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Chapter 5 – Homes for all				
PM24	5.19	74	It is important that new homes are built to a high standard to meet the needs of the borough’s residents. New homes should be comfortable, functional and adaptable. They should also minimise the impact they have on the environment, climate change and pressure they put on water supply. As such, this policy should be read in conjunction with policy DM10 Building Efficiency Efficiency Emissions and Energy Standards.	To align with suggested modification PM34
PM25	DM2	77	Key supporting document <ul style="list-style-type: none"> • Housing and Economic Development Needs Assessment (HEDNA) • Epsom and Ewell Self-Build and Custom housebuilding Register housing register 	Typographical Error
PM26	5.33	78	Evidence on how this translates to need for the required number of specialist homes or care home bed spaces for older people varies, notably between figures provided by Surrey County Council (SCC) and the calculations provided by the independent consultants who produced the HEDNA.	Amendment suggested by Surrey County Council
PM27	5.34	78	SCC predicts an oversupply of market extra care units and a minimum need for 14675 affordable extra care units up to 2035. With respect to care home provision,	Amendment suggested by Surrey County Council

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			SCC predicts an undersupply of 185 residential care home beds and an undersupply of 149 nursing home beds, based upon operational care home provision as at January 2024. Surrey County Council publish up to date figures for need in their Commissioning Statement which should be considered at the time of submitting a planning application.	
PM28	S7	79	Key supporting documents Housing and Economic Development Needs Assessment (HEDNA 2023)	For consistency
Chapter 6 – Economy				
PM29	DM4	89	1b) Within the secondary frontages (as defined on the Policies Map), at ground floor level, development within Use Class E will normally be permitted. Sui Generis uses suited to a town centre, Class F1 and Class F2(b) will normally be permitted unless they result in an over concentration of those uses.	Typographical error
PM30	DM4	90	Key supporting documents <ul style="list-style-type: none"> • Retail and Commercial Leisure Needs Assessment (2020) • Retail and Commercial Leisure Needs Assessment Update (2021) 	Typographical error

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			• Housing and Economic Development Needs Assessment (2022 3)	
PM31	Para 6.21	93	Proposals at the neighbourhood parades which enhance the retail function/provide community uses which help to meet the local community's day to day needs will generally be supported, subject to them being consistent with other Local Plan policies. Sui Generis uses suited to in neighbourhood parades will normally be permitted unless they result in an over concentration of those uses.	Typographical error
PM32	6.36	99	The visitor economy is important to support jobs and the economy in the borough. Therefore, it will be important for Epsom and Ewell to maintain its appeal to visitors. Whilst the borough's attractions tend to generate day-trip visitors, there is a modest demand for additional hotel accommodation within the borough as identified in the Surrey Hotel Futures Study .	Typographical error
Chapter 7 – Built and Natural Environment				
PM33	DM10	104	Change chapter heading from “Building Emission Standards” to: “Building Emissions and Energy Standards ”	Amendment suggested by Surrey County Council

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PM34	DM10	105	Change policy name from “Building Emission Standards” to: “Building Emissions and Energy Standards ”	Amendment suggested by Surrey County Council
PM35	DM10	105	Key supporting documents <ul style="list-style-type: none"> • Emerging Surrey County Council Net Zero Carbon Toolkit • Epsom and Ewell Climate Change Study (2023) • Local Plan Viability Assessment 	To reflect that the Net Zero Toolkit has now been published.
PM36	7.17	106	The policy requires that new dwellings, as a minimum , meet the tighter Building Regulations optional water efficiency requirement of 110 litres per person per day or any increased standard that may be introduced in the future this is a continuation of current policy in the Borough. Planning conditions could be attached to all planning approvals for new dwellings to ensure the optional requirement is applied and that this is calculated using the 'fittings based approach'.	Thames Water response
PM37	DM11	106	1) As a minimum all new homes are required to meet the optional requirement for water efficiency set out in Building Regulations, currently a maximum of 110 litre per person per day, or any updated higher standards for water efficiency that may be introduced.	Thames Water response

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PM38	DM12	107	<p>Key supporting documents</p> <ul style="list-style-type: none"> • The Surrey Health and Well-Being Strategy • Surrey Health Impact Assessment Guidance Statement • Joint Strategic Needs Assessment (JSNA) contains a wealth of health data. 	Surrey County Council response
PM39	7.24	108	<p>Importantly, these heritage assets provide context for development, and can collectively act as a useful compass to guide decision making. It is therefore vital that tangible and cultural heritage assets and their settings are either protected or enhanced, or where necessary, adapted in a sensitive way, this is particularly important when assets are deemed at risk.</p>	Surrey County Council response
PM40	S13	108	<p>2) The Council will seek to utilise mechanisms available through national policy and legislation, to protect the character of historic places and the significance of designated heritage assets, and uphold the principles upon which such protection has been justified.</p>	Suggested by Surrey County Council, as there are other heritage assets that do not benefit from statutory designation (such as archaeological sites or Locally Listed Heritage Assets)

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PM41	DM13, 7.35	110	Correct “Appendix 5” to “Appendix 6” Remove reference to “at discretion of the council” and replace with “in line with the NPPF” or similar.	Typographical error
PM42	New paragraph after paragraph 7.49	115	The Council holds a licence granted by Natural England under the Great Crested Newt District Licencing Scheme. This is to ensure appropriate monitoring and mitigation takes place with regard to the habitats of great crested newts and assessment of impacts from proposed development.	Response from Nature Space
PM43	7.50	115	The council recognises the opportunities to encourage biodiversity that can be provided through the development of sites. These include providing, retaining and enhancing wildlife and river corridors and incorporating opportunities within construction methods, such as green roofs and the provision of suitable appropriate native species in landscaping.	Clarification that blue infrastructure provides biodiversity benefits.
PM44	S14	116	2) The weight attributed to the protection of nature conservation interests will be commensurate to their status and significance, and any other designation applying to the site, habitat or species concerned. For proposals that affect nationally protected sites, it must be robustly demonstrated that the benefits of the development proposal clearly outweigh the loss or harm	Response from Nature space

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			and that appropriate mitigation and/or compensation will be sought.	
PM45	S14	116	Key Supporting documents <ul style="list-style-type: none"> • Epsom and Ewell Biodiversity Action Plan (2020-2030) • Emerging Local Nature Recovery Strategy • Water Framework Directive 	Environment Agency response
PM46	S15	118	1) Planning applications, other than those that are exempt in accordance with the regulations, will be permitted provided that it can be demonstrated that at least 10% biodiversity net gain can be achieved (unless a higher requirement has been specified in a site allocation policy).	Correction to text, identified by Surrey County Council
PM47	7.63	119	Trees protected by Tree Preservation Orders (TPOs) need permission from the council before any works are carried out on them. When considering applications for the felling or surgery to trees protected by a TPO or trees in conservation areas, account will be taken of the health and stability of the trees, their public amenity value and overriding practical problems that may be caused by retaining them. Where felling is unavoidable, replacement native planting will be required unless there are exceptional circumstances. Unauthorised	EEBC suggested modification to highlight relevant standards.

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			works to protected trees can result in prosecution. Tree works that are justified will be expected to comply to the appropriate arboricultural and forestry standards.	
PM48	New paragraph after 7.64	119	Where development is proposed adjacent to ancient woodland, suitable buffer zones of a minimum 15m must be provided (in line with Natural England’s Standing Advice).”	Response from Natural England
PM49	7.66	121	Whilst the thresholds for flood zones and how different types of development should be approached are defined at a national level, the council has discretion as to the interpretation of “flood zone 3b”. It has taken a precautionary approach and set a high bar by defining flood zone 3b as areas with a 1 in 230 year fluvial flood risk or 5 % Annual Exceedance Probability (AEP), which is also as consistent as possible with most other Local Planning Authorities in Surrey.	Environment Agency Response
PM50	7.70	121	The Level 2 assessment also provides further bespoke guidance for each allocated site as to whether further a site specific Flood Risk Assessment (FRA) will be required on application, as well information about the FRA should be conducted.	Typographical error

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PM51	S16	122	<p><i>Insert new additional criteria to follow f)</i> “g) Where Sustainable Drainage (SuDs) are proposed, they must be as close to source as possible, and arrangements should be put in place for management and maintenance of the SuDs for the whole life of development.</p>	Thames Water and Surrey County Council responses
PM52	S16	122	<p>c) Where necessary (as stipulated by National Planning Policy and Guidance) In the case of proposals in flood zone 2, 3a, 3b, sites greater than 1ha in flood zone 1, with an otherwise identified flood risk, or areas susceptible to Surface Water Flooding (as identified in the SFRA maps), the planning application(s) have been accompanied by a Flood Risk Assessment.</p>	Surrey County Council response. To future proof policy, propose to signpost to national policy and guidance.
PM53	S16	122	<p>d) In the case of non-householder development, it is set back a minimum of 8 metres from riverbanks and/or existing flood defence infrastructure (measured from the top of the riverbank at the point at which the bank meets the level of surrounding land).</p>	EEBC suggestion. There are dwellings already within 8m of the Hogsmill River. Applying a blanket ban would unnecessarily stop residential extensions, the flood risk to which could be better assessed on a case by case basis.

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Chapter 8 – Infrastructure				
PM54	8.4	126	<p>“New or improved infrastructure must be delivered and/or upgraded in a timely manner to meet the needs of new development. Developers, particularly of larger schemes, are encouraged to engage with the council and infrastructure providers at an early stage in the planning process to ensure this can be achieved. For new development, the provision of or funding towards new infrastructure will be secured through planning obligations (S106) and/or the Community Infrastructure Levy (CIL). Phasing conditions could be used where necessary to align the occupation of development with delivery of off-site infrastructure upgrades.”</p>	Response to clarify that infrastructure provision could be phased from large scale developments in the borough.
PM55	S18	128	<p>Supporting Documents</p> <ul style="list-style-type: none"> • Surrey County Council Green and blue Infrastructure: best practice case studies • Natural England Green Infrastructure Framework 	Natural England Response
PM56	DM19	130	<p>4) Development proposals that would result in will deliver on site open space provision should provide this a net increase in the number of residential units are required to provide open space in accordance with the Fields in Trust benchmark standard (or any future</p>	EEBC suggestion to clarify policy. As currently written, the wording is unclear that

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			equivalent standard). However, the council will negotiate on a site-by-site basis the type of open space provision where other typologies may be more appropriate or desirable having regard to the most up to date Open Space Audit.	the requirement relates to on-site provision.
PM57	S19	136	Key supporting documents <ul style="list-style-type: none"> • Surrey Local Transport Plan 4 (2022) • Epsom Town Centre Masterplan (2024) • Epsom and Ewell Local Cycling and Walking Infrastructure Plan (2024) • Surrey County Council - Transportation Development Planning: Good Practice Guide (2020) • Surrey Healthy Streets design code 	Surrey County Council response
PM58	8.38	136	Aerodrome safeguarding is a legal requirement to ensure the safe operation of aerodromes, such as Heathrow, and Gatwick Airport and Kenley Aerodrome , is taken into account in the design of development. Aerodrome safeguarding considerations cover a number of aspects including tall structures, wind turbines and green infrastructure.	Response from the Defence Infrastructure Organisation
PM59	8.40	136	The aerodrome safeguarding area extends to cover a zone broadly within 30km 55km of the airports, covering much of the borough. The borough is also within the	Response from Gatwick Airport

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			30km wind turbine notification area. More information is available on the airports website, and applicants are encouraged to consult the technical aerodrome safeguarding advice notes or liaise directly with the airport operator for advice on proposed developments.	
Chapter 9 – Implementation and Monitoring				
PM60	Policy S13	146	<p>Net gain/loss of listed buildings heritage assets No loss of designated heritage assets. Planning decisions and appeals</p> <p>Number of listed buildings heritage assets at risk No increase in number of Listed Buildings heritage assets identified as at risk. Buildings Heritage at risk register</p>	Surrey County Council response
Appendix 1 – Glossary				
PM61	New appendix entry		District Licencing Scheme: Great crested newts are a European protected species. District level licencing is an alternative approach to mitigation licencing for planning applications to develop sites which could affect great crested newts. The scheme is operated in accordance with Government Guidance.	To provide further detail on district licencing to complement PM42.

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PM62	Specialist Housing		Housing specifically designated to meet the identified needs of specialised groups, such as the elderly, disabled or student population older people and people with support needs. It can include extra care housing	Response from University for the Creative Arts
Appendix 3 – Development Plan Policies to be superseded by the Local Plan				
PM62		164	DM10: Building Emission and Energy Standards / DM11: Sustainable Water Use	To align with suggested modification PM34
Appendix 6: Guidance for Proposals Impacting Heritage Assets				
PM63	A6.2.1	185	The Borough contains two Scheduled Ancient Monuments (SAM) - the site of Nonsuch Palace and its associated remains, and St Mary’s Church Tower in Ewell. Additionally, there is one identified County Site of Archaeological Importance in the Borough - ‘Diana’s Dyke’, a site close to Nonsuch Palace. All proposals will be expected to follow all National Government and County National and County Policy and Guidance regarding these sites. In the majority of instances, the advice of Surrey County Council should also be sought. Scheduled Monument Consents are determined by Historic England and not local authorities.	Surrey County Council response
PM64	A6.2.1	185	Within Areas of High Archaeological Potential, as identified on the Proposals Map, or outside of these	Surrey County Council response

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			<p>areas on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of the site and the implications of their proposals, and may be required to submit, as a minimum, a desk-based assessment to accompany any application. Where desk-based assessment is inconclusive, or suggests the likelihood of archaeological remains, the Council will require the results of an archaeological evaluation in order to inform the determination of the application.</p>	
PM65	A6.3	187	<p>In addition to policy S13 and DM13 of the Local Plan, national planning policy and guidance from Historic England and Surrey County Council sets out the Council's approach to decision making for development impacting heritage assets.</p> <p>However, the merits of each development proposal against this policy and guidance will normally require more detailed assessment than for other proposals. To aid these assessments, additional information such as a Heritage Statement, will be required (as stipulated by the Local Validation Checklist). Applicants are strongly advised to use the opportunity offered by the planning application and Listed Building Consent process, to demonstrate how proposals have attempted to preserve</p>	Surrey County Council response

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			<p>or enhance heritage assets, and work with Council staff to reduce and remove harm where it occurs. In order to aid this process, early and proactive engagement through the Council's pre application service is strongly recommended.</p> <p>There is a requirement to consult the Historic Environment Record held by Surrey County Council for applications impacting heritage assets.</p>	
Consequential updates to reflect the stage we are in the Local Plan making process				
PM66	1.1 – 1.7	6-7	Delete all text to reflect that the consultation has been undertaken and closed.	To acknowledge that the consultation at Reg 19 stage has been undertaken.
PM67		8	Update diagram to reflect that we are now at stage 04	For clarification purposes
PM68		Whole Plan	Update page and paragraph numbers as necessary.	To reflect proposed modifications