

# Development Management Policies Document



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## 1. Introduction

### *What is Development Management?*

- 1.1 Development Management is not just a new name for Development Control. It seeks to achieve a greater focus on sustainable and higher quality development and to deliver greater community benefit than before.
- 1.2 The “development control” approach to managing development proposals previously focused on processing planning applications, controlling development to minimise harm, enforcing contraventions, and often taking a reactive and cautious approach.
- 1.3 The “development management” approach however seeks to manage development to maximise achievement of planning objectives, including “place-shaping” and high quality inclusive design for all development, with a focus on the pre-application stage. It is led by the local planning authority, (in this case Epsom and Ewell Borough Council), working closely with those proposing developments and other stakeholders. It is undertaken in the spirit of partnership and inclusiveness, and supports the delivery of development that will improve the economic, social and environmental conditions of the Borough.
- 1.4 To enable the Borough to proactively fulfil its place-shaping role, and to actively promote sustainable development, we need to:
  - facilitate development opportunities
  - influence development proposals to achieve quality outcomes and
  - solve problems in order to deliver sustainable development proposals
- 1.5 In producing this document the aims of national planning policy have been incorporated, in particular the presumption in favour of sustainable development which is at the heart of national planning policy. The goal of sustainable development is to enable people to satisfy basic needs and enjoy a better quality of life without compromising the quality of life of future generations.
- 1.6 National planning policies are not repeated and need to be read alongside this document. In order to help readers understand how our new Development Management policies replace, succeed and delete the historic policies contained within [Local Plan 2000](#) we have included a table under Annexe 1 that explains that process.
- 1.7 The purpose of the Development Management Policies Document is to:
  - a) Support the strategic objectives and deliver the vision of the [Core Strategy](#) by promoting and enabling development that delivers the Spatial Strategy;
  - b) Along with the Core Policies, set criteria by which planning applications and site allocations will be considered and determined.
- 1.8 The Development Management Policies have been kept to a minimum to avoid repetition of national planning policy and guidance. As such where there are no Development Management Policies for certain topic areas, national policies will be relied on for decision making purposes.
- 1.9 The Development Management Policies contained within this document must not be read in isolation. The Local Plan should be read as a whole and as such the Core Strategy policies and policies within other adopted Development Plan Documents,

Area Action Plans and Supplementary Planning Documents must also be taken into account.

- 1.10 The policies contained within this document are both generic, covering a number of issues and criteria that can be applied to all developments, and topic based for specific issues related to the Borough. Some policies give positive support to development where it would help to achieve strategic objectives and core policy outcomes, whilst others are more generally restrictive.
- 1.11 Some policies contain a number of criteria by which applications will be considered and these should be given due regard when forming any development proposal. However, the criteria will not be used as a checklist approach to considering applications, as there may be occasions when a broad balance between criteria has to be struck as well as other material considerations.

#### *Implementation, Delivery and Monitoring and New Development*

- 1.12 Proposals for new development will be judged against all relevant policies in the Development Plan. We encourage applicants to enter into pre-application discussions to help to identify all key issues surrounding a planning application and matters that should be the subject of infrastructure contributions and legal agreements. This will help to avoid unnecessary delay in the decision making process and cost to applicants.
- 1.13 Implementation and delivery of the Development Management policies will in the main be through the grant or refusal of planning permission and where necessary through planning obligations as part of Section 106 agreements and/or Community Infrastructure Levy payments.
- 1.14 Monitoring allows the local planning authority to assess whether Local Plan objectives are being achieved. Clear targets must be set in place which allows the local planning authority to make a decision as to whether a policy requires adjustment or replacement.
- 1.15 The local planning authority is required to produce an [Annual Monitoring Report](#) each year which sets out the performance and effectiveness of Local Plan policies. The Annual Monitoring Report will highlight whether a review of the Development Management Policies is required.

## 2. Green Infrastructure

- 2.1 The Borough's varied Green Infrastructure assets are a key feature that makes it a unique place to live, work and play. It is a term that we believe applies to a wide variety of assets that include the Green Belt / open countryside<sup>1</sup>, sites of ecological importance (including SSSIs, SNCIs, ancient woodlands and local nature reserves), formal and informal spaces, urban trees, highway landscaping and domestic gardens.
- 2.2 We are currently preparing a Green Infrastructure Strategy for the Borough. This will consider Green Infrastructure at the landscape scale. The Strategy will form part of the forthcoming [Site Allocations Document](#), which will also identify a hierarchy of new and existing Green Infrastructure assets. These will be shown on the Local Plan Proposals Map. These assets will collectively form a Green Infrastructure network that will link across the Borough's urban areas connecting to the surrounding countryside and beyond<sup>2</sup>, enhance local biodiversity, contribute towards mitigating the adverse impacts of climate change<sup>3</sup>, contribute towards our continued economic vitality and viability and help to encourage healthier lifestyles.

### *Green Belts*

- 2.3 Green Belts are an important feature of national policy. Their main purpose is to prevent urban sprawl and the coalescence of neighbouring settlements by keeping land permanently open. Under national planning policy, the key characteristics of Green Belt land are its openness and permanence.
- 2.4 We believe that our local Green Belt is very important to Epsom & Ewell. The Green Belt positively contributes to our unique visual character and appearance; it serves to make the Borough an attractive place for people to live, work and play; it prevents coalescence with London to the north and other settlements to the east and south; it is vital to maintaining and enhancing local biodiversity; and it provides a strategic open space resource not just for the Borough but also for adjoining parts of South London and North East Surrey. It is essential that its permanence is safeguarded and its qualities maintained. In line with national planning policy, it is envisaged that the extent of the Green Belt will be maintained without alteration to its boundary for the foreseeable future.
- 2.5 The Extent of the Green Belt is currently defined in the Borough-wide Local Plan 2000.

### **Policy DM1: Extent of the Green Belt**

**The Green Belt will be maintained along the boundaries of the existing built-up area and extending to the outer Borough boundary as defined in the Epsom and Ewell Borough-wide Local Plan 2000 and as defined in the successor Site Allocations Development Plan Document.**

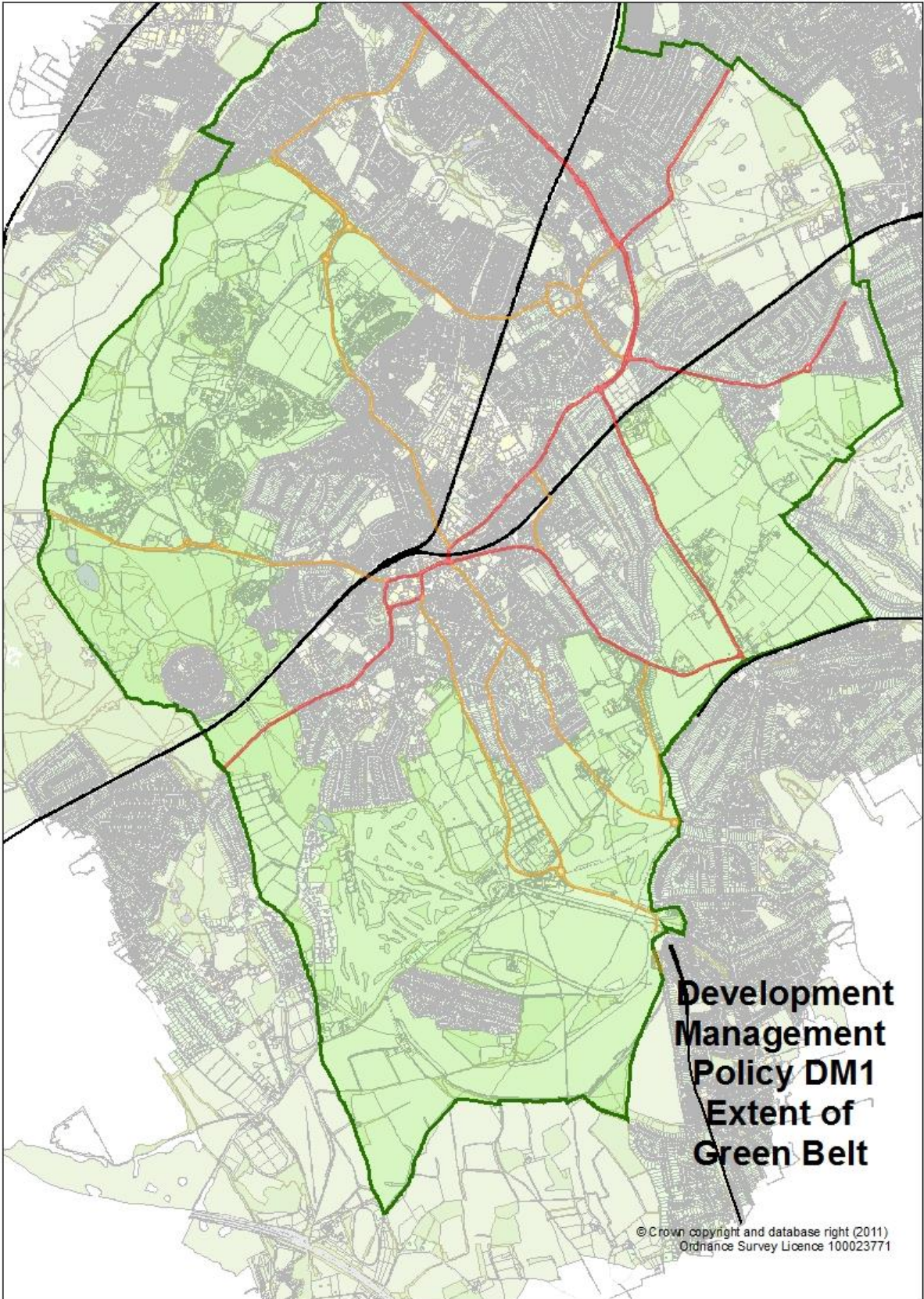
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<sup>1</sup> All of the Borough's open countryside is designated as Green Belt land.

<sup>2</sup> It is our intention to link into similar Green Infrastructure networks in neighbouring borough's and districts. The forthcoming Site Allocations Document will illustrate how this will be achieved.

<sup>3</sup> For example, by using urban trees to counter the urban heat island effect and the retention of permeable open land to reduce surface water flood risk.





## *Major Developed Sites in the Green Belt*

- 2.6 Major developed sites in the Green Belt can normally include uses such as military sites, former industrial sites, education establishments and hospitals. Previous national planning policy<sup>4</sup> set out detailed development control advice relating to such sites; specifically in relation to infilling and comprehensive redevelopment (where the original use had ceased). The National Planning Policy Framework lacks sufficient detail on this area of policy and as a consequence we have prepared our own policy to fill the vacuum. This approach was supported through responses to public consultation.
- 2.7 Within the Borough there are currently seven major developed sites within the Green Belt. Five of these sites are former hospital sites, which are known locally as the Hospital Cluster. Four of these sites were covered by the Hospital Cluster redevelopment allocation in Local Plan 2000. As of early 2013 all five sites have mostly been redeveloped for housing and have effectively become settlements within the Green Belt. There are plans to retain existing and consolidate new healthcare uses at the St Ebba's site. This may result in the majority of healthcare uses currently located at the West Park site being relocated to other sites within the Borough. This would enable the remainder of the West Park site to come forward for residential development. It is anticipated that these issues will be fully addressed through the Site Allocations Document. This forthcoming document may also consider an option that removes the major developed site status of the five former hospital cluster settlements, which would further constrain the opportunities for infilling at these locations.
- 2.8 The two remaining major developed sites are Epsom College and NESCOL, both of which are located on the edge of the existing urban area on the eastern half of the Borough. The Council believes that limited appropriate infilling at these two sites may help improve education provision without having a harmful impact on the openness and permanence of the Green Belt. The scope for further infilling at NESCOL is currently limited. However, there may be opportunities in the future for the part-footprint-redevelopment of the site, which may allow for the consideration of appropriate infilling. There are also opportunities for appropriate infilling at Epsom College.
- 2.9 In this context, infilling equates to modest levels of new development taking place in the gaps between existing built development. We have identified the boundaries of our major developed sites, within which limited appropriate levels of infilling will be considered under Policy DM2. Where partial redevelopment is proposed, we will apply this policy to the remaining portion of the site to ensure that infill development to accommodate any displaced uses does not result in an increase in the developed proportion of the site.

### **Policy DM2: Infilling within the boundaries of Major Developed Sites**

**Proposals for infilling within the boundaries of Major Developed Sites as originally defined in the old Epsom and Ewell Borough-wide Local Plan 2000 and as defined in the successor Site Allocations Development Plan Document will be permitted provided that the development would not:**

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<sup>4</sup> Planning Policy Guidance 2: Green Belts Annex C Future of Major Developed Sites in the Green Belt



- i) Have a greater impact on the purposes of including land in the Green Belt than the existing development**
- ii) Exceed the height of the existing buildings; and**
- iii) Lead to a major increase in the developed proportion of the site.**

*The Replacement and Extension of Buildings in the Green Belt*

- 2.10 The extension, alteration and replacement of buildings in the Green Belt is not inappropriate, provided the scale of development does not harm its open character. The number of dwellings located within the Green Belt in the Borough is relatively small, with the majority sited close to the existing built-up areas. We consider that the countryside should be protected as a Green Infrastructure asset for its valued contribution to the visual character and appearance of the Borough, its use as leisure and recreation open space and its role in maintaining and enhancing local biodiversity. All of these functions contribute towards defining the Borough's rural character, and as such we will seek to constrain built development within these areas.
- 2.11 In respect of dwellings some modest single-storey householder extensions will be permissible under Permitted Development Rights<sup>5</sup>. Extensions no greater than 30% above the original volume of the building would not usually be considered to be disproportionate. We believe that a maximum of 30% above the volume will provide a reasonable extension to the original building without leading to a harmful impact on the openness of the wider Green Belt. It is also a standard that is commonly applied in Surrey and the South East.
- 2.12 However we consider that 30% should only be treated as an indicative maximum figure and that in some instances proposals to extend the volume of the original building by less than 30% may still be disproportionate; having a significant impact on the openness and permanence of the Green Belt and will therefore be inappropriate.
- 2.13 The starting point for consideration of proposals for extensions to existing buildings in the Green Belt will be the footprint of the 'original' building. The 'original building' means the building (and garages and ancillary buildings within 5 metres) that existed in 1948 or when first built if later than 1948. Any extensions, built subsequently, will not be considered part of the original building. We will calculate volume using the basic formula of area multiplied by height. This being volume as a measurement of the external structure, inclusive of roof voids.
- 2.14 When assessing whether the proposed extension represents a disproportionate addition, we will compare the size of the 'original' building with the proposed extension, taking account of siting, floorspace, bulk and height. When considering proposals for replacement buildings, the starting point will be the size and scale of the existing building. We will seek to safeguard against disproportionate additions to, or increases over the existing building, including its height.
- 2.15 When assessing whether a replacement building is materially larger than the one it replaces we will compare the size of the existing building with that proposed, taking account of siting, floorspace, bulk and height. As a general rule a replacement building that is no more than 30% larger than the one it replaces will not usually be

<sup>5</sup> The Town and Country Planning (General Permitted Development Order) (Amendment) (No2) (England) Order 2008 – we strongly advise householders considering works under permitted developments rights to contact us first to confirm that its status and to subsequently apply for a Certificate of Lawful Development.

considered to be disproportionate, although this approach may not be appropriate for every site. When considering increases in floorspace of replacement buildings we will not normally consider the floorspace of existing outbuildings as counting towards the floorspace of the existing building.

### **Policy DM3: Replacement and extensions of buildings in the Green Belt**

**Replacement of buildings in the Green Belt will be supported where:**

- (i) The replacement building is not materially larger than the existing building (excluding temporary buildings) it replaces, taking into account floorspace, bulk and height; and**
- (ii) The replacement building remains in the same use.**

**The extension of buildings in the Green Belt will only be supported where:**

- (i) The proposal would not constitute inappropriate development in the Green Belt (e.g. the increase would be no greater than 30% above the volume of the original building. Increasing the extent of an existing building to maximum footprint will not be appropriate in every circumstance); and**
- (ii) The proposal would not have a detrimental impact on rural character through its siting and design.**

### *Biodiversity and Nature Conservation*

- 2.16 The term 'biodiversity' encompasses the whole variety of life on Earth. It includes all species of plants and animals, their genetic variation, and the complex ecosystems of which they are part. It is not restricted to rare or threatened species but includes the whole of the natural world from the commonplace to the critically endangered. Maintaining biodiversity helps to promote the stability, sustainability and resilience of ecosystems, is an important national objective and a 'Duty' for all public bodies as defined by the Natural Environment & Rural Communities Act 2006. The Borough's location on the edge of the countryside is strategically important, with the Green Belt and the many green spaces within the built up areas acting as reservoirs for flora and fauna.
- 2.17 Conserving and enhancing biodiversity are important objectives in meeting the Borough's aim of achieving no net loss of biodiversity, in line with Paragraph 118 of the National Planning Policy Framework. Development that fragments existing habitats will be avoided and, where possible, opportunities to create links (green corridors) to those habitats that are already isolated will be identified and realised. We will actively seek opportunities to increase biodiversity within the Borough, which will include, where possible, the creation of new habitats. For example, within the Hogsmill Local Nature Reserve a number of stretches of the River Hogsmill have been identified in the South London River Restoration Strategy as potential sites for river enhancement or restoration.
- 2.18 In cases where there is no alternative location for the proposed development, the applicant must provide evidence that a sequential approach has been applied and that there will be no net loss of biodiversity. We consider reasons of overriding public

interest as being related to human health, public safety and the beneficial consequences of primary importance for the environment<sup>6</sup>

- 2.19 The Council has adopted a document entitled "[Biodiversity and Planning in Epsom and Ewell](#)"<sup>7</sup> for development management purposes. The guide assists in the process of identifying when and where biodiversity in Epsom and Ewell will need to be protected by the planning system, as well as assisting in identifying opportunities to deliver biodiversity enhancements.

#### **Policy DM4: Biodiversity and New development**

**Development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if:**

- (i) The development would enhance the nature conservation potential of the site or is proven to be necessary for the conservation management of the site; or**
- (ii) there is no alternative location for the development and there would be no harm to the nature conservation potential of the site; or**
- (iii) there are imperative reasons of overriding public interest for the development**

**Elsewhere in the Borough:**

**Development affecting any site or building that supports species protected by Law, including their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the identified species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.**

**Mitigation and compensatory measures will be secured through planning obligations or conditions, with priority for such measures to be provided within the development.**

**Whether or not there are any species or habitats that enjoy statutory protection, every opportunity should be taken to secure net benefit to the Borough's biodiversity. To this end, an assessment of the existing nature conservation assets on a development site should be undertaken at the application stage and suitable biodiversity enhancements proposed.**

#### *Trees and Landscaping*

- 2.20 The abundance of trees in the Borough is a great asset to its environment, softening the hardness of buildings and streets, adding life, colour and character to the urban landscape and enhancing open spaces and the riverside landscape. The Borough's woodland assets include 14 areas of ancient woodland, which are a form of

<sup>6</sup> See Article 6 (4) of the Habitats Directive.

<sup>7</sup> The purpose of this guidance is to assist Epsom & Ewell Borough Council, developers and residents in ensuring that the Borough's biodiversity is both protected and enhanced when new development take place. This guidance is linked to the Epsom & Ewell Local Biodiversity Action Plan (EELBAP) and is an outcome of the EELBAP objectives.

irreplaceable habitat, as per Paragraph 118 of the National Planning Policy Framework. Trees and other planting including contiguous gardens and green oases, also provide an important habitat for wildlife, reduce levels of airborne pollution and increase the supply of oxygen. They also provide valuable shade in our built-up areas reducing the adverse impacts of the 'urban heat island' effect. Landscape design can be used to reduce surface water run off rates.

- 2.21 Many trees are already protected by Tree Preservation Orders, and we will continue to make Tree Preservation Orders where trees of environmental importance are threatened. Trees in Conservation Areas are, with some exceptions, automatically protected, as a six week notice period must be given in writing to the Council before any proposed works are carried out. Unauthorised works to protected trees can result in substantial fines. Where trees are felled, we will normally require that an appropriate replacement be planted. It is recognised that in some historic restoration schemes there may be some removal of trees. We will only consider exceptions to this approach on sites where it is demonstrated that it is not physically possible to introduce replacement landscaping and planting.
- 2.22 In some woodland areas periodic thinning and clearing may be necessary to ensure the ecological value of the wood. In streets it is important that species are chosen that are appropriate to the scale of their surroundings and public amenity. Where appropriate and practical we will require that new development incorporate new trees and other planting that enhance the Borough's treescape and wider biodiversity. These measures will contribute towards the development of the Borough-wide Green Infrastructure network. Where possible we will require the planting of semi-mature trees in order to ensure a higher rate of survival and resilience with an emphasis on native species.
- 2.23 The term "landscape" is taken to refer to the design of all space between buildings, and includes walls and boundaries and paving materials, as well as planting. These considerations are often vital in creating an appropriate setting to new developments and in integrating new development to its surroundings. Landscape design must form an integral part of any proposals and needs to be considered in relation to the development as a whole at the start of a project. It should also relate to the character of the area.

### **Policy DM5 Trees and Landscape**

**The Borough's trees, hedgerows and other landscape features will be protected and enhanced by:**

- **Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows;**
- **continuing to maintain trees in streets and public open spaces and selectively removing, where absolutely necessary, and replacing and replanting trees;**
- **requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature trees and other planting.**

**Where trees, hedgerows or other landscape features are removed, appropriate replacement planting will normally be required. Consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change.**



**Every opportunity should be taken to ensure that new development does not result in a significant loss of trees, hedgerows or other landscape features unless suitable replacements are proposed. Where removal is required, sound justification will be sought, supported by appropriate evidence such as health, public amenity, street scene or restoration of an historic garden. In the case of arboriculture evidence, this will be provided by a suitably qualified individual.**

### *Open Space Provision*

- 2.24 The Borough is fortunate in having a diverse mix of green spaces ranging from natural/ semi-natural areas to parks, gardens and formal recreational facilities. These open spaces and their landscaping provide relief from the density of urban form and contribute to an attractive urban character, appreciated by both residents and visitors. They distinguish the Borough from other places. These areas are valued assets that contribute to the Borough's wider Green Infrastructure network.
- 2.25 These green spaces make a valuable contribution to people's health and well-being and often have a multi-functional role, being havens for biodiversity as well as providing a range of leisure and recreational opportunities. The Strategic Open Space sites, including Nonsuch Park and the Hogsmill Local Nature Reserve, serve a wider area that extends beyond the Borough's boundaries. Equally, Epsom Common and Horton Country Park Local Nature Reserves, and the Epsom & Walton Downs are recognised as providing informal open space provision for the adjoining London Boroughs and north east Surrey Districts. Our open spaces add to the diversity of the landscape and are a key characteristic of the Borough. The open space network will be identified as part of the forthcoming Site Allocations Policy Document and on the Local Plan Proposals Map.
- 2.26 We will seek to retain our existing open space sites so that we can continue to meet local recreation needs. Proposals that would result in a net loss of recreational open space will only be considered in exceptional circumstances where they meet the criteria contained in Policy DM6. In such cases proposals will be accompanied by evidence that clearly sets out the reasons for releasing open space sites for redevelopment, and how any losses to provision will be made good. We will take a proactive, positive and collaborative approach to meeting the requirements of local schools. As per Paragraph 72 of the National Planning Policy Framework, the need to create, expand or alter schools will be given great weight in decision making.
- 2.27 Where it is appropriate and practical we will require that new development delivers additional open space provision to address identified shortfalls. On-site improvements will be delivered through the Section 106 process, whereas off-site improvements will be funded through the Community Infrastructure Levy. We will work with local communities and the development industry to ensure that new provision meets specific areas of open space need; is of an appropriate standard and is accessible to all potential users.

## Policy DM6 Open Space Provision

**Development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless:**

- **Accompanied by assessment that clearly demonstrates that the provision is surplus; or**
- **The proposal delivers replacement provision of equal or better quality within the locality; or**
- **The proposal is for new sports and or recreation provision, the needs for which clearly outweigh the loss.**

**We will ensure all new provision for sports and play meets qualitative standards and optimises accessibility to all users.**

### *Footpath, cycle and bridleway networks*

- 2.28 The Borough is fortunate to have a wide variety of established pedestrian, cycle and bridleway networks that provide access across the existing urban area into the surrounding countryside, Green Belt and areas of Strategic Open Space. These networks perform an important green infrastructure role; in many cases contributing green infrastructure assets and in others providing a link between larger pieces of green infrastructure, such as parks and areas of public open space and the wider countryside. They also make a valued contribution to the Borough's distinctive visual character and appearance. For example, Epsom's alleyways are an important townscape feature of the residential areas that surround the Town Centre.
- 2.29 These networks encourage sustainable travel options for residents, linking key facilities and services, and providing an alternative to the motor car for short trips. They also contribute towards the creation of healthy communities by encouraging access into the surrounding countryside, Green Belt and open spaces for leisure, cultural and sporting activities. The provision of high quality path networks that the majority of visitors to our open spaces prefer to use plays an important role in conserving biodiversity by protecting fragile habitats.
- 2.30 The protection and enhancement of these networks forms a key part of our Green Infrastructure Strategy. In particular, we will actively seek to identify and deliver opportunities to improve and strengthen links between larger pieces of green infrastructure, especially in those locations where links are currently weak or non-existent.
- 2.31 Where opportunities for improvements are practical, appropriate and viable, we will require that new development proposals contribute to the development and enhancement of existing and planned for networks. This may include new provision along foot and cycle desire lines that pass through proposal sites. On-site improvements will be delivered through the Section 106 process, whereas off-site improvements will be funded through the Community Infrastructure Levy.

### **Policy DM7 Footpath, Cycle and Bridleway Network**

**New development affecting existing or proposed footpath, cycle and bridleway networks will not be permitted if it results in the loss of, or has a harmful impact on, these networks.**

**Where new development provides an opportunity to improve existing and proposed networks and such improvements are practical and viable we will seek their delivery as part of the development. Alternatively we will seek financial contributions towards implementation of improvements through the appropriate mechanism.**

### 3. The Built Environment

- 3.1 Our local built environment is key in helping shape the Borough's visual character and appearance. Alongside our Green Infrastructure assets it is what makes the Borough a unique and special place. The following chapter sets out the development management policies that will collectively ensure that the qualities that make up our local built environment is maintained and enhanced.
- 3.2 The chapter opens by setting out our approach to our rich historic built environment and how we will protect it from inappropriate developments. Subsequent policies address detailed issues relating to design, including townscape, design quality, housing density, housing space standards, building heights and how we will secure environmentally sustainable development. The chapter also sets out how we will determine proposals that affect other aspects of our built environment, such as the installation of new telecommunications infrastructure, meeting flood risks and the requirements for redeveloping contaminated land.

#### *Development Involving Heritage Assets*

- 3.3 Epsom and Ewell possesses a fine built heritage which is held in high regard by the Borough's residents. Heritage assets are features of the natural and built environment that have historic significance and are nationally or locally designated as such. We define our local heritage assets as being comprised of the following: Scheduled Ancient Monuments; buildings and structures on the statutory National List; Registered Historic Parks and Gardens; Conservation Areas; Areas of Higher Archaeological Potential; veteran trees, and buildings and structures that are of local importance. They are irreplaceable and we will seek to protect them from harm or loss that may result from new development.
- 3.4 The Borough contains 21 Conservation Areas, each different in form and character, but all designated for their special architectural or historic interest. Additionally, the Borough contains over [400 Listed Buildings](#)<sup>8</sup> and some [100 'locally listed' buildings](#), all of which add to the variety and richness of the urban environment.
- 3.5 The majority of these individual buildings and structures fall within designated Conservation Areas and, as they are limited in number, it is important they are preserved and protected from inappropriate development. New development, carefully integrated with the old, can help achieve this. It is an objective of the Core Strategy to seek to protect and enhance Conservation Areas and listed buildings, including their settings.
- 3.6 We have also prepared [character appraisals and management plans](#) for each of the Borough's Conservation Areas. These assess the character of each area, defining what contributes to making them "special". They identify both positive and negative features of the environment, and define elements which should be improved. These appraisals form a vital source of detailed information that aids the plan making and development management process.
- 3.7 The Borough's other Heritage Assets include two Scheduled Ancient Monuments, three Areas of Higher Archaeological Potential, a number of Registered Parks and

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<sup>8</sup> The statutory National List is comprised of buildings and structures, which can include features such as walls, tombs, gate posts and railings.



Gardens and several hundred veteran trees<sup>9</sup>. All of the Borough's known heritage assets at that time will be identified in the forthcoming Site Allocations Document. Additional assets may subsequently be identified by English Heritage or the Borough Council and these too will need to be taken into account under Policy DM 8 below.

- 3.8 Development proposals that involve or have an impact upon an identified Heritage Asset, or its wider setting, will be required to provide an assessment of the Asset, the potential impacts on the Asset and any appropriate mitigation measures that will be required.

### **Policy DM8 Heritage Assets**

**We will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development.**

**Development proposals that involve, or have an effect upon Heritage Assets must establish the individual significance of the Asset as part of the application or consent process. As part of the assessment process the significance of the Asset will be taken into account (namely whether it is a designated Heritage Asset\* or a non-designated Heritage Asset) when determining whether the impact of any proposed development is acceptable.**

**Within Areas of High Archaeological Potential, as identified on the Proposals Map, or outside of these 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 suggests the likelihood of archaeological remains, the Planning Authority will require the results of an archaeological evaluation in order to inform the determination of the application.**

**We will from time to time review our Heritage Assets included on the Local Lists, with regard to the Historic Environment Record, in consultation with Surrey County Council.**

**\* Designated Heritage Assets comprise the following: Scheduled Ancient Monuments; Listed Buildings; Registered Parks and Gardens and Conservation Areas. Non-designated Heritage Assets identified by the Council are those buildings and structures identified as being of local importance and veteran trees.**

### *Townscape Character and Local Distinctiveness*

- 3.9 A key aspect of sustainable development is that new development should enhance and complement local character, and be capable of integrating well into existing areas. For example, many of our existing built-up areas have a "leafy" visual character and appearance, which provides a distinctive natural or green infrastructure component to our urban environment. It is important that new development

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<sup>9</sup> Veteran trees are usually in the second or mature stage of their life. Our veteran trees are non-designated heritage assets that in many cases have been present in the local landscape/townscape for at least a hundred years. We are in the process of identifying our veteran tree stock; defining them on the basis of their aged appearance, size, condition, their cultural, landscape or biodiversity value.

continues to maintain and enhance this aspect through the incorporation of appropriate green amenity space, landscaping and other green infrastructure.

- 3.10 In order to help us define the qualities that make the Borough's different townscapes special the Council has carried out a number of studies to assess character and environmental quality. Conservation Area Appraisals and Management Plans have been produced for the 21 conservation areas in the Borough, while the remaining townscapes (excluding Epsom Town Centre) have been assessed through the [Environmental Character Study](#). These documents are working tools that we will use to plan for current and future development and to ensure that the aspects of positive local distinctiveness are protected and enhanced. Policy DM 9 must be read alongside these documents.
- 3.11 Some of areas of the Borough have a greater capacity to accommodate change and growth, whilst others are more sensitive to changes and may require a higher level of protection. The forthcoming Site Allocations Document will consider whether other areas of special character should also be defined.

### **Policy DM9 Townscape Character and Local Distinctiveness**

**We will use the Conservation Area Appraisals and Environmental Character Study to guide the assessment of development proposals.**

**We will seek enhancement of the townscape through new development, particularly those areas with poorer environmental quality and where the character has been eroded or needs improving.**

**Planning permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. In assessing this we will consider all of the following:**

- **compatibility with local character and the relationship to the existing townscape and wider landscape;**
- **the surrounding historic and natural environment;**
- **the setting of the proposal site and its connection to its surroundings; and**
- **the inclusion of locally distinctive features and use of appropriate materials**

### *Design*

- 3.12 Good design is fundamental to help create places where people choose to live, work and visit. We are committed to securing high quality development that enhances life in the Borough and makes a positive contribution to the visual character and appearance of our different townscape areas. In order to achieve this objective we have already prepared a suite of development management policies that support of Core Strategy Policy CS5 by ensuring that new development does not harm the visual character and appearance of the Borough. Elsewhere in this document we set out our detailed development management approach towards our historic environments, townscape character and local distinctiveness, space standards and building heights. The following policy sets out how new development will incorporate the principles of good design. All of these policies must be read in conjunction with one another.

- 3.13 Our forthcoming Design Quality Supplementary Planning Document will be a useful tool in helping to maintain and improve the quality of the urban environment and should be referred to for additional detail and guidance on aspects of quality design.
- 3.14 Our priority is to create safe and secure environments, to reduce crime and the fear of crime by securing good design through the development management process. We will expect new developments to incorporate designing out crime principles from the outset. Where appropriate, development proposals will address the following issues: access and movement; structure; surveillance; ownership; physical protection; activity, and management and maintenance<sup>10</sup>.
- 3.15 We believe that making security a fundamental part of the design process at an early stage is essential. Once the development is built the main opportunity for applying crime prevention measures is lost. Early discussions provide an opportunity to make sure developments are designed with reducing the risk and the fear of crime in mind. Prospective applicants are advised to address crime prevention measures either within their accompanying Design and Access Statement or a separate Crime Impact Statement, in order to demonstrate how these have been considered and how the design reflects the attributes of safe, sustainable places set out in government guidance on reducing the risk of crime through building design.
- 3.16 We will continue to work with Surrey Police's Crime Prevention Design Adviser on those proposals that merit their involvement. Developers of major proposals are advised to consult Surrey Police at the pre-application stage, and if necessary submit an audit alongside their application to show that all crime prevention concerns have been considered.
- 3.17 We place great importance on the protection of the existing high standard of amenity enjoyed throughout the Borough's established residential areas. As a consequence, careful consideration will be given to applications for housing on sites other than those allocated in the Site Allocations Document.
- 3.18 During the Plan period in addition to our allocated housing sites, there will also be opportunities for new "windfall" housing to come forward within the Borough's existing urban area. These may include development proposals that infill vacant plots, or that redevelop sites previously in commercial or community use that have become redundant. Collectively these windfall development opportunities will contribute to meeting our housing needs. However, we must ensure that they do not have a cumulative harmful impact on the character, appearance and amenity of the area as a whole. Development Management Policy DM 16 sets out how we will ensure that proposals involving backland or infill sites do not have an adverse impact on the wider townscape.
- 3.19 Open estate layouts and mature domestic gardens are a key component of many of our established residential areas, with vegetation contributing to the streetscene and providing biodiversity value. Excessive increases in the density of these areas can result in over-development or "town cramming", which you have told us damages residential amenity. In order to minimise harm, we will normally expect proposals for new development to be comprised of a comparable plot frontage and depth to those in the immediately adjoining area. Where we have concerns about the potential impact of a new development on the wider streetscene, we will seek the submission of appropriate visualisations that illustrate how it will respect its surrounding context.

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<sup>10</sup> These are set out in greater detail in "Safer Places - the Planning System and Crime Prevention" (ODPM/Home Office, 2003)

Our policy on housing density is set out under Development Management Policy DM22.

- 3.20 Homes are particularly vulnerable to overlooking from new residences in and adjacent to rear gardens. In order to minimise this problem, new development proposals on infill and backland sites will be designed so that their height does not exceed that of the adjacent development. In many of our residential areas single storey developments may provide the most appropriate solution. Equally as a general principle, we will encourage new developments to provide a distance of at least 21 metres of separation between opposing properties. Other measures, such as obscured glazing may also be appropriate.
- 3.21 Householder developments such as domestic extensions account for most of the planning applications received in the Borough. Changes to the General Permitted Development Order mean that most modest single storey householder extensions no longer require planning permission. However, we strongly recommend that householders contemplating an extension to their home contact us beforehand to establish whether permission is required. We also recommend that householders obtain a Certificate of Lawful Development prior to the commencement of such developments.
- 3.22 In order to help householders with the design of their developments, and also to aid Members and Officers in determining proposals we have prepared [Householder Applications Supplementary Planning Guidance](#), which provides more detailed advice. This guidance will be updated and incorporated within our forthcoming Design Quality Supplementary Planning Document.
- 3.23 As with all forms of development we will seek designs that fit in well with the neighbourhood and surroundings, and we will resist householder proposals that detract from the visual amenity of the wider townscape. We will assess householder development proposals for their impact on the amenity and the character of the area; on the wider townscape; the relationship between buildings; and the spaces being created.
- 3.24 Our principle concerns in considering the design and siting of house extensions are:
- a) the relationship between the extended dwelling and the adjoining dwellings as they affect the streetscene;
  - b) the spaces between individual dwellings as they affect the character of the area; and
  - c) the spaces between individual dwellings as they affect habitable rooms and kitchens (habitable rooms include all bedrooms, living rooms and dining rooms).
- 3.25 Whilst there is a general requirement for development to adopt appropriate materials and design, we are particularly concerned with protecting the visual character and appearance of our residential areas. Householder extensions should match the original dwelling where possible and practical. They will otherwise need to fit in with the style of their surroundings. Where necessary, particularly within Conservation Areas, we will require householder extensions to be built of traditional or locally distinctive materials that are appropriate to the original building and the wider townscape. The Conservation Area Appraisals and the Environmental Character Study provide an indication of the variety of building materials that characterise our different townscapes. We actively encourage householders who are contemplating



extensions, whether they require planning permission or not, to discuss building proposals and materials with us at an early stage.

### **Policy DM 10 Design Requirements for New Developments (including House Extensions)**

**Development proposals will be required to incorporate principles of good design. The most essential elements identified as contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced include, but are not limited, to the following:**

- (i) prevailing development typology, including housing types and sizes;**
- (ii) prevailing density of the surrounding area;**
- (iii) scale, layout, height, form (including roof forms), massing;**
- (iv) plot width and format which includes spaces between buildings;**
- (v) building line; and**
- (vi) typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.**

**Development proposals should also:**

- (vii) be adaptable and sustainability designed, subject to aesthetic considerations;**
- (viii) incorporate the principles of safe design to reduce the risk and fear of crime, e.g. natural surveillance, appropriate levels of lighting;**
- (ix) have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance;**
- (x) ensure that the development incorporates an appropriate layout and access arrangements for servicing the completed development from adjoining highway and pedestrian networks;**
- (xi) where appropriate their design and layout must not prejudice the development potential for similar proposals on neighbouring plots;**
- (xii) have regard to the public realm and to ways in which it can be enhanced as an integral part of the design of the development; and**
- (xiii) avoid locating structures, including, e.g. telecommunications equipment and building plant where they will be visually intrusive and likely to result in an adverse effect on the character and visual amenities of the local and wider area.**

**Further detailed guidance relating to residential developments, including householder developments, is included in our Design Quality Supplementary Planning Document<sup>11</sup>.**

### *Housing Density*

3.26 Making the most efficient use of our urban land is a key consideration in planning for future housing in Epsom & Ewell. This is because our Housing Land Supply Strategy for the remaining Plan Period seeks to protect our current Green Belt boundary by

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<sup>11</sup> It is anticipated that the Design Quality Supplementary Planning Document will be published for initial consultation during Summer 2013.

directing all new housing to suitable sites within the existing urban area<sup>12</sup>. The forthcoming Site Allocations Policies Document will set out a series of housing site allocations that will, in concert with existing allocations<sup>13</sup>, deliver all of the new housing required to meet our local needs.

- 3.27 In addition to these allocated sites, we envisage that there will be a modest number of housing windfalls, which will provide the Borough with an additional buffer, as recommended by national planning policy. According to our evidence, we believe that there are enough appropriate housing windfall sites within the existing urban area to provide a sufficient supply of new homes to ensure choice and competition in the market for land. However, in planning for the redevelopment of these sites we will need to balance the desire to optimise the number of new houses built against our objective of protecting the Borough's special visual character and appearance. Ensuring that new housing is developed at an appropriate density is a key factor in the design process.
- 3.28 The Borough's existing urban area has a wide variety of development densities. The Borough-wide Environmental Character Study and Conservation Area Appraisals provide a detailed assessment of development patterns. Epsom Town Centre, Ewell Village and the other larger local centres tend to be comprised of a mix of commercial and residential uses, and have good access to public transport, which has encouraged higher development densities. In contrast, many of the Borough's predominantly residential areas are suburban in character and tend to have lower housing densities.
- 3.29 Previously, national and regional planning policy has sought to set minimum housing densities. Since 2010, local planning authorities have had greater flexibility in defining housing density at the local level. In concert with our other development management design policies (set out above), our new housing density policy seeks to ensure that new development does not harm the visual character and appearance of the surrounding townscape.
- 3.30 Prospective developers will be requested to demonstrate how their proposals either maintain or enhance the character and appearance of the surrounding townscape. In order to do this, they will need to contextualise their proposals through visualisations that set the proposed housing within the wider townscape context. We recommend that prospective developers discuss these issues through the pre-application process in order to minimise potential delay and unnecessary additional cost during the planning application process.
- 3.31 Based on our evidence, we envisage that a maximum density of 40 dwellings per hectare will be appropriate for most housing windfall sites. Developing housing sites to the maximum density will not be appropriate in all circumstances.
- 3.32 Given the nature of housing windfall sites; namely that it is not possible to predict where and when they may come forward for redevelopment, there may be opportunities to consider higher densities subject to their location. In those exceptional circumstances when higher densities may be considered appropriate we will require the prospective developer to demonstrate overall sustainable qualities of the site that would justify densities above 40 dwellings per hectare. We will also

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<sup>12</sup> The only exception to this approach are the small number of redevelopment sites that remain on the Hospital Cluster – most notably West Park North and South, both of which are identified as housing allocation sites in the forthcoming Site Allocations Policies Document.

<sup>13</sup> This refers to the housing and mixed-use allocation sites identified in Plan E Epsom Town Centre Area Action Plan.

require that the applicant demonstrates that the surrounding townscape has sufficient capacity to accommodate a new development of higher density. Developers will evidence their proposals using an established townscape assessment methodology such as that used in the Environmental Character Study.

### **Policy DM 11 Housing Density**

**We will, in principle, support proposals for new housing that make the most efficient use of development sites located within the Borough's existing urban area.**

**Proposals for new housing must demonstrate how the density of development would contribute towards maintaining and enhancing the visual character and appearance of the wider townscape and lead to no net loss of biodiversity.**

**The density of new housing developments will in most cases not exceed 40 dwellings per hectare. We will consider exceptions to this approach where:**

- **The development site has been identified in the Site Allocations Policies Document as being appropriate for a higher density; or**
- **It can be demonstrated that the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks; and**
- **The surrounding townscape has sufficient capacity to accommodate developments of higher density.**

### *Housing Space Standards*

- 3.33 The provision of sufficient living space within new homes is an important element of good housing design and a prerequisite for basic living. We believe that the future residents of new homes should be provided with sufficient space for day to day activities and needs. This will include space for the furniture they need, to store personal possessions, to prepare food conveniently or to socialise with friends and family. If homes are to have a long life, they must offer functional and adaptable spaces that meet the needs of families, children, older people and disabled residents.
- 3.34 It is recognised that adequate space in the home has an effect on health, diversity and community cohesion and that insufficient space provision in the housing stock will therefore impact on local services. It is an important issue for new development taking place in the Borough not only due to the scarcity of housing land supply but also to prevent substandard accommodation in small units in the private housing sector. It is important that we make efficient use of land and at the same time cater for changing lifestyles, including increasing the opportunities for home working, and meeting with requirements for Lifetimes Homes and Building Regulations<sup>14</sup>; specifically in relation to access.
- 3.35 Our forthcoming Design Quality Supplementary Planning Document will set out standards for amenity space. These will be general guidelines as the type and size of space will vary according to the size and use of the dwelling. Provision should ensure a balanced range of public, communal and private space. The biodiversity potential/ value, aspect, usability, sense of enclosure and prevailing pattern established by local character will all be taken into account in assessing whether private gardens will provide sufficiently good living conditions. For houses a minimum total private outdoor space of 70m<sup>2</sup> for 3 or more beds and 40m<sup>2</sup> for 2 beds will be

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<sup>14</sup> Part M of the Building Regulations sets out the level of access required for disabled users.

provided. Subject to the considerations of development viability and practicality we will seek a minimum depth of 10m of domestic rear garden space.

- 3.36 To provide adequate private amenity space for development of flats, a minimum of 5m<sup>2</sup> of private outdoor space for 1-2 person dwellings should be provided and an extra 1m<sup>2</sup> should be provided for each additional occupant. Where appropriate in terms of visual character and appearance, flats at upper levels may have a private useable balcony area, in addition to having access to communal open space. It is essential that these space standards requirements are incorporated into the design of new proposals from the outset and are not treated as afterthoughts.
- 3.37 There are additional requirements for play space. Accommodation likely to be occupied by families with young children should have direct and easy access to a private garden. Ground level family units within a block of flats should have larger private amenity spaces. Flats at upper levels may share play space as part of a community garden and/or have a private useable balcony area, as outlined in the paragraph above.
- 3.38 Conversions will be required to comply with the same standards as new development. Where developments in town centre locations are not able to provide external amenity space on site, the applicant should demonstrate that suitable alternatives such as usable roof terraces, roof gardens and balconies have been considered and incorporated wherever possible. If a development proposal cannot meet the standards the onus will be on the applicant to demonstrate why.
- 3.39 Due to their restricted use, only during the academic year and because of the differences in student lifestyles, we will not seek to apply these residential space standards to proposals for new student cluster flats. However, we will ensure that all new proposals for student cluster flats are appropriately conditioned to ensure that they remain in use purely as student accommodation.

## Policy DM 12 Housing Standards

All new housing developments, including conversions, are required to comply with external and internal space standards\*.

The Council will only grant planning permission for new dwellings that provide adequate internal space and appropriate external private and/or communal amenity space to meet the needs generated by the development. Development must comply with the space standards set out in the Council's Design Quality SPD.

Amenity space for all new dwellings should be:

- (i) private, usable, functional, safe and bio-diverse;
- (ii) easily accessible from living areas;
- (iii) orientated to take account of the need for sunlight and shading;
- (iv) of a sufficient size to meet the needs of the likely number of occupiers; and
- (v) provide for the needs of families with young children where the accommodation is likely to be occupied by such.

\* New housing development must comply with 1) Nationally Described Space Standard technical requirements; 2) Document G: Requirement G2 Water Efficiency; 3) Document: Requirement H6 Solid Waste Storage; 4) Document M: Part M Access to and Use of Buildings; and 5) Document Q: Security. The Council's Design Quality SPD will also contain external/ amenity space standards.

### *Building Heights*

- 3.40 The Borough's visual character and appearance is a significant factor in making it a unique place. Whilst it is comprised of a wide variety of different townscapes, as defined within the Environmental Character Study, one key unifying feature is the relative low heights of buildings across the Borough. Maintaining and enhancing the scale and height of buildings across the Borough continues to be an important consideration for local planning policy. The previous Local Plan 2000 contained a successful policy that sought to safeguard the scale, character and amenity of the Borough's townscape through the control of building heights. The recent [Plan E Epsom Town Centre Area Action Plan](#) has refined this approach further by introducing a new development management policy to manage building heights within the Town Centre. These policies provide an evolutionary context to our approach.
- 3.41 Proposals that do not respect the scale, and visual character and appearance of the Borough's existing townscapes are likely to be harmful. Although it is our objective to preserve our locally distinctive characteristics, we are not seeking to deliver uniform heights. In order to protect our townscapes we will welcome new developments that respect their surroundings, the overall low heights and make a positive contribution to an area's character, as defined in the Environmental Character Study.
- 3.42 It must be noted that the existence of a higher building in a particular location does not justify its replacement with a building of equivalent height, or for new high

buildings in the same area. We encourage discussion at an early stage in order to ensure that appropriate building heights are achieved.

- 3.43 A number of recent proposals have sought to site their building plant rooms as separate structures located on top of their respective roofs; elevating the overall height of these new developments. This has resulted in taller, overbearing buildings that have had a harmful impact on the surrounding townscape. We believe that locating building plant rooms on top of building roofs is unnecessary and will actively seek their location within the building structure, for example in the basement or under the roof.

### **Policy DM 13 Building Heights**

**Buildings higher than 12m will be inappropriate in all areas of the Borough except the identified areas within the Epsom Town Centre Boundary (Refer to Proposals Map Plan E) where buildings up to a maximum height of 16m will be allowed in certain locations.**

**Maximum heights are defined as the distance between ground level and the building's eaves/ gutter. Above the maximum heights, the roof of the building shall be no higher than 4 m and the slope of the roof shall be no greater than a 45° pitch.**

**Proposals that incorporate roof mounted building plant rooms that exceed the maximum heights will not be permitted. Subject to viability and practical considerations we will seek the siting of plant rooms within the building itself.**

**Building up to the maximum heights stated will not be appropriate in every location. In addition it may not be appropriate for the roofspace to be utilised as an additional storey. Proposals must respect:**

- **The character and context of the surrounding locality, particularly in relation to existing building heights and roofscapes**
- **The impact on the streetscene and views**
- **The Conservation Area (where applicable)**
- **Listed buildings and the setting of listed buildings**
- **Topography**

### *Shopfront Design*

- 3.44 Shopfronts are an important aspect of the Borough's many different shopping areas, making a valuable contribution to their visual character and appearance. Our primary objective is to ensure that shopfronts respect the building of which they are part of and their location, particularly within Conservation Areas. A well designed shopfront will give a good impression of the business. We believe that if all the shopfronts and signs in a street are attractive, this will benefit the wider retail environment and as a consequence benefit all the traders.
- 3.45 Changes to shopfronts have a significant impact on the appearance of the building and the surrounding retail area but also on their economic vitality and viability. By planning positively to enhance the visual character and appearance of our shops we will ensure that our retail centres remain economically viable into the future.



- 3.46 Replacement shopfronts in existing shops will retain, reinstate and generally respect the key elements found in former shopfront designs. New shopfronts will incorporate these elements in their design and generally respect neighbouring, existing shops. Our [Shopfront Design Guide](#) provides further guidance to support the policy approach set out below.

### **Policy DM 14 Shopfront Design**

**Applications for new or replacement shopfronts will be determined having regard to:**

- (i) the architectural merit of the existing shopfront;**
- (ii) the character of the area;**
- (iii) the suitability of the overall form, scale and architectural detail in relation to the overall appearance of the building;**
- (iv) the suitability of the materials in relation to the overall appearance of the building;**
- (v) the suitability of the elements to which the display of advertisements are to be fixed in relation to their impact on the overall appearance of the building;**
- (vi) the suitability of any advertisements with regard to lettering, colour, form of illumination and materials in relation to the overall appearance of the building.**

**Proposals will take account of the Council's Shopfront Design Guide, particularly in relation to Listed Buildings and shopfronts within Conservation Areas.**

### *Advertising*

- 3.47 Advertising is an integral part of urban life and can be, in certain locations, one of the most dominant elements within the townscape. It can enhance the appearance and vitality of a street but it can also cause considerable damage to visual amenity by cluttering the built environment and detracting from the quality of an area.
- 3.48 Advertisements are defined under the Advertisement Regulations and include not only hoardings, but blinds and canopies with lettering, flags with logos, balloons and banners. In considering proposals for advertising hoardings or other advertisements; including blinds and canopies where relevant, or in deciding whether to take action to remove an existing advertisement, we will have regard to the criteria contained in Policy DM 15 below.
- 3.49 High level, brightly illuminated, or flashing advertisements will not normally be permitted. As a general rule, advertisement displays will be restricted to shopping, commercial, industrial locations or transport hubs where they comply with the above criteria, are in character and do not cause excessive visual clutter. It should be noted that the level of control available to us, as the local planning authority, is limited and that some types of advertisements do not require formal consent.

## **Policy DM 15 Advertisements and Hoardings**

**Proposals for advertising hoardings and other advertisements must demonstrate that their design and siting:**

- **does no demonstrable harm to the character of the surrounding townscape; and**
- **has regard to the interests of amenity and public safety (including for disabled people) and highway safety.**

**When determining proposals for new advertising displays we will consider whether they would have an adverse effect upon:**

- **a Conservation Area and its wider setting;**
- **Listed Buildings or Buildings of Townscape Merit;**
- **predominantly residential areas.**

**Where necessary we will use our powers to remove any advertisement or hoarding erected without permission and where appropriate and practical, to challenge existing hoardings and advertisements that cause substantial injury to visual amenity and public safety, including for disabled people.**

### *Redevelopment of Domestic Back Gardens*

3.50 Typically, most development proposals involving backland sites in the Borough will result in the loss of some domestic garden land. National planning policy advises that we should consider protecting back garden land from inappropriate development where it would be harmful to its character and appearance. In general we will not accept proposals for new development on domestic back garden land. However, we may consider proposals for the redevelopment of backland sites that are in other uses, subject to the criteria set out in Policy DM 16 below and other relevant development management policies contained within this document.

3.51 We consider that this approach will help protect the direct and indirect qualities that domestic gardens provide in terms of local character, supplying safe and secure amenity and play space, supporting biodiversity, helping to reduce flood risk and mitigating the effects of climate change including the 'heat island' effect.

3.52 We will restrict opportunities for new development on rear domestic garden land where such gardens make a significant contribution to local character, Green Infrastructure, biodiversity and the general environment. In assessing the value of the site as green infrastructure we will take into account protected and priority species, the length and overall size of the garden and value of adjacent land, as larger areas support a wider range and a greater number of species.

3.53 Rear domestic gardens make an important contribution towards the character of certain parts of the Borough. This is recognised in the Borough's Environmental Character Study and in various Conservation Area appraisals. The importance of mature trees found in rear domestic gardens is also acknowledged. The value of such trees will be assessed on a case by case base. These factors mean that

developments that would result in the significant loss of rear domestic garden land will normally be unacceptable.

### **Policy DM 16 Backland Development**

**There will be a presumption against the loss of rear domestic gardens due to the need to maintain local character, amenity space, green infrastructure and biodiversity.**

**In exceptional cases, modest redevelopment on backland sites may be considered acceptable, subject to proposals demonstrating that there will be no significant adverse impact upon the following:**

- 1. Garden land – Rear garden land which contributes either individually or as part of a larger swathe of green infrastructure to the amenity of residents or provides wildlife habitats must be retained;**
- 2. Impact on neighbours – The privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;**
- 3. Vehicular access or car parking – These must not have an adverse impact on neighbours in terms of visual impact, noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;**
- 4. Mass and scale of development – Development on backland sites must be more intimate in scale and lower than frontage properties to avoid any overbearing impact on existing dwellings and associated gardens;**
- 5. Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided.**

### *Contaminated Land*

- 3.54 We are not currently aware of any development sites in the Borough which are contaminated to such an extent as to render them undevelopable. Nevertheless we are keen to ensure that any vacant sites that come forward for redevelopment can be developed safely. As the local pollution control authority we are required by the Environment Act 1995 to identify contaminated sites. Developers should undertake tests during the initial stages of the development process to determine whether any contaminants are present and ensure that their site is suitable for the proposed use. We encourage developers to discuss potential contamination issues with our Contaminated Land Officer at an early stage in the development process.
- 3.55 Potential sources of contamination are varied and can include residual waste from historic land uses such as gas production, industrial uses, landfill sites or sewage treatment. Risks from contaminated land include materials left in the soil that could be released into the air, leach into the water table or contaminate home grown food. If left untreated such contaminants may affect residents, workers, buildings or services, either on the site or nearby. Care should also be taken throughout the development process itself, including any preliminary investigations as survey work such as borehole drilling may sometimes release contaminants. Although we have yet to identify any contaminated sites that are likely to come forward for redevelopment, we have set out the criteria which will be applied if any proposals emerge.

## Policy DM 17 Contaminated Land

Where it is considered that land may be affected by contamination, planning permission will only be granted for development provided that the following criteria are satisfied:

- (i) all works, including investigation of the nature of any contamination, can be undertaken without escape of contaminants which could cause unacceptable risk to health or to the environment;
- (ii) it is demonstrated that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment including the apparatus of statutory undertakers.

### *Telecommunications Development*

- 3.56 Advanced, high quality communications infrastructure is essential for sustainable economic growth. In particular, the development of high speed broadband technology and other communications networks plays a vital role in enhancing the provision of local community facilities and services.
- 3.57 Whilst we are supportive of the expansion of electronic communications networks, including telecommunications and high speed broadband, we will seek to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. We believe that existing masts, buildings and other structures should be used, unless the need for a new site has been robustly justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. Such camouflaging measures should respect the visual character and appearance of the surrounding townscape and natural environment.
- 3.58 The Local Plan 2000 included a policy on the erection of telecommunications apparatus (Local Plan 2000 Policy DC22), which we believe remains relevant, up-to-date and is in conformity with national planning policy. We continue to regularly use this policy in successfully determining planning applications. Consequently we have carried the policy forward for the purposes of this document. We will require that new proposals for telecommunications infrastructure demonstrate that telecommunications operators have considered the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services.
- 3.59 Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:
- the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and
  - for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on Non-Ionising Radiation protection guidelines; or
  - for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and

a statement that self-certifies that, when operational, International Commission guidelines will be met.

- 3.60 We will determine applications solely on planning grounds. We will not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

#### **Policy DM 18 Communications Infrastructure**

**Planning permission will be granted for the erection of telecommunications apparatus which satisfies the following criteria:**

- (i) the apparatus uses an existing mast or building where practicable, without causing serious harm to the appearance of the site or building to which it relates;**
- (ii) where an existing mast or building is not available, the apparatus would be screened as far as practicable by the existing landform and trees, or by landscaping and planting incorporated in the proposal;**
- (iii) the apparatus would not cause harm to the visual amenity of listed buildings, conservation areas or other sensitive areas;**
- (iv) the proposal incorporates appropriate materials or treatments for any associated buildings or supporting structures;**
- (v) the potential for physical interference has been minimised in the siting and design of the apparatus.**

**The use of planning conditions or legal agreements may be considered as appropriate to ensure that new masts will be removed at the operators' cost if they become redundant in the future.**

## Sustainability in New Developments

### *Flood Protection*

- 3.61 The [EU Water Framework Directive](#) seeks to improve water quality through the introduction of a system of river basin management. The Borough's main watercourse is the Hogsmill River, which is a tributary of the River Thames. It also contains a number of underground springs. Although the Environment Agency has identified the vast majority of the Borough is at low risk from fluvial flooding, it is important to provide protection for those areas that have a higher level of flood risk. With the impact of climate change being likely to increase the incidence of flooding and extreme weather events, it is important the plan takes full account of the issue. We recognise that the avoidance and management of flood risk can make a positive contribution to the development of sustainable communities.
- 3.62 The Environment Agency's floodplain maps show the limits of the floodplain. The general extent is shown diagrammatically on the Core Strategy key diagram. The floodplain maps show the best available information for fluvial flood risk but are only indicative and are not intended to be the sole basis on which planning decisions are made. Local issues and circumstances, such as culverts and potential obstructions, also need to be considered. The Environment Agency recommends the inclusion of an 8 meter-wide 'buffer zone' around the Hogsmill River and its tributaries. The continued designation of the area surrounding the Hogsmill River as an area of 'Strategic Open Space' will help contribute towards this objective. This is a matter that is covered in the forthcoming Site Allocations Policy Document.
- 3.63 The Flood and Water Management Act 2010 requires county authorities to coordinate flood risk management for surface water, ground water and smaller watercourses in their area. In addition to taking full account of fluvial flood risk during the preparation of the Core Strategy we have also prepared and published a [Strategic Flood Risk Assessment](#), which continues to inform the plan making and development management processes. This is in line with the provisions of the Draft Surrey Local Flood Risk Management Strategy.
- 3.64 Based on national mapping provided by the Environment Agency, DEFRA identified that a significant number of properties in the Borough of Epsom & Ewell would also be susceptible to surface water, or pluvial flood risk. This is primarily due to the underlying geology. This is comprised of the permeable chalk found on the Downs located to the south and east of the Borough, intersecting with impermeable clays which underlie most of the built up area. In response to this we have prepared a [Borough-wide Surface Water Management Plan](#) (SWMP), which identifies those areas at greatest risk of pluvial flooding and the types of mitigation measures that will be required to address existing problems and allow new development to take place.
- 3.65 Surface water flooding can be caused by a variety of sources. Locally these can include intense rainfall prior to entering a watercourse or sewer, overland flow resulting from high groundwater levels, exceedance of the capacity of the sewer network and 'out of bank flow' from small watercourses which are not designated as an Environment Agency Main River. In addition to causing damage to properties, roads and other infrastructure, the onset of surface water flooding can be relatively sudden and can lead to both high velocity flows in steep areas and deep ponding of flood water.
- 3.66 The purpose of the SWMP is to identify sustainable responses to manage surface water flooding and to prepare an Action Plan for dealing with the long term pluvial flood risks. The Action Plan provides an evidence base upon which future decisions



and funding applications for putting the recommendations into practice can be brought forward. It has been prepared in accordance with the latest DEFRA guidance.

- 3.67 The SWMP Action Plan takes an incremental approach to change, taking advantage of opportunities as they arise. These cumulatively have the effect of better managing pluvial flood risk. The SWMP identifies and maps the natural drainage routes that future development must respect. This information will be used when determining planning applications to ensure that development “avoids increasing the risk of or from flooding”; in accordance with Core Strategy Policy CS6.
- 3.68 New development taking place within an area of surface water flood risk will consider:
- a) whether the layout could be modified to better respect the natural drainage routes; and
  - b) if Sustainable Drainage Systems (SUDS) could be incorporated into the development to reduce/mitigate the impact of the development<sup>15</sup>.
- 3.69 Where appropriate, site-specific flood risk assessments will be required to accompany planning applications. In line with national planning policy we will apply risk-based sequential and exceptions tests when allocating new development sites. The [Epsom & Ewell Surface Water Management Plan](#) and the [Surface Water Drainage Areas Map](#) can both be viewed at the Borough Council’s website.

### **Policy DM19 Development & Flood Risk**

**In order to manage flood risk, we will take a sequential approach to the allocation of sites in a Site Allocations Policy Document and when determining planning applications.**

**Development within Flood Risk Zones 2 & 3 or on sites of 1ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding as identified by the Borough Council’s SFRA, will not be supported unless:**

- (i) In fluvial flood risk areas, the sequential and exception tests have been applied and passed and it is a form of development compatible with the level of risk; and**
- (ii) For all sources of risk, it can be demonstrated through a site FRA that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral; and**
- (iii) Where risks are identified through an FRA, flood resilient and resistant design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels.**

**We will expect development to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SUDS) at a level appropriate to the scale and type of development.**

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<sup>15</sup> Further information on incorporating SUDS into the design of new developments can be found within our Sustainable Design Supplementary Planning Document (June 2012)

**Development which seeks to restore areas of functional floodplain will be encouraged, especially where this would provide opportunities for recreation, habitat restoration/ biodiversity enhancement and green infrastructure opportunities.**

### *Environmentally Sustainable Development*

- 3.70 It is now widely accepted that our climate is changing and that there are adverse implications to this phenomenon. It is also understood that our modern post-industrial society continues to be one of the factors accelerating this phenomenon with a major contributor being greenhouse gas emissions. The planning system can help address climate change, both through reducing our contribution to the causes and helping existing and new development adapt to the impacts. We are determined to ensure the way we build is done in a more sustainable way in the future. For example by minimising the resources that are used, including energy and water, reducing the levels of pollution generated during and after the development process<sup>16</sup> and achieving no net loss of biodiversity. Inevitably, this means that future development proposals must incorporate either higher levels of insulation, or renewable or low-carbon energy sources.
- 3.71 New developments should have regard to the Council's Core Strategy Policy CS6 and the [Sustainable Design Supplementary Planning Document](#). The energy hierarchy of reducing the need for energy, using and supplying energy efficiently and using renewable energy should be adhered to in new development where practicable and viable.
- 3.72 National planning policy demands that all local planning authorities recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Our original intention was to introduce a new policy that sought at least 10% from renewable sources in major housing developments and sought a range of energy efficiency upgrades from householder developments. Although our approach had been broadly supported by the development industry it was not viable. However, we remain committed to achieving environmentally sustainable developments.
- 3.73 Following the signing of the Kyoto Protocol target<sup>17</sup> and in addition to other commitments to reduce carbon dioxide emissions nationally<sup>18</sup>, it is important that new developments are designed and constructed in a way that minimises their impact on the environment. A highly visible local symptom of climate change is the water shortages that we are already experiencing here in the South East of England. These conditions will only worsen with additional demand generated by the region's growing population. It is essential to maximise the efficiency with which water is used and runoff is managed. All new developments should aim to conserve water both internally and externally and minimise the amount of water used.
- 3.74 The sustainability appraisal of our Development Management Policies identified very positive outcomes for the inclusion of sustainable design and energy conservation principles. We believe that new development can help combat the causes of climate

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<sup>16</sup> This will be achieved by reducing greenhouse gases (primarily carbon dioxide), both during the development process and during the life of the development, and the use of recycled building materials in construction.

<sup>17</sup> A 12.5% reduction in greenhouse gas emissions from 1990 levels averaged over a period 2008 – 2012. Kyoto came into force in February 2005

<sup>18</sup> Reduce carbon dioxide emissions by 20% from 1990 levels by 2010, and 60% from 1990 levels by 2050. These are set out in the Climate Change Act 2008.

change through reducing the reliance on energy sources that generate greenhouse gases, and can help to mitigate climate change impacts through careful design and efficient resource use. This is highly relevant when considering the long term sustainability of the Borough in conjunction with the long lifespan of developments. With increasing energy prices and the scarcity of water, developments that display efficient use of such resources will be in increasing demand.

- 3.75 High quality and innovative design can be instrumental in helping to overcome the visual impacts of new technologies in historic environments. Again, improvements in technology are likely to assist with this objective. Incorporating Green Infrastructure as an integral component of building designs can also help achieve both our climate change and biodiversity objectives. For example, green or brown roofs and green walls not only help to provide additional building insulation, aid building/ urban cooling and potentially store water but can also create new wildlife habitats in otherwise barren urban areas. The Council's [Sustainable Design Supplementary Planning Document](#) sets out detailed guidance for developers and planning applicants.

***Policy DM20 was removed by the Inspector's Main Modifications as part of the Examination process.***

## 4 Housing Provision

- 4.1 We are committed to meeting our local housing needs. This commitment is reflected by our Core Strategy Policies<sup>19</sup>, which respond to the demand for market and affordable housing, and the needs of our Gypsy and Traveller communities. In preparing our Core Strategy we identified the scale and nature of demand through our [Strategic Housing Market Assessment](#), which we prepared in co-operation with our neighbouring East Surrey local planning authorities. We are preparing a review that will update key components of this assessment. This work will help us quantify our local housing needs into the next Local Plan Period<sup>20</sup>.

### *Meeting Local Housing Needs*

- 4.2 National planning policy requires that local planning authorities make adequate provision for meeting all types of housing need, including affordable housing and the needs of different groups in the community; such as, but not limited to families with children, older people, people with disabilities and service families. We believe that meeting the housing needs of these different groups is important not only because it positively contributes to the diversity of our Borough helping to make our communities sustainable but also because of the contribution that these different groups can make to our local economy.
- 4.3 Our definition of specialised housing includes but is not restricted to: sheltered accommodation for elderly people; close-care accommodation for the elderly and infirm; student accommodation, and housing associated with and essential for the successful operation of a commercial enterprise<sup>21</sup>.
- 4.4 Our evidence tells us that there are a number of very specific housing needs that reflect the mix of different people and communities that want to live in our Borough. For example, as people get older and potentially less mobile their housing needs will change. Some of their accommodation needs could be met through the adaption<sup>22</sup> of their existing homes but equally it may result in elderly residents seeking to down-size and possibly seek accommodation that has a warden or on-site care support.
- 4.5 Another example is that many of our young people are choosing to extend their education, which can present us with an equally challenging housing need. Local education institutes such as Laine Theatre Arts, NESOT and the University for the Creative Arts have student catchment areas that extend beyond the Borough's boundaries. Because of this we may not always be able to accurately identify the scale of accommodation required to meet the needs of these institutions. As a consequence, we are reliant upon the institutions to provide us with robust evidence of their student numbers and associated housing need. These projections will take full account of existing accommodation in order to avoid over-provision, which could result in the inefficient use of our limited housing land supply. We will work with our various education institutions to ensure that the needs of their students are met.
- 4.6 We anticipate that during the life of the Local Plan other, as yet unidentified, specialised housing accommodation needs will come forward. Where possible we will try to identify and quantify these areas of need through our annual monitoring and

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<sup>19</sup> See Core Strategy Policies CS7, CS8, CS9 and CS10.

<sup>20</sup> We currently anticipate that this will cover the period between 2026 until 2046

<sup>21</sup> Examples of this could include dwellings for agricultural workers and more typically in Epsom & Ewell race horse training related accommodation.

<sup>22</sup> This may take the form of the "Life Time Homes" approach which seeks to embed the potential for adaptability within new homes, or through more ad hoc measures such as stair-lifts and hoists.

housing evidence base processes. Where a previously unknown need presents itself we will require the applicant to robustly demonstrate the need. This may require the applicant to prepare primary evidence sources as part of their application.

- 4.7 The above groups generate very specific accommodation needs that have significant implications for the design and use of the new or converted buildings that could come forward to meet their needs.

### **Policy DM 21 Meeting Local Housing Needs**

**We will grant planning permission for specialised forms of residential accommodation subject to the following requirements being met:**

- **That the application documentation includes clear and robust evidence that demonstrates that there is a need for the new accommodation; and**
- **The delivery of the new accommodation does not result in an over-provision of that particular type of accommodation; and**
- **The design of the proposal is demonstrated as being sufficiently flexible to readily accommodate conversion to other appropriate uses, either residential or non-residential, in the event that the need for the permitted use declines.**

### *Housing Mix*

- 4.8 Different households require different types and sizes of accommodation. Therefore it is important that the Borough has an appropriate mix of housing to meet existing and future household needs.
- 4.9 It is important that we ensure that new housing developments provide a choice and mix of housing so that the Borough continues to be comprised of balanced and sustainable communities. We believe that providing a choice of housing will ensure that the Borough remains an attractive place for new residents and helps in meeting the needs of existing residents. We will expect new residential schemes to reflect the latest evidence of need subject to local character considerations and viability.
- 4.10 Historically, local house builders have concentrated on the development of new homes for family sized households. The inter-war and immediate post-war period housing estates that make up much of the Borough's existing urban area are characteristic of this trend. Over the past forty years there has been a trend of house builders building new homes for smaller sized households, with fewer family sized homes being built.
- 4.11 Our evidence shows that family sized homes remain in demand and that there may be an insufficient supply to meet either market or affordable housing needs. Our Strategic Housing Market Assessment (2008) identified that there was a shortfall in three bedroom accommodation of 244 dwellings, or 55% of the demand (801 units). Since the publication of our original Market Assessment the comprehensive redevelopment of the Hospital Cluster developments has met much of this market housing demand. However, our evidence<sup>23</sup> demonstrates that there continues to be high demand for affordable housing (rented accommodation) of a specific size. For

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<sup>23</sup> This takes the form of data extracted from our Housing Needs Register, which shows the demand for different sized affordable accommodation in comparison to existing social housing supply (rented housing only)

example, the evidence shows that there has been a 108% increase in demand for affordable homes with four or more bedrooms during the period 2007 - 2011. Demand for two bedroom affordable homes also remains high, increasing by 103% during the same period. Our Strategic Housing Market Assessment suggests that we seek an affordable housing mix of 65% one and two bedroom homes and 35% three and four bedroom homes.

- 4.12 In order to address this imbalance we will require that new residential developments incorporate an appropriate mix of dwelling sizes, with at least 25% of all proposals for four or more units being comprised of three bedrooms or more, homes.
- 4.13 We will seek to meet the increasing demands for family-sized affordable homes by negotiating and agreeing an appropriate mix of housing sizes on-site under Section 106 of the Town and Country Planning Act 1990.

### **Policy DM 22 Housing Mix**

**We will grant planning permission for new residential development proposals that incorporate a mix of dwelling sizes and tenures that meet identified local needs.**

**In order to meet this objective we will require all residential development proposals for four or more units be comprised of a minimum of 25% three bedroom, or more, units. We will consider exceptions to this approach where it can be demonstrated that such a mix would be inappropriate to the location or endanger the viability of the proposal.**

**On sites particularly suited to larger-sized family houses, we will encourage the proportion of units having 3 or more bedrooms, as specified above, to be exceeded.**

### *New Gypsy and Traveller Sites*

- 4.14 National planning policy<sup>24</sup> also requires that local planning authorities meet the housing needs of their local gypsy and traveller communities. As a consequence we have to assess the future accommodation needs of our communities and through our local site allocation and development management policies ensure that there is a continuous five-year supply of deliverable sites to meet those needs.
- 4.15 The Council, in partnership with Surrey County Council, currently manages two gypsy sites within the Borough, Conifer Park at Kiln Lane in Epsom, and the Greenlands site at Cox Lane in the north of the Borough. Together these two sites provide a total of 30 public pitches. Our evidence shows that the Cox Lane site is overcrowded. In contrast, Conifer Park currently has spare capacity to meet the future accommodation needs of the on-site resident community. There is also an existing privately owned travelling showperson's site in the Borough. In recent years there have been few incidents of illegal encampments. We also provide temporary accommodation provision<sup>24</sup> during the Epsom Derby Festival.
- 4.16 The Gypsy and Traveller Accommodation Assessment prepared in support of the South East of England Regional Spatial Strategy indicates that we need to deliver

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<sup>24</sup> Planning Policy for Traveller Sites (March 2012) – a document to be read in conjunction with the National Planning Policy Framework.



additional provision in order to meet unmet needs. A new Traveller Accommodation Assessment being prepared to support our emerging Site Allocations Policies Document will examine local need and contribute towards the identification of a supply of specific deliverable sites required to meet that need.

- 4.17 We will consider site allocation options for new sites as part of the Site Allocations Document process. Core Strategy Policy CS10 provides the policy context for such allocations. However, in order to provide flexibility we also take a criteria-based policy approach towards the provision of new sites. This approach provides the opportunity for new small privately run sites to come forward through the development management process.

### **Policy DM23 Gypsy and Traveller Sites**

**The Council will protect the existing authorised gypsy and traveller plots at the Cox Lane and Kiln Lane sites, and will identify provision to accommodate additional plots.**

**It is anticipated that the forthcoming Site Allocations Development Plan Document will meet the needs of gypsies and travellers by identifying and allocating suitable provision.**

**Proposals for new sites will:**

- (i) have good access to local services including shops, schools, GPs and other health services;**
- (ii) have good access to and from the public highway, bus routes and other transport modes;**
- (iii) demonstrate that they are compatible with any existing neighbouring residential uses;**
- (iv) not involve the erection of unsightly, significant permanent structures;**
- (v) not be located in areas of high flood risk;**
- (vi) not be located on contaminated land; and**
- (vii) result in no net loss of biodiversity.**

## 5 Economic Development

### *Employment Land Provision*

- 5.1 We believe that a thriving local economy is a key objective towards maintaining and enhancing the sustainability of our local communities. We are keen to avoid becoming a purely residential or dormitory borough whose function would be to provide residential accommodation for employees working in Greater London or other neighbouring centres. We recognise that a suitably vibrant employment market is a great advantage to any area, providing jobs and incomes to workers, and an array of other social and economic benefits – particularly in terms of Town Centre vitality and viability, and good quality community infrastructure. Our approach is already reflected in Core Strategy and Plan E Epsom Town Centre policies. The following policies build upon these.
- 5.2 The Borough is an area of low unemployment; 1.6% (seeking Job Seekers Allowance) during April 2012, compared to 2.6% for the South East of England and 4.0% for Great Britain<sup>25</sup>. It provides a sustainable location for a variety of workplaces and a good cross section of employment opportunities for residents. However, many residents commute to jobs outside the Borough because of the proximity of London and good transport links with surrounding areas. Although the economy of the Borough cannot be divorced from adjoining employment centres, we want to continue to provide local employment opportunities that will reduce our reliance on out-commuting to jobs beyond the Borough's boundary.
- 5.3 Our [Employment Land Review 2006](#) considered the Borough's existing employment structure and workplace provision for B1, B2 and B8<sup>26</sup> uses, and assessed likely future needs. The review established that approximately half of those employed were in jobs which require B1, B2 or B8 floorspace and that, generally, a suitable range of such employment premises existed within the Borough to meet the needs of the local economy. The majority of this floorspace is located within Epsom Town Centre and the nearby Longmead and Nonsuch industrial estates, with many of the smaller premises (<250m<sup>2</sup>) being within Epsom Town Centre and Ewell Village.
- 5.4 Our recent [Employment Land Review Update \(October 2012\)](#) identifies a subtle change in our employment structure, noting that the largest single occupational group within the Borough is made up of managers and senior professionals, professional and associate technical and professional occupations. This category accounts for 54.7% of the Borough's workforce, a proportion that is much higher than the regional and national level. It is suggested that this reflects our geographic position within outer London's commuter belt. Nevertheless our evidence also shows that the Borough remains attractive to employers due to the high levels of public transport accessibility from residential areas located beyond the Borough boundary.
- 5.5 Our evidence also indicates that over the next ten years there will be an increase in the numbers of economically active persons resident in the Borough looking for work. Because of the excellent "connectivity" the Borough enjoys with other employment centres, especially London, we believe that it would not be possible to attempt to balance the number of those looking for work with the number of local job opportunities.

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<sup>25</sup> Employment Land Review Update: Assessment of the Existing Portfolio for meeting Future Requirements (October 2012)

<sup>26</sup> From the Use Classes Order: B1 (business), B2 (general industrial) and B8 (storage and distribution)

- 5.6 However, with sustainability principles in mind we will support an approach which encourages a scale of employment opportunities broadly in line with this predicted increase in economically active population. Regular monitoring of floorspace levels will be essential to ensure that the needs of business are being adequately provided for.
- 5.7 In addition to employment opportunities within the B1, B2 and B8 land uses, the Borough has proved to be an attractive location for education, healthcare, retail and hospitality sectors, all of which make a valuable contribution to the local economy. Epsom Downs Racecourse and the local racehorse training industry are an important part of the local economy, as well as being a significant part of our heritage. Overall these employment opportunities are of great importance to the community and form an essential part of our social and economic fabric. We believe that ensuring a deliverable and developable supply of appropriate employment land will contribute to making the Borough an attractive location for businesses and will encourage a diverse mix of jobs.
- 5.8 The problem is that there has been little commercial development in the Borough during the last 10 years. This issue is particularly acute within our office stock, where a large number of premises are no longer fit for purpose. Our evidence<sup>27</sup> shows that this has been further compounded by a restructuring in the wider office market and changing work patterns<sup>28</sup>. This has resulted in a relatively high office vacancy rate.
- 5.9 We are aware that the market's current preference for residential development may often be in direct competition for employment land. In order to help safeguard the economy our local plan aims to protect a suitable amount and range of employment premises, especially those located in highly sustainable locations such as Epsom Town Centre.
- 5.10 Within the wider strategic context of local plan policy restraint we believe that there is little scope for large scale addition to the amount of employment land that already exists within the Borough. However, our existing employment land stock is under increasing pressure from competing non-commercial uses. In order to meet our objectives we will protect our well-located employment sites from loss and support the creation of additional development/ redevelopment opportunities to meet the changing and future needs of businesses.
- 5.11 Plan E Epsom Town Centre Area Action Plan already identifies the Town Centre's key employment areas and our approach to protecting these from inappropriate development. Our strategic employment areas will be identified in the forthcoming Site Allocations Policies Document. Encouraging employment opportunities in these sustainable locations will ensure that existing and future employees have a greater choice of transport modes, helping to reduce reliance on the car and thereby reducing congestion. We also believe that by supporting and facilitating flexible working patterns we will also help to reduce the need to travel.

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<sup>27</sup> East Street Office Demand Study February 2013

<sup>28</sup> This includes employers consolidating their operations to achieve higher workplace densities, and providing greater opportunities for flexible work patterns; including home/ remote working.

### *Loss of Employment Land (Outside of Existing Employment Policy Areas)*

- 5.12 Given our current strong housing land supply (in excess of eight years supply<sup>29</sup>) across the Borough and the level of housing we plan to deliver from allocated sites, the release of these employment sites is not justified on housing land supply grounds and consequently the emphasis is upon their continued use for commercial purposes.
- 5.13 In order to ensure the requirements of different employment sectors are met, and so as not to compromise their likely future needs, applications will be assessed using criteria-based policies and any losses, where justified, will be carefully monitored. Regular employment studies, which monitor the provision of employment against the needs of the local economy, will be used to inform our decisions.
- 5.14 In locations where it is appropriate, and where there is robust evidence to justify the loss of existing employment land, we will allow sites to be redeveloped for a mix of commercial and residential uses. Such developments will be required to provide an appropriate level of on-site affordable housing.

### **Policy DM 24 Employment Uses Outside of Existing Employment Policy Areas**

**Outside of the existing identified employment locations and Epsom Town Centre, proposals resulting in the loss of employment floorspace will not be granted planning permission unless it can be demonstrated that:**

- i. The existing use has a significant adverse effect on residential amenity and there is no reasonable prospect that this effect can be alleviated while retaining the use; or**
- ii. There is genuine evidence, including that the site has been marketed without success\*, that the site, as it stands, is no longer suitable for its existing or other employment uses.**

**Where the loss of existing employment floorspace can be demonstrated, new mixed-use redevelopment will be allowed provided that the development provides for a mix of uses including a significant element of employment generating uses.**

**\*The Council will require that the site has been marketed for a minimum period of 18 months at an appropriate rate for its location and condition.**

### *Development of Employment Premises*

- 5.15 We will seek to encourage developments for employment uses that meet local needs without causing undue environmental problems. In particular, we are keen to accommodate the commercial needs of local businesses, small firms and start-ups within the Borough. Equally we would like to afford the opportunity for residents to set up their own enterprise and perhaps work closer to home. In order to meet these objectives we will allow the development of new B1 use-class office space where it is compatible with residential areas, and will be sufficiently flexible enough to be used for light industrial, research, studio and office purposes and adaptable enough to meet future needs, such as the expansion of the business.

<sup>29</sup> Local Plan Annual Monitoring Report 2011 - 2012

- 5.16 Allowing firms to remain and expand within the Borough helps to ensure that a variety and choice of employment opportunities and services are maintained. At the same time we will seek to discourage the unnecessary redevelopment of premises for non-commercial uses, in order to maximise the choice of resources and maintain a stock of cheaper accommodation.
- 5.17 Our evidence shows that there are an increasing number of business start-ups and entrepreneurs running part-time or full-time businesses from home. We will support new ways of working such as home working, or serviced office accommodation providing that they do not cause unacceptable harm to the local amenity or environment.
- 5.18 Due to its predominantly suburban nature, the Borough provides few opportunities for new large-scale storage and distribution employment uses. Nevertheless, new smaller scale storage facilities can make a positive contribution to the local economy if they are situated in relatively accessible locations. When considering proposals for the redevelopment or expansion of existing industrial and storage premises we will seek to secure improvements to the physical environment through the introduction of new green infrastructure, landscaping and screening of unsightly buildings.
- 5.19 There are a wide range of other uses, outside of the B Use Class, that are equally important to the continued success of our local economy. These include education, sports and leisure, arts, cultural, entertainment, creative industries and other uses. Proposals relating to these economic activities will be supported where appropriate.

#### **Policy DM 25 Development of Employment Premises**

**Planning permission for employment developments will be approved providing the following factors are met:**

- a) the accommodation should be flexible & suitable to meet future needs especially to provide for the requirements of local businesses and small employers;**
- b) the scale, bulk and appearance of the proposal should be compatible with the character of its surroundings;**
- c) the development must not significantly harm the amenities of nearby occupiers nor cause adverse environmental impact on the surrounding area;**
- d) the scale of development should be compatible with the level of existing or potential public transport accessibility, and the on-street parking situation. Where additional infrastructure is required due to the scale of the development, such a development will be required to fund the necessary infrastructure to support it; and**
- e) the development should comply with the Council's transport, access, servicing, car and cycle parking standards and policies.**

**Epsom Town Centre is the most sustainable location for new office facilities and other higher density employment uses. However, other locations will be considered on their merits and having regard to the policies contained within the local plan.**

**B2 and larger scale B8 use classes (over 500 sqm) should be located within the Longmead and Nonsuch employment areas or on a site with established use rights for these purposes. Industrial, storage and distribution development, and improvement and expansion of such premises will normally be permitted, subject to the above criteria. However, in considering such proposals the Council will take into account the need, if any, to improve the physical environment of the area.**

#### *Equestrian employment uses*

- 5.20 We believe that Epsom Downs Racecourse and the local racehorse training industry are an important part of our local heritage and economy, and an integral part of the Green Belt in the south of the Borough. Epsom has an international reputation in the horse racing world, being the venue for the Derby and the Oaks, two of the five classic horse races. The area is also an established location for racehorse training. There are prime gallops on Walton Downs and winter training gallops on Epsom Downs. The Downs also have all-weather training gallops of 5 and 9 furlongs length.
- 5.21 We are supportive of the maintenance of a successful racehorse training industry in the Borough. However, where new buildings associated with racehorse training establishments constitute inappropriate development in the Green Belt, a balancing exercise must be undertaken to assess the proposal against harm to the Green Belt.
- 5.22 In order to assess whether there is an essential need for the buildings, an applicant will be expected to demonstrate that:
- (i) they will help sustain the horse racing industry in the Borough;
  - (ii) their size is commensurate with the established needs of the enterprise; and
  - (iii) the need could not be met by the refurbishment or replacement of a building that already exists on the site.

#### **Policy DM26 Equestrian-Related Development in the Green Belt**

**Where equestrian-related development constitutes inappropriate development in the Green Belt, applicants will be expected to justify any proposal with reference to very special circumstances which clearly outweigh harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.**

**Where proposals do not constitute inappropriate development in the Green Belt, applicants will be expected to demonstrate that:**

- (i) the development is requisite to the maintenance of a successful race-horse industry in the Borough; and
- (ii) in the first instance priority is given to the re-use of existing buildings for stabling, tack rooms, feed stores or any other ancillary use which requires a non-residential building; and
- (iii) where replacement buildings are justified, the replacement(s) are well related to existing buildings and are not materially larger than the building(s) to be replaced; and
- (iv) where new buildings or ancillary development are justified these are well related to existing buildings and are small in scale.



## *Working from Home*

- 5.23 Providing the opportunity for businesses to operate from people's own homes can make a positive contribution towards achieving sustainable development objectives; for example, by minimising the need to travel. It can also make a positive contribution towards economic growth; for example by aiding business start-ups during their early stages of development. Home working can take many forms, ranging from occasional remote-working at the kitchen table or in the study, through to permanent workshops located in garages and domestic out-buildings.
- 5.24 In spite of the economic benefits, some businesses operating in residential areas can have harmful effects on the residential amenity of the surrounding area. Other development management policies contained within this document provide general protection against such harm. Nevertheless we believe that residential areas can accommodate some commercial activity at an appropriate scale without detriment. The following text provides more specific guidance on the circumstances in which working from home is acceptable.
- 5.25 Working from home will not always require planning permission. For example, an application will not normally be necessary if the primary use of the property as a dwelling remains and the residential character of the property does not change. Residents intending to start or expand a business operating from home are advised to contact us at the earliest possible opportunity, as enforcement action may be taken against unauthorised or harmful development. In those cases where working from home requires planning permission, we will apply general and specific policies to protect amenity.
- 5.26 One benefit of working from home is that it provides our residents with the opportunity to work flexible hours that suit their domestic arrangements. These may include employment elsewhere or caring for relatives. It would therefore not usually be reasonable to restrict the hours of working. Nevertheless we will ensure that alternative measures can be taken to prevent disturbance to neighbours. For example, the installation of noise insulation may be required in rooms or outbuildings where machinery is being used, particularly if the buildings are attached or if they are close to habitable rooms in another property.
- 5.27 We will give careful consideration to problems which may be caused by on-street parking, by deliveries, or by alterations to the property to provide adequate access, parking and storage. Parking, deliveries and property alterations are also likely to be of particular concern where the business operation either:
- a) attracts visits from suppliers or customers; or
  - b) requires significant quantities of raw materials.
- 5.28 The number of employees involved in the business and their level of activity can also result in a harmful impact on neighbouring residential properties. Businesses that employ non-residents or attract visits from the general public should ideally be located in commercial or mixed-use areas where public or alternative transport opportunities are more accessible. Such businesses tend to be inappropriate uses for residential areas where the associated traffic movements, on-street parking and property alterations could compromise amenity.
- 5.29 We will resist proposals that result in levels of on-street parking or deliveries that could have highway safety implications or inconvenience other residents. We will also resist alterations to the existing residential properties that harm the residential character of the area, particularly in the case of new vehicular access to the rear of

the curtilage, which would detract from the private nature of neighbours' back gardens.

### **Policy DM 27 Working from Home**

**Where planning permission is required it will be granted for a business to operate from a residential property which remains in residential use provided that:**

- (i) the proposal would not cause serious harm to the living conditions of adjoining properties by reason of the nature of the activity, and incorporates appropriate noise attenuation measures where late working or the operation of machinery is involved;**
- (ii) the proposal would not involve alterations to the property (such as extensions and fire escapes) which would substantially alter its residential character, cause serious harm to the living conditions of adjacent occupiers, or cause serious harm to the character and appearance of the surrounding area;**
- (iii) the proposal would not be prejudicial to highway safety and efficiency by reason of deliveries or of car parking by staff, suppliers or customers;**
- (iv) adequate access and parking can be provided without introduction of new vehicular movement into the rear curtilage.**

### *Retail Uses*

- 5.30 We are actively pursuing a town centres first approach towards future retail growth in the Borough. This will focus the growth of retail and leisure activities, businesses and other similar uses within our existing retail centres<sup>30</sup>. We believe that this will help to create attractive shopping/ commercial destinations, increasing footfall with advantages for both businesses and consumers, and also creating a sense of place for residents and visitors. Focusing complimentary retail, business and leisure uses in town centres reduces the need for residents and visitors to travel to a variety of different places to access shops, services and activities. Our approach is supported by national planning policy<sup>31</sup>.
- 5.31 Proposals that do not comply with this approach and seek to locate or enhance retail uses in edge of centre or out-of-centre locations will be required to demonstrate that the sequential approach has been appropriately applied. This is in accordance with national planning policy for retail developments<sup>32</sup>.
- 5.32 Impact assessments will be required for any retail proposals outside of town and local centres where the net floor area exceeds 2500 sqm. The impact assessment should be proportionate to the scale of the development proposed and the scope will be agreed between the applicant and us.
- 5.33 Applicants are encouraged to contact us at the early stages of the application process to discuss the scope of the sequential test and impact assessment required.

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<sup>30</sup> By this we specifically mean Epsom Town Centre, Ewell Village Centre and other established local centres and shopping parades as defined on the Local Plan Proposals Map. This definition excludes existing out-of-centre retail parks, such as Kiln Lane and Ewell Bypass, which are addressed by a separate policy approach.

<sup>31</sup> See National Planning Policy Framework Paragraph 23.

<sup>32</sup> See National Planning Policy Framework Paragraph 24.

### *Existing Retail Centres (Outside of Epsom Town Centre)*

- 5.34 The Borough's Town, District and Local Centres and Neighbourhood Parades provide retail and other services that cater for the daily needs of the local population and are vital to securing sustainable communities and travel patterns.
- 5.35 The Borough's retail centres contain a variety of non-retail uses that contribute to their variety and viability. These include healthcare uses, library and other community facilities, financial services, employment opportunities, eating and drinking establishments and residential accommodation.
- 5.36 The Borough's Neighbourhood Parades are typically small concentrations of retail and non-retail uses, which can be comprised of essential convenience stores, occasionally post office services, hairdressers/ beauty parlours and cafés/ food takeaways. We believe that the over proliferation of non-retail uses within these centres and parades is damaging to their overall vitality, viability and retail function and could lead to unsustainable patterns of behaviour. We will resist the loss of retail uses where this leads to adverse impacts on vitality, viability and retail function.
- 5.37 However, it is recognised that where units have been vacant for long periods, it may be better for the overall vitality and viability of that centre to bring them into an appropriate use. In these circumstances, evidence will be required which supports such an exception, for example, the length of time that the unit has been on the market, the type of lease offered and the rent levels being sought. We will resist proposals that seek the change of use of ground floors to residential accommodation. We will consider proposals for changes of use to community uses (such as those under the D Use Class) and sui generis uses where these are demonstrated as complimenting and enhancing the wider retail centre.
- 5.38 Within Epsom Town Centre we have already identified a Primary Shopping Area, and Primary and Secondary Retail Frontages<sup>33</sup>. For our other retail centres, the Primary Shopping Area will in most (if not all) cases correspond with their policy boundaries (as shown on the Proposals Map). This is where we would expect to see a concentration of convenience, comparison and service retail shops (A1 Use Class) to locate.
- 5.39 Our evidence<sup>34</sup> demonstrates that some of our larger retail centres, such as Ewell Village and Stoneleigh Broadway, have clearly defined concentrations of convenience, comparison and service retail shops (A1 Use Class). The A1 uses located within these concentrations may merit protection through the identification of Primary Retail Frontages. We believe that such frontages can positively direct future retail growth to the most sustainable locations and ensure that shopping is maintained and enhanced as the predominant ground level use. Where appropriate we will identify new Primary Retail Frontages in the Site Allocations Policies Document. Given the size and nature of these retail centres it will not be necessary to identify specific Secondary Retail Frontages as we will assume that the residual frontages contained within the local centre boundary will function as such.
- 5.40 We believe that in most cases, residential accommodation will be an appropriate use for the upper floors above local centre shops. Where it is shown to be an inappropriate use, due to environmental or amenity impacts, we will consider

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<sup>33</sup> See Plan E Epsom Town Centre AAP Policy E4.

<sup>34</sup> Epsom & Ewell Borough Local Shopping Centre Study July 2012.

alternative uses that complement and contribute the vitality and viability of the wider retail centre.

- 5.41 We will also explore opportunities to extend the boundaries of centres and parades as well as securing environmental improvements. These will be set out in the Site Allocations Policies Document.

### **Policy DM 28 Existing Retail Centres (Outside of Epsom Town Centre)**

**We will protect existing retail centres by:**

- a) retaining existing shopping frontages in the Shopping Centres (as identified in the Site Allocations Policies Document and on the Proposals Map) predominantly for retail use, so that they continue to provide locally accessible goods and services and employment opportunities of a suitable scale for the size of the centre and or catchment area. Proposals for changes of use that threaten the predominance of A1 uses will be resisted; and**
- b) supporting local shops and resisting their loss (particularly convenience shops) in Local Centres.**

**Unless exceptional circumstances can be demonstrated, development at ground floor level should not lead to an over proliferation of non-retail use, namely those comprising Class A2, A3, A4 or A5 uses. The overall percentage of A1 retail uses should not fall below 50% of the total shopping units within the shopping centre.**

**Along identified Primary Retail Frontages, the percentage of A1 units will not fall below 66%. The Council will actively encourage a higher proportion of A1 uses along these frontages. Uses other than the A1, A2 and A3 uses, as identified by the Use Classes Order, will not be permitted in Primary Retail Frontages.**

**In shopping centres non A use classes will not normally be permitted at ground floor level, although development for community uses and sui generis uses with a strong retail element will be permitted provided that such uses meet objectives a) and b) above.**

**Where it is practical and viable we will encourage the introduction of pop-up shops and other appropriate temporary uses within retail centres in order to support their long-term vitality and viability.**

**Where it has been demonstrated that environmental or amenity impacts prevent residential use, A2, B1 (a) and other non-commercial uses may be acceptable at first floor level or above.**

### *Further Major Retail Developments and Retail Warehousing*

- 5.42 In order to deliver our town centre first approach we will seek to limit the opportunities for further retail developments outside of Epsom Town Centre and the Borough's other retail centres. Prospective developers and potential retail operators are advised to contact us at an early stage in the development process to seek help with the identification of suitable sites that can be considered through the sequential approach<sup>35</sup>.
- 5.43 For the purposes of local policy, we define major new shopping facilities as being equal to or in excess of 2,500 sqm gross floorspace.
- 5.44 Retail warehouses have typically been large single-level buildings that specialise in the sale of household goods and other bulky goods (such as DIY items). These stores have almost exclusively catered for car-borne customers and are often in out-of-centre locations. Retail warehouses can typically exceed 1,000 sqm gross floorspace but do not necessarily exceed 2,500 sqm gross floorspace. We recognise that large stores selling bulky goods may not always be able to find a suitable site within Epsom Town Centre or one of our other retail centres. However, the sequential approach remains applicable to comparison shopping. Consequently, there may be scope for the redevelopment of existing retail floorspace or other forms of comprehensive redevelopment on sites within or adjacent to our existing retail centres.

#### **Policy DM 29 Major New Retail Developments**

**Further major retail developments and retail warehousing will only be permitted within Epsom Town Centre shopping area. Where it has been demonstrated that there are no suitable sites, preference will be given to a site on the edge of Epsom Town Centre Primary Shopping Area or within the Borough's other retail centres, and only then to local centres that are in locations accessible by a choice of means of transport.**

**In sites outside the Epsom Town Centre shopping area, permission will only be granted provided that:**

- (i) either in isolation or in combination with similar developments in the vicinity, the proposed development would not have a significant adverse impact on the vitality or viability of other shopping centres;**
- (ii) a demonstrable need exists in terms of estimated growth in expenditure within the catchment area; and**
- (iii) the impact on overall travel patterns and car use is to reduce the need to travel, to reduce reliance on the car and to facilitate multi-purpose trips.**

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<sup>35</sup> See National Planning Policy Framework Paragraph 24.

### *Out of Centre Retail Facilities*

- 5.45 The Borough currently has two existing out-of-centre retail facilities; the first comprised of two retail warehouses, a food supermarket<sup>36</sup> and a petrol station located at Kiln Lane, Epsom and the second comprised of a single retail warehouse located on the Ewell By-pass, Ewell. Both of these facilities primarily cater for car-borne customers by providing significant free parking for their customers. Whilst the Kiln Lane facility is served by local bus services, the majority of customers continue to travel by car. In contrast to the Borough's main local centres, neither facility is served by a railway station. Neither facility has a sufficient or appropriate mix of uses to warrant their identification as retail centres.
- 5.46 The potential expansion and improvement of these facilities could make them more attractive destinations to shoppers. This could endanger the economic vitality and viability of our retail centres and be in conflict with our town centre first approach. For example, we believe that expanding the retail offer of these facilities so that they become an attractive single destination in their own right will serve to discourage linked trips to our retail centres. The availability of free and unmanaged parking provision is a significant factor.
- 5.47 To help manage the extension or improvement of these out-of-centre retail facilities and meet the objectives of our town centre first approach we will protect against the adverse impacts of out-of-centre retail parks. Specifically we will seek to minimize the impact of these facilities upon other more sustainable retail centres. Proposals that seek to extend or improve the attractiveness of these facilities will be required to introduce appropriate and proportionate measures that minimize their adverse impact. Such measures could include the use of planning conditions that introduce restrictions on the type of products sold on site and the implementation of on-site car park management and charging regimes.
- 5.48 We encourage the retail operators at these facilities to engage with us at an early stage in the development process so that we can work together to ensure that the potential harm from proposals upon our other retail centres is minimised.

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<sup>36</sup> This supermarket has a 75% - 25% convenience/ comparison split.



## **Policy DM 30 Existing Out of Centre Retail Facilities**

**We will maintain and enhance the vitality and viability of Epsom's identified town and local centres. Proposals seeking to extend or improve the attractiveness of the retail offer at existing out of centre retail facilities will only be permitted where it can be demonstrated that:**

- a) The proposal satisfies the policy approach set out in national planning policy\* including proposed changes to the type of goods sold or type of activity.**
- b) Viability and vitality of Epsom's existing centres are not harmed. Where appropriate we will introduce planning conditions on applications, to ensure that proposals do not have a significant impact on the vitality and viability of existing town and local centres. Such conditions may:**
  - i. Prevent the amalgamation of small units to create large out-of-centre units;**
  - ii. Limit internal development to specify the maximum amount of floorspace permitted;**
  - iii. Control the type of goods sold or type of activity.**
  - iv. Require the introduction of on-site car park management and charging regimes.**

**\* Under National Planning Policy Framework Paragraphs 24 - 28**

### *Safeguarding Small-Scale Retail Provision*

- 5.49 Outside of the Borough's established retail centres there is a scattering of shops, which in many cases are isolated from other retail and commercial uses. These shops, which are typically located within residential areas, provide useful convenience retail provision – something akin to the traditional corner shop. In a small number of cases, these shops provide the only retail provision available within walking distance. Our evidence shows that there are a number of residential areas within the Borough that are without any convenience retail provision.
- 5.50 In spite of the Borough's larger retail areas being easily accessible by public transport and the private motor car, the need for highly localised convenience shopping provision remains. We will seek to protect existing small-scale retail uses outside of identified local centres from inappropriate development, unless there is robust evidence that the use is no longer economically viable.

## **Policy DM 31 Safeguarding Small-Scale Retail Provision**

**We will support isolated shops and small groups of shops which serve local needs, and will seek to ensure that there is provision of essential daily goods within reasonable walking distance around the Borough.**

**Changes of use away from retail will not be permitted unless:**

- (a) The unit is within 400 metres of a designated frontage or**
- (b) The retail use is inappropriate in terms of access or neighbourliness or**
- (c) The proposed use would provide a community service or function.**

**Before accepting the loss of any local shop unit, the Council will require satisfactory evidence of full and proper marketing normally for at least 2 years, and will need to be satisfied that reasonable endeavour has been made to find new occupants for a full range of appropriate uses. If the retention of the shop use is proven to not be possible then other compatible uses that are demonstrated as making a positive contribution to the local economy will be considered.**

### *Public Car Parking at Existing Retail Centres*

- 5.51 The provision and management of appropriate levels of public parking is an important element in maintaining lively, vibrant and viable shopping centres. Our Borough Parking Strategy recognises this and sets out corporate policies for how we, as the lead parking authority in Epsom & Ewell, will meet this objective. We have also adopted development management policies to address the specific parking issues present in Epsom Town Centre, which are set out within the Plan E Epsom Town Centre Area Action Plan.
- 5.52 Outside of Epsom Town Centre, the Borough's other shopping centres experience a variety of parking related issues. These are set out in greater detail within our Borough Parking Strategy. Some of the key issues facing these centres include: the quantity and quality of off-street provision; the conflict between parking and servicing; the visual separation caused by main road traffic; pavement parking, particularly by delivery vehicles, due to narrow road widths; and conflict between shoppers and commuters, particularly at those centres in proximity to railway stations.
- 5.53 We are reviewing parking and servicing arrangements in the Borough's shopping centres and will seek to provide or promote improvements where appropriate in the following ways:
- i) the provision of additional public car parking spaces by means of improvements to the layout of existing facilities and on new sites where appropriate;
  - ii) the requirement that new development proposals make appropriate provision for car parking in accordance with the standards which are set out at Annexe 2; and
  - iii) the promotion of schemes for the environmental enhancement of shopping centres which would provide encouragement to shop owners to provide additional off-street car parking spaces where appropriate.

## **Policy DM 32 Parking and Servicing at Existing Retail Centres**

**In order to maintain lively, vibrant and viable shopping centres we will continue to work with Surrey County Council and other partners to implement the Borough Parking Strategy.**

**Proposals for new development within the identified shopping centres that generates vehicle trips will take full account of the Strategy.**

**Parking associated with new retail proposals will adhere to the management and charging regimes set out within the Strategy.**

**In order to ensure an appropriate level of provision and access, planning permission will not be granted for proposals which involve the loss of existing public car parking facilities and rear servicing roads in the Borough's shopping centres.**

### *Tourism*

- 5.54 Nationally tourism is an important industry. It can be a source of significant revenue, provide employment opportunities, support communities and help to maintain and enhance important national assets. At our local level, tourism can bring many broader benefits. These can include providing a focus for regeneration; a catalyst for growth; helping to retain our resident workforce, and contributing towards maintaining our local sports and leisure assets.
- 5.55 The planning system has an important role in helping to facilitate the delivery of good quality tourist developments that help to sustain our local economic vitality and viability, and positively contribute towards the Borough's visual character and appearance.
- 5.56 Epsom Downs Racecourse is internationally famous for being the venue of the Epsom Derby and Oaks race horse meetings, which have been known as "London's Day Out". The annual Derby Festival draws tens of thousands of visitors to the Racecourse over a two day period during the month of June. Whilst this is the most significant visitor attraction within the Borough, the Racecourse's relatively short racing calendar<sup>37</sup>, has forced it to diversify into other areas, such as providing a venue for conferences and corporate hospitality. The Racecourse makes a significant contribution to the Borough's economy. However, scale of visitor numbers generated by race days and other events can have an adverse impact on transport networks. This is a specific issue that any future proposals to further expand the visitor attractions at the Racecourse will need to address.
- 5.57 The Borough's publically accessible Green Belt land, including Epsom Common and Horton Country Park Local Nature Reserves, and the Epsom & Walton Downs provides a significant informal recreation attraction. Other large scale green infrastructure assets such as Nonsuch Park and the Hogsmill Local Nature Reserve also draw in thousands of day-trip visitors, both from within the Borough and from a wider catchment area that extends north into South West London and south into Surrey. Whilst these attractions may not directly contribute to the local economy they make an important contribution to the Borough's unique character and appearance. Consequently, managing visitor numbers and their impact upon these green

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<sup>37</sup> The Racecourse currently hosts between 12-13 race days per annum - the number of racing days being restricted by an Act of Parliament.

infrastructure assets is essential, particularly in those locations that are identified for their biodiversity value.

- 5.58 Private recreation facilities located within the Green Belt, such as the RAC Club and the David Lloyd Epsom also make a valuable contribution to the local economy. In order to remain viable businesses, we anticipate that such uses will seek to maintain and increase their membership.
- 5.59 The Borough's heritage assets, especially those found in Epsom Town Centre and Ewell Village, also serve to attract a smaller number of day-trip visitors. The Council, in partnership with the Epsom Civic Society and the Rotary Club of Ewell, has prepared a small number of historic trail guides, which aid the appreciation of our heritage assets and encourage visitors to the Town and Village centres.

#### *Visitor Accommodation*

- 5.60 Although most of the Borough's attractions tend to only generate day-trip visitors, recent planning applications suggest that there is modest demand for further hotel accommodation within the Borough. We believe that this demand is primarily from business travellers; many of whom may be attracted to accommodation in the Borough due to its proximity and easy access to Central London. In order to optimise access to public transport we recommend that prospective developers take a sequential approach that prioritises central locations for new hotels, such as Epsom Town Centre, or sites adjoining railway stations.
- 5.61 In our experience new hotels can sometimes result in parking being displaced off-site onto the surrounding road network, resulting in conflict between visitors and local residents and businesses. In order to minimise the risk of such conflicts proposals for new hotels will secure appropriate on-site car parking provision, meeting the standards set out under Development Management DM 37. Proposals will also introduce Travel Plans to inspire more sustainable travel patterns and car usage among guests and employees.
- 5.62 The need for small-scale visitor accommodation is less defined. We believe that there may be some additional need for new bed & breakfast type accommodation, generated by a combination of business traffic and the attractions set out above. In most cases this type of accommodation can be appropriately located within the Borough's existing urban area. Other locations may be appropriate where they are immediately related to existing visitor attractions.
- 5.63 Although we do not anticipate demand for new touring caravan or camp sites within the Borough the lack of national planning policy on this matter requires that we plan for possible proposals. The key requirements for such proposals are their proximity and accessibility to services, facilities and amenities and that they do not have an adverse impact on the landscape. Given the nature of the Borough, proposals for this type of use are likely to also be assessed under Green Belt policy.
- 5.64 We will continue to restrict the occupancy of visitor accommodation through planning conditions to ensure that it is not used for permanent residential use.

## **Policy DM 33 Visitor Accommodation**

**Proposals for new hotels should be located within identified town or local centres.**

**Where a town centre location is not achievable, a proposal may be acceptable either within the built-up areas of the Borough or upon sites identified for mixed use development, where it can be demonstrated that no sequentially preferable site is available and suitable. Such sites will be within 300 metres of defined town centres and/ or locations with good access to railway network.**

**Proposals for other smaller-scale tourist accommodation will be acceptable where the proposal:**

- a. is on a site within the existing built-up area of the Borough or within a specific site allocation or sites identified in the Local Plan for mixed-use development; or**
- b. provides accommodation of an appropriate nature and scale to meet the needs of an existing tourist facility or attraction; or**
- c. is for the conversion or replacement of suitable existing buildings in the countryside and the proposal complies with other relevant policies**

**Proposals for touring caravan or camp sites will be acceptable where:**

- d. the site is adjacent to an existing settlement; or**
- e. well-related and with good links to an existing settlement; and**
- f. no adverse visual impact is caused on the surrounding landscape; and**
- g. the site is, or can be served by adequate water and sewerage services; and**
- h. safe physical access can be achieved.**

**The occupation of new tourist accommodation will be restricted through the use of conditions or legal agreements to ensure tourist use and not permanent residential use.**

## 6 Meeting Community Needs

### *Encouraging New Social Infrastructure*

- 6.1 The variety and geographical spread of community, built sports and cultural facilities add to the quality of life for residents, workers, visitors and those who study in the Borough.
- 6.2 Sports facilities encourage healthy living; community facilities promote social interaction and inclusion; and cultural facilities help develop understanding and appreciation of arts and culture.
- 6.3 Epsom and Ewell contains several institutions which provide important and valued community facilities that meet needs arising from beyond the boundaries of the Borough; for example, The District General Hospital and providers of higher / further education, including North East Surrey College of Technology (NESCOT) and The University for the Creative Arts (UCA).
- 6.4 Our Core Strategy supports initiatives which will help enrich the overall quality of life in the Borough, particularly where they meet the identified needs of local communities or of the wider area.
- 6.5 Our [Sustainable Community Strategy](#) highlights the education and learning opportunities available across the Borough and how these can provide a sound basis for securing education and skills for future generations. We will continue to work closely with the education sector to ensure its needs can be met. We also believe that there are opportunities to further develop our links with organisations such as NESCOT, Laine Theatre Arts and the University of Creative Arts to encourage the development of new start-up businesses that generate local employment and support local economic growth.
- 6.6 We believe that the provision and retention of our community facilities is integral to achieving sustainable communities. We can achieve this objective by ensuring that we maintain a balanced provision of facilities, by securing improved access and usage, and by providing a positive planning policy framework under which emerging proposals will be considered.
- 6.7 We will work with our partners as they develop their plans, to help ensure the necessary facilities are provided at the right time and in the right locations. Such facilities may be delivered in the form of new buildings, or equally through the co-location of uses at existing community sites.
- 6.8 The accessibility of community and sports facilities by a wide range of travel modes is essential, particularly where they are likely to attract people from a wider area than the local community in which they are located. Our Leisure Strategy seeks to ensure that services are provided to a good standard and are accessible to all. It is important to maximise the use of existing facilities as, with restricted site opportunities, the scope for significant new facilities will be limited.
- 6.9 Our open spaces, which include outdoor sport and recreation facilities, can also provide an essential leisure asset for the community. Core Strategy Policy CS4 sets out our approach for protecting these areas, and these sites will be formally identified in the forthcoming Site Allocations Document.



- 6.10 Community facilities include uses such as public halls, places of worship, health centres and consulting rooms. For the purposes of our Local Plan the definition also includes public houses. Cultural facilities include uses such as museums, theatres, art galleries, cinemas and sports halls.
- 6.11 The issue of developer contributions towards community facilities is addressed under Core Strategy Policy CS12 and the delivery of off-site community infrastructure will be dealt with via the collection of the Community Infrastructure Levy. Where appropriate, new community infrastructure being provided on-site as part of a new development proposal will be secured through a Section 106 Agreement. Further details regarding on-site provision of community infrastructure can be found in the Developer Contributions Supplementary Planning Document.

### **Policy DM 34 New Social Infrastructure**

**Planning permission will be given for new or extensions to existing social infrastructure on the basis that:**

- a) it meets an identified need;**
- b) it is delivered, where practicable, in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which encourage dual use and increase public access;**
- c) it is in a location that is accessible by public transport, walking and cycling;**
- d) it is of high quality design providing inclusive access for all;**
- e) it does not have a significant adverse impact on residential character and amenity; and**
- f) it makes an appropriate provision for on-site car parking, access to public transport, cycling and walking, and the effect on traffic movement and highway safety is in accordance with Policy CS16.**

**We will resist the net loss of community facilities unless:**

- i. the proposal is supported by clear and robust evidence that demonstrates that the facility is no longer needed;**
- ii. where appropriate, it has been vacant and marketed for a community use without success for at least 18 months ; or**
- iii. it can be re-provided elsewhere or in a different way.**

## 7 Transport

### *Requirement for Development Related Transport Impact Assessments*

- 7.1 It is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway safety, the impact of parking and servicing, and with larger developments what provision for movement and parking for cars, bicycles and coaches (if appropriate) is made within the development itself. The NPPF requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- 7.2 For smaller developments the Transport Statement should include information on:
- Existing road, public transport, cycle and pedestrian networks;
  - Existing on street and other relevant parking provision and usage, parking standards;
  - Existing traffic and pedestrian flows, desire lines;
  - Additional trip generation and modal share;
  - Servicing arrangements, including timing; and
  - Impacts on road network, public transport and pedestrian routes

### **Policy DM 35 Transport and New Development**

**The impact of new development on the transport network will be assessed against other plan policies and transport standards.**

**All planning applications for major developments should be accompanied by a Transport Assessment. Smaller developments should be accompanied by a Transport Statement where appropriate.**

### *Development Related Travel Plans*

- 7.3 A Travel Plan is a strategy for managing access to a new development site, helping to meet the travel needs of the site users; be they residents, employees or visitors. Paragraph 36 of the National Planning Policy Framework refers to the travel plan as a key tool to facilitate sustainable transport. Their primary objective is to encourage more sustainable travel patterns by inspiring people to use their cars more efficiently; make greater use of public transport, cycling and walking and generally reducing the need for travel. We believe that Travel Plans are an essential component of new development, providing the inspiration and incentive to encourage people to change their unsustainable travel habits in the medium – long term.
- 7.4 A development related Travel Plan will set out the sustainable travel objectives that the end users of the development will be required to commit to achieving through a variety of measures. These can include sustainable site design, car sharing initiatives, public transport, walking and cycling. Travel Plans will include specific targets against which the success of the new development can be measured and monitored.
- 7.5 We will require proposals for new development to incorporate a Travel Plan where appropriate. Surrey County Council has prepared a useful [Travel Plan Good Practice Guide](#), which we will use as the basis for all development related Travel Plans. The Good Practice Guide clearly sets out the thresholds for the type and

scale of new development that must incorporate a Travel Plan. The Good Practice Guide also sets out the procedure for assessing, securing and auditing Travel Plans.

- 7.6 We will work in partnership with Surrey County Council to ensure the introduction and implementation of Travel Plans where appropriate. We recommend that prospective developers engage with us and Surrey County Council at the pre-application stage in order to ensure the successful integration of Travel Plans within new development schemes.
- 7.7 We will seek to secure Travel Plans through the use of Section 106 agreements or through unilateral undertakings on larger and more complex developments. Planning conditions will be used to secure Travel Plans on smaller development proposals.

### **DM 36 Sustainable Transport for New Development**

**In order to secure sustainable transport patterns and usage across the Borough we will:**

- a. require all major new development, including new homes, commercial and community uses to develop and implement a proportionate, robust and effective Travel Plan in accordance with Surrey County Council's adopted Travel Plan Good Practice Guide;**
- b. prioritise the access needs of pedestrians and cyclists in the design of new developments, protect and enhance pedestrian and cycle access routes to, and where possible, through development sites, including the protection or enhancement of the strategic cycling and walking networks; and**
- c. require new development to provide on-site facilities for cyclists as appropriate, including showers, lockers and secure, convenient cycle parking, in accordance with standards.**

### *Parking Standards*

- 7.8 The Borough is unlike other parts of Surrey being predominantly urban in nature, enclosed by Green Belt. Although the Borough is mostly comprised of residential areas and uses, there are other uses that contribute to the Borough's unique character. These include – town and local shopping centre uses, employment areas, education uses, healthcare facilities, public and private open spaces, and Epsom Downs Race Course. The Borough is a highly accessible area with good public transport links provided by local bus services and direct inter-urban rail links to Greater London and other neighbouring centres. Fundamentally, the Borough, and in particular Epsom Town Centre, is highly accessible by private motor car. This factor is amplified by levels of car ownership and usage that are significantly higher than the national average.
- 7.9 This combination of circumstances has resulted in a car parking environment that is markedly different from that found across the rest of Surrey. In order to meet our unique local parking needs we have prepared and adopted a Parking Strategy for the Borough<sup>38</sup> that addresses the management and enforcement of public provision, and works alongside the Local Plan to influence the scale and management of additional parking provision required from future development proposals. We want to prevent

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<sup>38</sup> See the Epsom & Ewell Borough Parking Strategy June 2012.

situations where new developments result in on-street parking demand outstripping availability. Our Strategy's overriding objective is to ensure that new development proposals have either a positive or neutral impact on parking availability and that they do not make things worse.

- 7.10 We believe that meeting demand is only one part of the issue. Evidence shows that inefficient travel patterns and car usage are a significant source of carbon dioxide emissions, which contribute to climate change. Parking provision, management and enforcement can be used alongside other measures to encourage more sustainable travel and car use.
- 7.11 We will ensure that new developments provide an appropriate level of on-site parking provision, which will meet the needs of that development without having an adverse impact upon existing residents, highway conditions and safety or the Borough's townscape. Where possible the Council will identify the amount of new off-street parking that will need to be provided by a new development as part of the site allocation process. On smaller development sites, or on those that come forward as 'windfalls' the Council will apply parking standards that reflect local conditions and objectives. Where appropriate and practical parking standards will be used in conjunction with travel plans to secure more sustainable travel patterns, optimise private car usage and increase modal shift to more sustainable transport modes.
- 7.12 The Parking Strategy identifies the specific local issues affecting parking across the Borough. Development proposals that generate a need for new or additional on-site parking provision will be required to make reference to the Strategy and demonstrate how their proposal meets its objectives.

#### **Policy DM 37 Parking Standards**

**Developments, redevelopments, conversions and extensions will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. Applicants will be required to demonstrate how their proposals will meet the objectives of the Epsom & Ewell Borough Parking Strategy.**

**Car parking standards and cycle parking standards are set out in Annexe 2 - Parking Standards for new development. These take into account bus and rail accessibility as well as local highway and traffic conditions including demand for on-street parking.**

**New development proposals will meet these standards. We will consider exceptions to this approach if an applicant can robustly demonstrate that the level of on-site parking associated with their proposal would have no harmful impact on the surrounding area in terms of street scene or the availability of on-street parking.**

### *Deliveries to Commercial Premises (Outside of Epsom Town Centre)*

- 7.13 To enable shops, offices and industrial premises to function properly, it is necessary to allow delivery vehicles adequate access and standing space for loading purposes. However, just as with illegal parking, delivery vehicles servicing commercial premises can also contribute to congestion on adjoining highway networks.
- 7.14 When a new access is being provided from an existing road, we will seek to ensure that wherever possible all vehicles can service the premises without using the highway as a manoeuvring space.
- 7.15 In the Borough's smaller retail centres it is desirable that, where possible, the servicing of premises be carried out from the rear. Where this is not possible or practicable on an individual basis, the Council with the County Council will consider the need for a traffic management scheme or minor highway proposal. We will also work with our partners to consider a range of possible solutions, including the use of parking orders to restrict deliveries to appropriate times, parking enforcement measures, the introduction of time restrictions on service deliveries and lorry route signage.

#### **Policy DM 38 Rear Servicing**

**The Council will work with its partners to reduce traffic congestion caused by obstructions on the highway, specifically by illegally parked cars and delivery vehicles.**

**Rear servicing of premises in shopping and office areas will be sought. Where rear servicing is demonstrated as not being possible, practical or viable we will secure alternative solutions that ensure that delivery and servicing vehicles do not cause an obstruction to the surrounding highway network.**

## 8 Planning Enforcement

### *Introduction*

- 8.1 We are committed to providing an efficient and effective planning enforcement service. The Planning Act 1990 (as amended) provides local planning authorities with discretion to take enforcement action, when they regard it as expedient to do so. We will assess whether a breach of planning control has an unacceptable impact upon public amenity or causes harm to land or buildings.
- 8.2 We also have powers of enforcement in relation to other services such as Environmental Health, Listed Buildings and Trees.
- 8.3 We are committed to treating all recipients of enforcement action fairly, keeping them informed of action being planned, or taken, at each stage. However, when decisions are taken relating to enforcement action, the public interest must be taken into account. Decisions will, therefore, be taken by balancing private rights, the public interest and the resources required for action to be taken.
- 8.4 There are no particularly special planning enforcement issues in the Borough. Typical cases dealt with include breaches of hours constraints by business, inappropriate uses in the Green Belt, householder developments that are built taller wider or longer than approved plans or have had their fenestration changed after the approval was granted. We typically receive between 200 and 300 cases in a year and will have an on-going workload of approximately 80 cases.
- 8.5 We have committed dedicated resource to the enforcement function including one full time Planning Enforcement Officer with structured support from the Planning Development Manager and Head of Place Development. Further support is provided by elements of Building Control and Environmental Health as or when required.

### **Enforcement Policy**

- 8.6 Enforcement action is discretionary and any relevant planning circumstance of each case must first be considered.
- 8.7 We will carry out our enforcement function with regard to national planning policy<sup>39</sup> and our Local Plan.
- 8.8 If a breach is unacceptable and is causing serious harm to public amenity immediate action will be taken with the aim of stopping further harm.
- 8.9 However ordinarily our approach is that formal action should be taken as a last resort, but when a breach of planning control is causing unacceptable harm or nuisance, enforcement action will not be delayed by protracted negotiations.
- 8.10 Although national planning policy supports sustainable development and promotes the provision of new housing, it also places considerable emphasis on the need for good design. One of the core principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It advises that permission should be refused for

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<sup>39</sup> Including the Central Government Enforcement Concordat, relevant Government Guidance and Circulars, the Council's Development Plan Policies, the Human Rights Act and the Regulation of Investigating Powers Act.



development of a design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 8.11 Our Core Strategy expects that development and use of land will contribute positively to the social, economic and environmental improvements that are necessary. The Core Strategy also states that strict management of new development will be maintained within the Green Belt, its heritage assets will be protected and all new developments will be of high quality and inclusive design.
- 8.12 Our Development Management Policies focus upon the delivery of quality sustainable development that meets the needs of our existing and future communities. It specifically seeks to maintain and enhance the unique characteristics that help make the Borough a special place for people to live, work and visit. Particularly in relation to design, these policies re-enforce our belief that new development should not harm the living conditions of adjoining properties or occupiers, not affect the character or appearance of the surrounding area and is well related in scale to adjoining buildings and spaces between. We are keen to ensure that the density of new housing is appropriate to each specific development site and maintains and enhances the character and appearance of the surrounding area. Internal housing space standards are also a key consideration.
- 8.13 The Borough has a rich built heritage that is highly valued by our local communities. Our heritage assets include a considerable number of Listed Buildings. We will investigate any alleged breaches involving Listed Buildings under the authority of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. In cases where the evidence is considered strong enough consideration will be given to prosecution, if it is in the public interest.
- 8.14 The Borough also has a very rich and valued tree scape. We will investigate breaches of Tree Preservation Orders. Again, in those cases where the evidence is considered strong enough we will give consideration to prosecution if it is in the public interest.
- 8.15 Advertising is an integral part of urban life and can be, in certain locations, one of the most dominant elements within the townscape. It can enhance the appearance and vitality of a street but it can also cause considerable damage to visual amenity by cluttering the built environment and detracting from the quality of an area. The investigation and prosecution of breaches of the Advertisement Regulations can be resource intensive and costly for the local planning authority to administer. We believe that breaches of control involving adverts on the Highway or street furniture are normally best dealt with under the Highways Act 1980. Nevertheless, we will investigate and prosecute persistent offenders of the Advertisement Regulations in appropriate cases where it is in the public interest.
- 8.16 Officers are empowered to take enforcement action under delegated powers, but Enforcement Notices only will be discussed with the Ward Councillors and Chair of Planning, prior to issue.

### *Compliance/Compliance monitoring*

- 8.17 As stated above where a breach of planning control causes unacceptable harm in planning terms, we will seek the voluntary removal of the problem. This will usually involve a written request specifying that a building operation or use is unacceptable and must either cease or be removed.
- 8.18 In many cases this approach will lead to a negotiated solution and timescale for removal, and the case can then be monitored through to closure. This allows for efficient management of our resources but at the same time provides an opportunity for those responsible for the unauthorised development to try and restore their relationship with their neighbours and others affected by the breach.
- 8.19 We will monitor major development sites across the Borough to ensure compliance with approved plans as far as resources permit. It is our objective to visit all major sites under development three times a year until they reach a stage of completion. We will make a record of our visits and any outcomes that may arise.

### *Procedure for dealing with requests for enforcement action*

- 8.20 We will investigate all complaints and will undertake a site visit to establish the facts. The site visit will normally take place within 5 days of receiving the complaint. If possible written complaints are preferred as this approach yields more accurate information and can be used as evidence if necessary. All cases that result in an investigation or site visit will be recorded and a unique reference allocated.

### *Protection of complainants*

- 8.21 The identity of complainants is treated as confidential under the Data Protection Act and the general public do not have access to enforcement files. However, if the breach cannot be resolved through negotiation, the investigation may proceed to formal action resulting in Public Inquiry or prosecution action in Court.
- 8.22 In these circumstances, it may not be possible for us to guarantee the anonymity of the complainant particularly where the issue only affects a small number of residents.

## Annexe 1 Policy Replacement Table

Local Plan 2000 Policy being replaced	Replacement policy/ reasons for deletion
<b>Green Belt</b>	
Policy GB1 Green Belt Boundary	To be succeeded by Development Management Policy DM1
Policy GB2 General Policy on Development within the Green Belt	Deleted on 27 September 2007 – replaced by Core Strategy
Policy GB3 Agricultural Land	This is a rarely utilised policy. However, its objectives will be met by Development Management Policies DM1, DM2 and national planning policy.
Policy GB4 Agricultural Dwellings	Deleted on 27 September 2007 – replaced by Core Strategy
Policy GB5 Replacement and Extension of Dwellings in the Green Belt	To be replaced by Development Management Policy DM3
Policy GB6 Conversion of Dwellings in the Green Belt	Proposals that seek to change the use of buildings within the Green Belt will be considered by the relevant replacement policies, including Development Management Policies DM6, DM24, DM31 and DM34.
Policy GB7 Infilling within Major Developed Sites	To be replaced by Development Management Policy DM2
Policy GB8 Redevelopment of Major Developed Sites	Deleted on 27 September 2007 – replaced by Core Strategy
Policy GB9 Buildings outside of Major Developed Sites	Deleted on 27 September 2007 – replaced by Core Strategy
<b>Open Space and Recreation</b>	
Policy OSR1 Development on Strategic Open Space	Objectives of policy met by Core Strategy Policy CS4 and Development Management Policy DM6
Policy OSR2 Development on other Areas of Open Space	Objectives of policy met by Core Strategy Policy CS4 and Development Management Policy DM6
Policy OSR3 Open Space and New Housing Developments	Deleted on 27 September 2007 – replaced by Core Strategy. Objectives of policy met by Development Management Policy DM6
Policy OSR4 New Playing Fields	The objectives of this policy will be met through a variety of new policies, including Development Management Policies DM5, DM6 and DM10.
Policy OSR5 Indoor Sports Facilities and Other Sports Related Buildings	The objectives of this policy will be met through Development Management Policies DM6 and DM10.
Policy OSR6 Children's Play Space	Deleted on 27 September 2007 – replaced by Core Strategy
Policy OSR7 Horse Riding	To be replaced by Development Management Policy DM 26 Equestrian Related Development/ Employment Uses
Policy OSR8 Golf Development	Policy no longer required
Policy OSR9 Cultural and Entertainment Facilities	Deleted on 27 September 2007 – replaced by Core Strategy
<b>Natural Environment</b>	
Policy NE1 Nature Conservation	Deleted on 27 September 2007 – replaced by Core Strategy

Policy NE2 Landscape	In part replaced by Development Management Policy DM 5. The forthcoming Site Allocations Document will also, subject to supporting evidence, identify the Area of Great Landscape Value.
Policy NE3 Trees, Hedgerows and Woodlands	Deleted on 27 September 2007 – replaced by Core Strategy. The objectives of this policy to be met through Development Management Policy DM 4 and 5 and the forthcoming Site Allocations Document, which will identify the Borough's Green Infrastructure Strategy and networks.
Policy NE4 Tree Felling	Deleted on 27 September 2007
Policy NE5 Development Related Tree Surveys	To be replaced by Development Management Policy DM 5 Trees and Landscape
Policy NE6 Tree Related Planning Conditions	Policy unnecessary
Policy NE7 Landscaping in New Developments	To be replaced by Development Management Policy DM 5 Trees and Landscape
Policy NE8 New Development	To be replaced by Development Management Policy DM 5 Trees and Landscape and by Development Management Policies relating to the Design of New Development: Policies DM 9 and DM 10.
Policy NE9 Introduction of Article 4 (2) Direction on Land South of Epsom Downs Racecourse	Policy unnecessary
<b>Built Environment</b>	
Policy BE1 General Policy	Objectives of policy met by Core Strategy Policy CS5, and Development Management Policies DM 9 and DM 10.
Policy BE2 Conservation Areas	To be replaced by Development Management Policy DM 8
Policy BE3 Extensions and Alterations to Buildings in Conservation Areas	To be replaced by Development Management Policy DM 8
Policy BE4 Setting of Conservation Areas	To be replaced by Development Management Policy DM 8
Policy BE5 Car Parking in Conservation Areas	Objectives of policy will be met by Development Management Policies DM 5, DM 8 and DM10.
Policy BE6 Historic Buildings	Deleted on 27 September 2007
Policy BE7 Demolition of Listed Buildings	To be replaced by Development Management Policy DM 8
Policy BE8 Alterations or Demolition to Buildings in Conservation Areas	To be replaced by Development Management Policy DM 8
Policy BE9 Change of Use of Listed Buildings	To be replaced by Development Management Policy DM 8
Policy BE10 Change of Use of Historic Buildings	To be replaced by Development Management Policy DM 8
Policy BE11 Restoration or Extension of Listed Buildings	To be replaced by Development Management Policy DM 8
Policy BE12 Advertisements and Listed Buildings	To be replaced by Development Management Policy DM 8. The objectives of this policy will also be met by Development Management Policy DM 15 Advertisements and Hoardings
Policy BE13 Relaxation of Building Regulations in Relation to the Retention of Listed Buildings	Policy unnecessary

Policy BE14 Setting of Listed Buildings	Deleted on 27 September 2007
Policy BE15 Locally Listed Buildings	To be replaced by Development Management Policy DM 8
Policy BE16 Scheduled Ancient Monuments	Deleted on 27 September 2007
Policy BE17 Archaeology	To be replaced by Development Management Policy DM 8
Policy BE18 Historic Parks and Gardens	To be replaced in part by Development Management Policy DM 8. The Site Allocations Document will provide further detail in relation Nonsuch Park.
Policy BE19 Design of New Buildings	To be replaced by a combination of Development Management Policies DM9, DM10 and DM13.
Policy BE20 Street Furniture	To be replaced by Development Management Policy DM10 and the forthcoming Design Quality SPD.
Policy BE21 Shopfront Design	To be succeeded by Development Management Policy DM 14
Policy BE22 Advertisements	Deleted on 27 September 2007
Policy BE23 Advertisements and Hoardings	To be succeeded by Development Management Policy DM 15
<b>Housing</b>	
Policy HSG1 General Policy	Deleted on 27 September 2007 – replaced by Core Strategy
Policy HSG2 New Housing Provision 1991 - 2006	Deleted on 27 September 2007 – replaced by Core Strategy
Policy HSG3 Housing Site Allocations	To be replaced by new housing site allocations in the Site Allocations Document
Policy HSG4 Housing Land Supply	Deleted on 27 September 2007 – replaced by Core Strategy
Policy HSG5 Affordable Housing	Deleted on 27 September 2007 – replaced by Core Strategy
Policy HSG6 Housing for Elderly People	Deleted on 27 September 2007
Policy HSG7 Housing for Young People	Deleted on 27 September 2007
Policy HSG8 Change of Use to Housing in Multiple Occupation	Deleted on 27 September 2007
Policy HSG9 Housing for People with Mobility Disabilities	Policy unnecessary
Policy HSG10 Temporary Dwellings and Gypsy Sites	Deleted on 27 September 2007 – replaced by Core Strategy
Policy HSG11 Design and Layout of New Housing Development	To be replaced by Development Management Policy DM 10
Policy HSG12 Conversion to Residential Use	Deleted on 27 September 2007
Policy HSG13 Retention of Existing Housing Stock	Policy unnecessary
Policy HSG14 Changes of use to non-residential uses	Policy unnecessary
Policy HSG15 Sub-Division of Residential Properties	Deleted on 27 September 2007
<b>The Epsom Hospital Cluster</b>	
Policy HC1 General Policy	Policy will no longer be necessary once the St Ebba's site has been completed

Policy HC2 The Development Concept	Policy will no longer be necessary once the St Ebba's site has been completed
Policy HC3 Retention of Open Space and Landscaping within the site	Policy will no longer be necessary once the St Ebba's site has been completed. The policy objectives will be met by a combination of Core Strategy, Development Management and Site Allocations policies.
Policy HC4 Retention of Existing Buildings	Policy will no longer be necessary once the St Ebba's site has been completed. The policy objectives will be met through new Development Management policies relating to Heritage Assets.
Policy HC5 Housing	Policy will no longer be necessary once the St Ebba's site has been completed
Policy HC6 Shopping, Employment and Community Facilities	Policy will no longer be necessary once the St Ebba's site has been completed.
Policy HC7 Additional Employment, Shops, Social and Community Provision	Policy will no longer be necessary once the St Ebba's site has been completed. The policy objectives will be met through new Development Management policies.
Policy HC8 New Primary School	Deleted on 27 September 2007
Policy HC9 Indoor Recreation Facilities	Policy unnecessary. The policy objectives will be met through a combination of Core Strategy and Development Management policies.
Policy HC10 Existing Outdoor Recreation Facilities	Policy unnecessary. The policy objectives will be met through a combination of Core Strategy, Development Management and Site Allocation policies.
Policy HC11 Horton Country Park	Policy unnecessary. The policy objectives will be met through a combination of Core Strategy and Site Allocation policies.
Policy HC12 Movement, Highways, Footpaths, Cycleways and Bridleways	Policy unnecessary. The policy objectives will be met through a combination of Core Strategy, Development Management and Site Allocation policies.
Policy HC13 Horton Hospital Site	Policy no longer necessary as the development is complete. The continued management of development proposals at this location will utilise new Green Belt Development Management policies.
Policy HC14 Long Grove Hospital Site	Deleted on 27 September 2007
Policy HC15 The Manor Hospital and Hollywood Lodge sites	Policy no longer necessary as the development is complete. The continued management of development proposals at this location will utilise new Green Belt Development Management policies.
Policy HC16 St Ebba's Hospital Site	Policy will no longer be necessary once the St Ebba's site has been completed. The policy objectives will be met through new Development Management policies.
Policy HC17 Central Boiler House Site	Deleted on 27 September 2007
Policy HC18 Phasing of Development	Policy no longer necessary.
<b>Employment</b>	
Policy EMP1 General Policy	This policy will be replaced by Development Management Policy DM 25.
Policy EMP2 Location of Employment Development	This policy will be replaced by Development Management Policy DM 25.



Policy EMP3 Epsom Town Centre Business Areas	Deleted in April 2011 – replaced by Plan E Policies E5 and E14 - E17.
Policy EMP4 Employment Uses in Shopping Centres	This policy will be replaced by Development Management Policy DM 25.
Policy EMP5 Longmead and Nonsuch Employment Areas	To be replaced by new policies in the Site Allocations Document.
Policy EMP6 Employment Sites in the Rest of the Borough	This policy will be replaced by Development Management Policy DM 24.
Policy EMP7 Large Scale Warehouses for Storage and Distribution	This policy will be replaced by Development Management Policy DM 25.
Policy EMP8 Small Businesses	This policy will be replaced by Development Management Policy DM 25.
Policy EMP9 Working from Home	Deleted on 27 September 2007. The policy's objective will now be met by Development Management Policy DM27.
Policy EMP10 Retention of Existing Land and Buildings	Deleted on 27 September 2007 – replaced by Core Strategy
Policy EMP11 Upper Floors in Shopping Centres	This policy will be deleted as it is no longer compliant with national planning policy.
<b>Shopping</b>	
Policy SH1 New Retail Development Adjacent to Existing Shopping Centres	To be replaced by Development Management Policy DM 28
Policy SH2 Major New Retail Developments	This policy remains relevant and up-to-date and will be retained as Development Management Policy DM29.
Policy SH3 Changes of Use in Shopping Areas	To be replaced by Development Management Policy DM 28. Policy SH3 already part replaced by Plan E Policy E4 for developments within Epsom Town Centre.
Policy SH4 Redevelopment of Shopping Centres Outside of Epsom Town Centre	Deleted on 27 September 2007 – replaced by Core Strategy
Policy SH5 Convenience Stores at Petrol Filling Stations	Deleted on 27 September 2007. Policy objectives to be met by Development Management Policy DM 31 Safeguarding small-scale retail provision.
Policy SH6 Parking and Servicing	To be replaced by Development Management Policies DM32 and DM 38.
<b>Community Facilities</b>	
Policy CF1 General Policy	To be replaced by Development Management Policy DM 34
Policy CF2 Retention of Existing Community Facilities	Deleted on 27 September 2007 – replaced by Core Strategy
Policy CF3 Change of Use of Existing Community Facilities	To be replaced by Development Management Policy DM 34
Policy CF4 New Educational Facilities	To be replaced by Development Management Policy DM 34
Policy CF5 Allocated site for new school	Deleted on 27 September 2007
Policy CF6 NESCOL extension (Animal Husbandry Land)	Policy no longer necessary.
Policy CF7 New Health Facilities	To be replaced by Development Management Policy DM 34

<b>Tourism</b>	
Policy TOR1 Non-residential Tourist Facilities	A specific policy to address this matter is not considered necessary. The deleted policy's objectives will be met through a combination of national planning policy (relating to Green Belt) and Development Management Policies DM 9 and DM 10.
Policy TOR2 New Visitor Accommodation	This policy will be replaced by Development Management Policy DM33.
Policy TOR3 Summer Camping and Touring Caravan Sites	This policy has rarely (if ever) been used since its original adoption in May 2000. Consequently it will be deleted as it is not considered necessary. The deleted policy's objectives will be met through a combination of national planning policy (relating to Green Belt) and Development Management Policies DM 9 and DM 10.
<b>Movement</b>	
Policy MV1 General Policy	Deleted on 27 September 2007 – replaced by Core Strategy
Policy MV2 Accessibility to Development	Policy no longer necessary – it is accepted that new development proposals must incorporate transport infrastructure improvements where they are needed to facilitate the development. In some cases these improvements will be on-site and will be secured through the Section 106 process. In those cases where off-site improvements are required these will be funded from a variety of sources, including the Community Infrastructure Levy.
Policy MV3 Severance of Footpaths, Bridleways and Cycle Routes	Policy objectives will be met through new Development Management Policy DM 7.
Policy MV4 Traffic Management and Minor Highway Proposals	Deleted on 27 September 2007
Policy MV5 Traffic Calming	Deleted on 27 September 2007
Policy MV6 Controlling On-Street Parking	Deleted on 27 September 2007
Policy MV7 Parking to Serve New Housing Developments	Policy no longer necessary. The objectives of this policy will be met through Development Management Policy DM 37 Parking Standards.
Policy MV8 Parking Standards	To be replaced by new parking standards set out under Development Management Policy DM 37
Policy MV9 Public Parking Provision	To be replaced by Development Management Policies DM32 and DM 38.
Policy MV10 Legal Agreements	Policy unnecessary. It is not necessary to have a policy in place to introduce legal agreements.
Policy MV11 Enhanced Public Parking Provision	This policy was replaced in April 2011 by Plan E Policy E14, which seeks the enhancement of the Upper High Street and Depot Road car parks.
Policy MV12 Public Parking Enhancement	<p>This policy is unnecessary as the Council does not need to have it in place to undertake improvements to public car parks. Such matters are best addressed through the Borough-wide Parking Strategy.</p> <p>Improvements to private car parking that is available for public use can be addressed through the new Development Management Design policies.</p>

Policy MV13 Coach Parking	This policy has never been used and is considered unnecessary as there is currently no identified need for additional provision. It is suggested that this issue be addressed either through the Site Allocation process (where it is related to uses that generate a need for provision) or on an individual case basis.
Policy MV14 General Public Transport Policy	Deleted on 27 September 2007 – replaced by Core Strategy
Policy MV15 Redevelopment of Railway Stations	This policy has never been used and is now considered unnecessary. The policy objectives are met by a combination of national planning policy, Building Regulations (Part M) and the new Development Management Design policies.
Policy MV16 Park and Ride Facilities	Deleted on 27 September 2007
Policy MV17 Footpath Network	Deleted on 27 September 2007. The policy objectives will be met by Development Management Policy DM 7.
Policy MV18 Shared Use Footpaths and Cycleways	Deleted on 27 September 2007. The policy objectives will be met by Development Management Policy DM 7.
Policy MV19 Improving Conditions for Pedestrians	Deleted on 27 September 2007. The policy objectives will be met by Development Management Policy DM 7.
Policy MV20 Use of Traffic Orders in Retail Centres	Deleted on 27 September 2007. The policy objectives will be met by Development Management Policy DM 38.
Policy MV21 Improving Conditions for Cyclists	Deleted on 27 September 2007. The policy objectives will be met by Development Management Policy DM 7.
Policy MV22 Cycle Parking Requirements	To be replaced by new parking standards set out under Development Management Policy DM 37
Policy MV23 Horse Riders and Highway Improvements	This policy is rarely used and is considered unnecessary as existing national and local planning policies will ensure that any adverse impacts on highway conditions generated by new development for horse riders are addressed. Development Management Policy DM 35 puts in place the requirement for the preparation of TIAs in support of major applications. These TIAs will identify any potential impacts on the surrounding transport networks.
Policy MV24 Design Standards for Residential Areas	Deleted on 27 September 2007 – replaced by Core Strategy. The objectives of this policy will be further met by Development Management Policy DM 10.
Policy MV25 Access	Deleted on 27 September 2007 – replaced by Core Strategy. The objectives of this policy will be further met by Development Management Policy DM 10.
Policy MV26 Servicing	The objectives of this policy will be met by Development Management Policies DM 32 and DM38.
Policy MV27 Kiln Lane Link	Deleted on 27 September 2007 – replaced by Core Strategy Policy CS16. The Kiln Lane Link will be identified in the Site Allocations Document.
Policy MV28 Alterations to Epsom Radial Routes	Deleted on 27 September 2007 – replaced by Core Strategy. This policy's objectives are met by Plan E Policy E13.
Policy MV29 Alterations to Ruxley Lane and A240 Kingston Road	Deleted on 27 September 2007 – policy no longer necessary.
Policy MV30 Hospital Cluster Highway Improvements	Deleted on 27 September 2007 – policy no longer necessary as improvements have been implemented.

<b>Control of Development</b>	
Policy DC1 General Policy	The objectives of this policy will be met by a variety of new policies including Development Management Policies DM9, DM10, DM12 and DM16.
Policy DC2 Planning Benefits and Percentage for Art	Deleted on 27 September 2007 – replaced by Core Strategy Policy CS12
Policy DC3 Surface Water and Run-off from the Floodplain	Deleted on 27 September 2007 – the objectives of this policy will now be met by Core Strategy Policy CS6 and Development Management Policy DM19.
Policy DC4 Pollution	Deleted on 27 September 2007 – the objectives of this policy are met by Core Strategy Policy CS6.
Policy DC5 Collection of Litter and Recyclable Waste	Deleted on 27 September 2007 – the objectives of this policy are met by Core Strategy Policy CS6.
Policy DC7 Contaminated Land	This policy will be replaced by new Development Management Policy DM 17.
Policy DC8 Renewable Energy	Policy unnecessary.
Policy DC9 Energy Conservation	Deleted on 27 September 2007 – the objectives of this policy are met by Core Strategy Policy CS6.
Policy DC10 Access for People with Physical and Sensory Disabilities	Deleted on 27 September 2007 – the objectives of this policy are met by Core Strategy Policy CS5 and through revisions to the Building Regulations.
Policy DC11 Design Against Crime	This policy will be replaced by Development Management Policy DM 10. The Council will also consider the possibility of working with Surrey Police on the preparation and publication of supplementary planning guidance on this matter.
Policy DC12 Comprehensive Treatment of Large Areas	This policy is considered to be no longer necessary. The objectives of this policy will be met, for specific sites through the Site Allocations Document and through Development Management Policies DM 10 and DM 11, which will seek to ensure that new housing sites are redeveloped efficiently.
Policy DC13 Residential Infilling and Backland Development	This policy will be replaced by Development Management Policy DM 16.
Policy DC14 New Housing Development within the Existing Urban Area	This policy will be replaced by Development Management Policy DM 10.
Policy DC15 Semi-Independent Accommodation and Granny Flats	This policy will be replaced by Development Management Policy DM 21.
Policy DC16 Permitted Development Rights	This policy will be deleted as it is unnecessary. The local planning authority does not require a specific planning policy to attach planning conditions to planning permissions restricting permitted development rights.
Policy DC17 Design of Householder Development	This policy will be replaced by a range of new Development Management Policies that will address the issue of design.
Policy DC18 Design of Household Extensions	This policy will be replaced by a range of new Development Management Policies, specifically Development Management Policy DM 10.
Policy DC19 Fences and Boundary Walls on Domestic Frontages	The objectives of this policy will be met through a combination of Development Management Policies DM 9 and DM 10.

Policy DC20 Private Stables within Residential Curtilages	Although this is a rarely used policy, its objectives will be met through Development Management Policies DM10 and DM16.
Policy DC21 Working from Home	This policy will be replaced by Development Management Policy DM 27.
Policy DC22 Telecommunications Development	This policy will be replaced by Development Management Policy DM 18.
Policy DC23 Satellite TV Receiving Dishes	This policy will be replaced by a combination of Development Management Policies DM 8 and DM 18.
<b>Implementation, Resources, Monitoring and Review</b>	
Policy IMP1 Redevelopment of Epsom Station	This policy has been superseded in its entirety by Plan E Policy E16 in April 2011.
Policy IMP2 Redevelopment of the Rainbow Centre and Neighbouring Land, East Street	This policy has been superseded in its entirety by Plan E Policy E15 in April 2011.
Policy IMP3 Surrey Institute of Arts and Design, and Youth Centre, Linton's Land	This policy has been superseded in its entirety by Plan E Policy E15 in April 2011.
Policy IMP4 Monitoring	Deleted on 27 September 2007 – replaced by Core Strategy.
Policy IMP5 Review	Deleted on 27 September 2007 – replaced by Core Strategy.

## **Annexe 2    *Borough-wide Parking Standards***

*Parking standards are under preparation to be ready in late 2015. These will be published as a Supplementary Planning Document.*