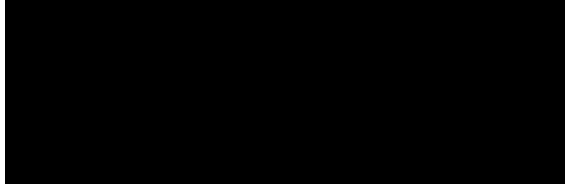


# STATEMENT OF COMMON GROUND

## 1. List of Parties involved:

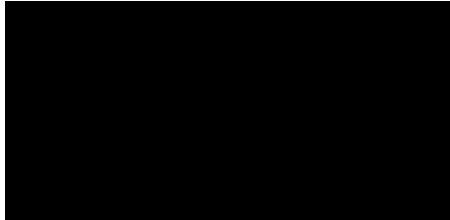
- Elmbridge Borough Council (EBC)
- Epsom and Ewell Borough Council (EEBC)

## 2. Signatories:



08.08.2023

**Elmbridge Borough Council**  
**Kim Tagliarini, Head of Planning & Environmental Services**



18/07/2023

18.07.2023

**Epsom and Ewell Borough Council**  
**Councillor Steven McCormick, Chair of the Licencing and Planning Policy Committee**

## 3. Strategic Geography

The Statement of Common Ground (SOCG) is between the local authorities of Elmbridge Borough Council (EBC) and Epsom and Ewell Borough Council (EEBC).

EBC and EEBC are within the Surrey County Council administrative area and are both located within the same Housing Market Area (HMA). They do not share an administrative boundary; being physically separated by the Royal Borough of Kingston upon Thames. Both areas are similarly influenced by London in terms of the economy and overspill. In terms of planning, both authorities have extensive areas designated as Green Belt and both have areas of common land and heritage assets which constrain development.

The map below shows the authorities in relation to each other (i.e., indicated with the black administrative boundaries).



#### 4. Strategic Matters

##### Duty to Cooperate

EBC and EEBC have engaged with one another to discuss duty to cooperate matters throughout the preparation of their respective Local Plans. This has included engagement and joint working on evidence base documents; through meetings; and at the Regulation 18 & 19 Stages (where relevant).

Their duty to cooperate activities are recorded in the following documents:

- EBC's Duty to Cooperate Statement of Compliance (June 2022)
- EEBC's Duty to Cooperate Framework (September 2022)

Both authorities agree that the above documents are an accurate record of their engagement up until EBC's Regulation 19 consultation in June 2022; with the EEBC Framework (September 2022) setting out how they intend to engage with EBC and others as they prepare their new Local Plan.

EEBC has raised no objection to the draft Elmbridge Local Plan for failing to comply with the duty. It is a duty that requires cooperation, not agreement, and the two authorities agree that they have cooperated in an ongoing and effective manner as set out in EBC's Statement of Compliance (June 2022) and associated updates, as well as this SoCG.

##### Local Plan Positions

Elmbridge

EBC invited representations on their draft Local Plan (Regulation 19) between 17 June and 29 July 2022. It is the Council's intention to submit its draft Local Plan to the Secretary of State for Levelling-Up, Housing and Communities for independent examination in July 2023.

### Epsom & Ewell

EEBC are in the process of preparing a new Local Plan and adopted a new Local Development Scheme (LDS) in November 2022. EEBC's Draft Local Plan 2022-2040 consultation (Regulation 18) ran from 1 February 2023 until 19 March 2023.

EEBC's LDS sets out the following timetable for progressing the Local Plan 2040:

- Publication of Submission Draft Local Plan (Regulation 19)- February – March 2024
- Submission and Examination of the Local Plan (Regulation 22) - June 2024
- Adoption - Spring 2025

On 22 March 2023, at an Extraordinary Council meeting, other than for the purpose of analysing the responses of the public consultation to capture residents' views and any new information, EEBC agreed to pause the Local Plan to enable:

- a) further work on brown field sites, including information arising out of the Regulation 18 consultation
- b) further options to be considered that do not include green belt sites
- c) an analysis of Epsom and Ewell's required future housing numbers based on 2018 data
- d) a clearer understanding of the Government's legislative intentions in regard to protections for the green belt and the current mandatory target for housing numbers.

It was also agreed to write to the MP for Epsom and Ewell calling on him to use his influence to get the Government to abandon its use of 2014 data to calculate housing need and accept that all planning and housing policies must reflect the latest data if they are to be effective as well command the respect of the people they affect.

### **Key Strategic Matters:**

Both authorities through their responses / representations at the Regulation 18 and 19 stages, identified Housing and the Green Belt as outstanding strategic matters. The position of each authority in regard to these matters, is set out as follows:

### **Housing Need**

#### Elmbridge

The local housing need figure, as set by the Government's Standard Method, is 9,705 (647 dwellings per annum) over 15-years.

Elmbridge's proposed growth strategy focuses on delivering development and increasing capacity in its existing urban areas (a 'brown-field' approach). This includes the reallocation and diversification of employment land, encouraging mixed use development and ensuring the potential of sites is optimised.

This approach provides for 6,785 dwellings, 70% of the local housing need figure. This leaves a local unmet housing need of circ. 2,920 dwellings over its plan period. This includes an element of unmet affordable housing need.

### Epsom and Ewell

The local housing need figure, as set by the Government's Standard Method, is 576 dwellings per annum (April 2022) which equates to 10,368 dwellings over the plan period.

In seeking to meet their housing need, an assessment of housing land supply has been undertaken as part of the evidence to support the Draft Local Plan (Regulation 18). In the urban areas, it is estimated at approximately 3,700 homes could be sustainably accommodated (circ. 36% of the identified need for housing). Through an assessment and review of the Green Belt, it is considered that a further 2,175 dwellings could be accommodated.

Combining both elements of housing land supply, it is estimated that 56% of the need established by the standard methodology can be met over the plan period.

### **Green Belt**

#### Elmbridge

EBC has commissioned Arup Ove to undertake two Green Belt Assessments. The first, Green Belt Boundary Review (GBBR) was published in 2016 and examined the performance of the Green Belt in and around Elmbridge against the Green Belt Purposes, as set out in the National Planning Policy Framework (NPPF). The analysis was undertaken at two scales: Strategic Areas and Local Areas.

The 2018 Supplementary Review was a more spatially focused piece of work to better understand the performance of smaller 'sub-areas' against the Green Belt purposes, as well as their context in relation to the wider Green Belt (Local Areas and Strategic Areas, as assessed through the 2016 GBBR).

In addition to the above, the Council has also undertaken further evidence base work on the Green Belt:

- Green Belt Boundary Review – Assessment of Weakly Performing Local Areas 2019: The assessment identifies the extent of development potential within each Local Areas considered to be 'weakly performing' as part of the GBBR 2016 and sets out whether there is an opportunity for large / small-scale development or no development.
- Green Belt Boundary Review – Accessibility Assessment, June 2019: This assessment looks at the sustainability of specific Green Belt areas (weakly performing and smaller sub-divisions) using a range of accessibility standards.
- Green Belt Boundary Review – Assessment of Previously Developed Land, June 2019: This assessment looks at the level of Previously Developed Land (PDL) within specific Green Belt areas (weakly performing and smaller sub-divisions).
- Green Belt Site Proforma – Utilising the information from the above documents and other evidence base documents, the pro-forma considers specific areas of land for potential release from the Green Belt.

The evidence base documents set out that alongside further assessments and evidence base documents, they will be used to inform the Council's preferred approach for the Local Plan and site selection. This includes whether exceptional circumstances exist to justify releasing land from the Green Belt.

EBC's rationale for its proposed development strategy is set out in the Topic Paper: How the Spatial Strategy was formed (June 2022). The Paper sets out the options assessed when considering how to address the Borough's housing need and includes the Council's consideration of whether exceptional circumstances are fully evidence and justified to release land from the Green Belt. The Paper sets the rationale for the Council's recommended spatial strategy within the draft Local Plan; promoting sustainable development and place-making ambition and responding to the Council's commitment to tackle climate change.

### Epsom and Ewell

EEBC's Green Belt covers some 42% of the area of the borough. As one of the first extensive areas of open space on the southern edge of the Metropolitan area of London, the Green Belt is highly accessible to the urban population.

To support its Regulation 18 Draft Local Plan, EEBC published the Epsom & Ewell Green Belt Technical Note (January 2023) which details the Green Belt evidence used to inform the Draft Local Plan to date and the methodology for future assessments of the Epsom and Ewell Green Belt designation intended to inform the next iteration of the Local Plan.

### **Transport**

Whilst not adjoining boroughs, there is vehicular movement between the two boroughs via the A243, Rushett Lane and Fair Oak Lane junction that is located within the Royal Borough of Kingston upon Thames.

The Transport Assessment (June 2022) undertaken in support of the draft Elmbridge Local Plan has not identified a significant impact on this junction arising from the growth set out in EBC's preferred development. No mitigation at this junction is therefore required as a result of the draft Elmbridge Local Plan.

Following the assessment of EEBC's proposed development strategy on the Local and Strategic Road Networks, EBC would welcome the opportunity to comment on the impact on this junction and upon the road network into Elmbridge Borough.

### **Current positions:**

#### Elmbridge draft Local Plan – Epsom & Ewell Borough Council's position

- EBBC acknowledge that Elmbridge is a constrained borough like Epsom and Ewell which makes it challenging to meet development needs.
- EBC's spatial strategy approach and the justification for this are noted as well as the consideration of reasonable alternatives.
- EEBC acknowledged that the EBC can reach its own conclusions that differ from the findings of the Green Belt evidence, however EEBC are concerned with an approach that questions the findings of an independent assessment of how specific land parcels

contribute towards Green Belt purposes as set out in the National Planning Policy Framework (NPPF).

- EEBC consider that wider unmet needs (of the HMA and Neighbouring Authorities) should be appropriately considered in determining whether exceptional circumstances apply to justify altering Elmbridge's Green Belt boundaries to meet the borough's housing needs (whilst protecting the character of its existing communities) and not continue to add to the wider unmet housing needs and if possible, assist to help in meeting the wider unmet need as well.
- The concerns raised by EEBC in their representation on EBC's Local Plan Regulation 19 on the Green Belt will be a matter for the Planning Inspector to decide upon during the Local Plan examination in public.
- It is acknowledged that as EBC is not meeting its own local housing need in full, it cannot be relied upon to meet any of EEBC's unmet housing need.

#### Epsom & Ewell's emerging Local Plan – Elmbridge Borough Council's position

- EBC acknowledges that the scale of change required to boost housing supply across Epsom and Ewell is very significant.
- It is noted that EEBC have explored a range of options to meet its housing need and that it has a similar challenging context to Elmbridge.
- It is acknowledged that as EEBC is not meeting its own local housing need in full, it cannot be relied upon to meet any of EBC's unmet housing need.
- EBC has concerns at to the consideration of the setting and special character of 'historic towns' within the Green Belt methodology and the implication this has on the assessment of Green Belt.
- EBC requests that EEBC continues to take into account Elmbridge's unmet housing need when preparing the EEBC Local Plan and whether they can assist in meeting any of EBC's unmet housing need.
- EBC welcomes the opportunity to make further comments / representations on the next iteration(s) of the EEBC Local Plan and associated evidence base.

#### **The parties agree:**

1. Due to the fact that local housing need figures do not take account of Green Belt and other constraints, any local authority with significant Green Belt land is likely to be unable to meet its housing need figure.
2. Neither local authority can assist in meeting any of the unmet housing need arising from the other.
3. The proposed development strategies for each Local Planning Authority will be investigated through the Examination-in-Public process and it will be for the Planning Inspector to determine whether they are sound.
4. Despite the difficulties of meeting Local Housing Need, the two authorities will continue to discuss any significant development and changes in housing land supply and approach that could enable the issue of unmet housing to be resolved.

#### **Matters not specifically addressed within this Statement of Common Ground**

The parties agree:

The following matters are defined in the NPPF as strategic matters but are not specifically addressed in the context of this Statement of Common Ground (the authorities continue to work together on these matters as appropriate).

- Gypsies, Travellers, and Traveller Showpeople;
- Flooding; and
- Climate Change

The authorities agree that the engagement undertaken on these issues as set out in their respective Duty to Cooperate: Statement of Compliance documents is, an accurate record and that there are no unresolved issues.

It is also agreed that the authorities will continue to work on these matters as appropriate.

## **5. Governance Arrangements**

The authorities are committed to working positively together, sharing information and best practice, and continuing to procure evidence jointly, where appropriate, throughout the plan preparation phase and beyond. This co-operation and collaboration takes place at senior member, chief executive, and senior officer as well as at technical officer level.

Joint working will include the following existing governance arrangements:

- Surrey Leaders;
- Surrey Chief Executives;
- Surrey Futures;
- The Surrey Planning Officers' Association (SPOA); and
- Surrey Planning Working Group (PWG).

In terms of governance, the authorities agree:

- that in response to any new evidence / changes in circumstances, informal discussions will occur between the two authorities on the cross-boundary issues referred to in this SoCG in the form of officer level meetings with escalation of matters to Member level where necessary;
- that this SoCG will be reviewed at the above meetings or, when required by either authority e.g. for the purpose of their Examination;
- to continue to work collaboratively on plan preparation and evidence, whilst acknowledging others' timetables and timescales;
- to respect each other's right to develop their own plans that fit the specific circumstances of the local authority's communities; and
- to continue to work with the other Surrey authorities on housing, employment and other strategic issues affecting Surrey as a whole.