



ELMBRIDGE BOROUGH COUNCIL
EXAMINATION OF THE ELMBRIDGE LOCAL PLAN

MATTER 7: OTHER HOUSING MATTERS

PRE-HEARING STATEMENT ON BEHALF OF
ELMBRIDGE BOROUGH COUNCIL

March 2024

Matter 7: Other Housing Matters

Issue 11: the approach to housing mix, density and specialist accommodation including providing for gypsy and travelling show people accommodation as well as that of boat dwellers justified, positively prepared and effective?

HOU011 is a Density Study for the Borough as a whole. It states that the evidence collected will assist with the formation of a new density policy. The report concludes that existing densities in urban areas are low (below 30dph). Permissions for new development are exceeding existing densities with the highest densities achieved in an around town centres and station locations and with the exception of Walton on Thames, most of the borough is characterised by low rise development. The report recommends that high densities should be encouraged within town centres, and around train stations.

Questions:

Policy HOU2: Optimisation of sites

6.1 In accordance with paragraph 125 of the Framework, should density standards be expressed as a minimum within the Plan and policy HOU2? If not why not?

Council response

6.1.1 The Council has recently completed more detailed work on densities in the borough. The Elmbridge Design Code includes detailed information on densities in section 6.2 and as part of this section includes an indicative density range for development through the use of Floor Area Ratio(FAR).

6.1.2 The Council has included reference to the Design Code in the supporting text in paragraph 6.15 of the Local Plan. The Council suggests that now the Design Code has been advanced (it is due to be Adopted by the Council in April 2024) that reference to the Design Code is included in policy HOU2.

6.2 Does the Urban Capacity Study (HOU012) present a robust assessment in terms of the conclusions drawn in relation to urban capacity?

Council response

6.2.1 The Urban Capacity Study (HOU12) was commissioned in 2018 as a response to the comments received for the Local Plan: Strategic Options

Consultation 2016-17 (CON007 and CON004) which suggested that not enough urban sites had been considered.

6.2.2 The Council believes that UCS 2018 presents a robust assessment in terms of the conclusions drawn in relation to urban capacity for the following reasons.

1. Sound methodology which is explained in section 2 of the report.
2. The study involved consultation with the Council's duty to cooperate bodies, development industry, the Council's asset and management team, residents and Council Members.
3. No representations were received regarding the findings of the final UCS report when consulted upon as evidence for the following two Regulation 18 consultations and Regulation 19 consultation.

6.3 The Urban Capacity Study (HOU012) refers to the possibility for an area wide master planning approach to areas of opportunity and lists a number of these areas at paragraph 7.9 of the report (Rydens, along Hersham Road, land around the junction of the A224 and Moseley Road, the Moseley Industrial Estate SEL located along Central Avenue, Island Farm Road and Moseley Avenue). Has any further work been completed in this regard?

Council response

6.3.1 No further work was carried out with regard to the concluding comment at paragraph 7.9 of the UCS (HOU012). In general, it was considered difficult to achieve an area wide master planning approach to housing delivery in the borough mainly due to obtaining multiple owners' agreement to develop within the next 15 years.

6.3.2 In terms of the two locations cited in paragraph 7.9, Moseley Industrial Estate (located along Central Avenue, Island Farm Road and Moseley Avenue) is designated Strategic Employment Land and hence would not be considered suitable for residential use.

6.3.3 Rydens, along Hersham Road, land around the junction of the A224 and Moseley Road is designated natural greenspace and therefore would not be suitable for housing.

6.4 To what extent does the approach to density outlined in policy HOU2 take into account policy SS1 (f) and (g)? Is the approach outlined at policy SS1 consistent with paragraph 152 of the Framework?

Council response

6.4.1 The intention is that the requirements in Policy SS1 (f) and (g) would be balanced against the approach to density set out in Policy HOU2. The Council's proposed modification set out in its response to Matter 3 – Question 2.26 will ensure Policy SS1 (f) and (g) would carry the required flexibility to ensure development can find the right balance between applying the circular economy approach and/or retrofitting of existing buildings and delivering the quantum of development, as well as the other objectives and policy requirements set out in the Local Plan, including the approach to density, and will ensure it is in accordance with paragraph 152 of the NPPF (2021).

6.5 Part 2a of the policy refers to the provision of 'higher density housing'. In the context of paragraph 16(d) of the Framework, in what way does the policy define what is expected in terms of higher density? Is the Plan sufficiently clear in this regard?

Council response

6.5.1 As detailed in the response to question 6.1, the Council has included reference to the Design Code in the supporting text in paragraph 6.15 of the Local Plan. The Council suggests that now the Design Code has been advanced (it is due to be Adopted by the Council in April 2024) that reference to the Design Code is included in policy HOU2.

Policy HOU3 – Housing Mix

6.6 Will the policy as drafted deliver the right homes to address local need as envisaged by the Framework?

Council response

6.6.1 In relation to housing mix, the NPPF (2021) states at paragraph 62... *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)”*. The Council considers that as drafted, Policy HOU3 meets this requirement.

- 6.6.2 In order to assess the need for housing of different types, sizes and tenures, the Council commissioned consultants Cobweb to prepare a Local Housing Need Assessment (LHNA) [HOU005]. The LHNA identifies a need for affordable housing of 269 dpa; a tenure mix of 71% affordable rented tenures, including social rent and affordable rent, and 29% intermediate rent and ownership; a housing mix of 20% 1-beds, 50% 2-beds, 20% 3-beds, and 10% 4-bed+ for market housing and 15% 1-beds, 34% 2-beds, 11% 3-beds, and 40% 4-bed+ for affordable housing; and identifies a separate need for two specific groups - older people and people with disabilities, including wheelchair users.
- 6.6.3 The need for affordable housing is primarily addressed through Policy HOU4. However, Policy HOU3 reflects the identified need for homes of different tenures, sizes and types identified in the HNA, including affordable housing tenures, stating at part (1) that *“all housing development has to take into account and reflect local housing needs in terms of the tenure, size and type of dwellings, as set out in the most recent assessment of local housing need”*.
- 6.6.4 Part (2) of HOU3 goes on to reflect that identified need in the Borough, in terms of housing size mix, is concentrated in the smaller 1, 2 and 3-bed homes and not within the larger 4-bed+ homes, which have historically been overdelivered in the Borough. This emphasis on smaller 1, 2 and 3-bed homes reflects the housing size mix identified in the Council’s LHNA.
- 6.6.5 The LHNA assessed the need for other types/forms of housing for different groups in the community, including specialist housing for older people, housing for people with disabilities, student accommodation, the private rented sector and self-build, in accordance with paragraph 62 of the NPPF. It did not identify any particular need for alternative forms of housing in the Borough other than specialist housing for older people and housing for people with disabilities, including wheelchair users. Policy HOU3 and the Plan as a whole reflects these findings. At part (4) Policy HOU3 states that proposals for these types of alternative housing will be considered on their merit, taking into account evidence of local need. Policy HOU6 and part (7) of HOU05 reflect the identified need for older persons accommodation and accessible homes respectively.
- 6.6.6 Finally, separate assessments of the needs of Gypsy and Travellers [HOU07 – HOU08] and Boat Dwellers [HOU09 – HOU10] were undertaken. HOU07 and HOU08 conclude that the identified need for an additional 10 pitches for Gypsy and Travellers can be met on the Boroughs existing sites and additional site allocations are not required. Whereas HOU009 concludes that the Council is

not able to find any available land in the Borough that is suitable to meet the need for the 10 additional moorings identified in HOU10. As such, Policy HOU7 and part (8) of Policy INF6 set out an approach that reflects this position and is supportive of windfall applications for such uses coming forward.

6.7 Is the policy wording effective in terms of securing an appropriate mix of units to meet housing needs within the Borough?

Council response

6.7.1 As drafted, parts (1) and (2) of Policy HOU3 require all development to reflect the housing mix in terms of type, tenure and size identified in the LHNA. This requires applicants to consider and reflect the need identified in the Council's housing need evidence in their proposals in accordance with paragraph 62 of the NPPF (2021) and will be effective in delivering the appropriate mix of units to meet housing need in the Borough.

6.7.2 Policy HOU3 also ensures that development will need to respond to the most up to date evidence of need. Ensuring the policy will remain up to date and effective going forward when the Council updates its LHNA.

6.8 Is part 4 of the policy justified and is it clear what 'other less conventional' housing types' means?

Council response

6.8.1 As outlined in response to Question 6.6 above, the Council's LHNA did not identify any particular need for alternative forms of housing in the Borough, other than specialist housing for older people and housing for people with disabilities. Part (4) of Policy HOU3 reflects this, stating that proposals for alternative housing will be considered on their merit, taking into account evidence of local need. Specialist housing for older people and housing for people with disabilities are addressed separately in Policy HOU6 and HOU5 respectively. As such, the Council considers part (4) of Policy HOU3 is justified and in accordance with paragraph 62 of the NPPF.

6.8.2 Upon review of part (4) of Policy HOU3, the Council acknowledges that the term 'other less conventional forms of housing types' has not been defined. The Council proposes a modification to Policy HOU3 to ensure the wording is clear:

4. *Proposals for alternative forms of housing (e.g. purpose-built housing of multiple occupation (HMOs), live work units or other less conventional housing*

types), will be considered on their merits, taking into account evidence of how they would help to meet local housing needs and how they would be managed to safeguard the character and amenities of the area in accordance with other Plan policies.

Policy HOU6 - Specialist Accommodation

6.9 The policy states that specialist accommodation will only be permitted where there is clear and robust evidence demonstrating a local need. Is this approach consistent with the Framework?

Council response

- 6.9.1 The Council LHNA [HOU005] identifies a need for an additional 133 units of Extra Care accommodation between 2020 and 2035, 73% of which should be leasehold and 27% rented. As detailed in the Council full response to the Inspector's Initial Letter [COU002], the Local Plan proposes site allocations that would deliver 302 units of C2 homes/extra care, more than double the need identified in the LHNA. In addition, as of October 2023, there was extant planning permission for an additional 474 units of extra care in the Borough and the Council expects planning applications for C2 / Extra Care homes to continue to come forward.
- 6.9.2 Combined, the level of extant permissions and the proposed site allocations in the Local Plan would meet the identified need for older persons accommodation in full, with significant additional capacity to meet future need. As such, the Council considers that further provision of C2/extra care schemes in the Borough would result in an increasing oversupply of this type of housing in the Borough. Policy HOU06 reflects this position stating that "*development for specialist accommodation, including older person's housing, will only be permitted where there is clear and robust evidence that demonstrates a local need for the new accommodation, the type and level of care it offers, and does not result in an over provision of that particular type of accommodation and care within the Borough*".
- 6.9.3 In light of the considerations outlined above, the Council considers Policy HOU06 reflects the assessment of need for, and supply of specialist older persons accommodation in the Borough in accordance with the requirements of the NPPF (2021).

6.9.4 That said, the Council considers that as drafted Policy HOU06 could unintentionally restrict other forms of specialist housing from coming forward. As such, the Council proposed the following modification to Policy HOU06 that will ensure the policy reflects the Council support for other forms of specialist accommodation, alongside the need to address the oversupply of C2 and extra care units coming forward.

To deliver housing choice in the borough and specialist forms of accommodation that meet local needs:

- 1. The Council will support the provision of specialist accommodation, including sheltered housing, supported housing, care homes and accessible homes that meet identified local needs.*
- 4.2. Development for specialist older person's' housing, including C2 and extra care, will only be permitted where there is clear and robust evidence that demonstrates a local need for the new accommodation, the type and level of care it offers, and does not result in an over provision of that particular type of accommodation and care within the borough.*
- 2.3. Developments providing specialist older persons' accommodation shall deliver the level of affordable housing required by Policy HOU4.*

6.9.5 The Council also proposes a corresponding modification to the supporting text to Policy HOU06 and/or the Glossary of the Plan that would explicitly defines the types of housing referred to in Policy HOU06, including specialist older persons accommodation/housing; care homes, sheltered housing and supported housing.

Policy HOU7- Gypsy, Roma, Traveller and Travelling Showpeople accommodation

6.10 Paragraph 62 of the Framework advises that the size, type and tenure of different groups on the community should be assessed and reflected in planning policies. This includes meeting the needs of travellers. The evidence base in this regard consists of a Gypsy Roma and Traveller Site Assessment, March 2022 (HOU007) and a Gypsy and Traveller Accommodation Assessment, October 2020 (HOU008). These reports conclude that there is a net need for 10 pitches for 'travelling' Gypsies and Traveller pitches and a net need for 7 further pitches for 'non

travelling' households over the Plan period. COUD002 confirms that the 4 pitches needs during the first five years of the Plan will be provided on existing sites. Where are these sites and what evidence is there to support the statement that these additional pitches can be accommodated on these sites?

Council response

6.10.1 The existing sites that could accommodate additional pitches in the first five years of the plan are:

- The Two Ways, Land Adjacent to the Oaks, Woodstock Lane South, Claygate

6.10.2 This is a private site, which has space on site to accommodate additional pitches.

- The Paddocks, 41 Pleasant Place, Hersham

6.10.3 The Paddocks is also a private site that has the space to intensify and accommodate the need identified during the first five years of the plan. It has ample space to provide 2 additional pitches through intensification or subdivision of some of the larger pitches.

6.11 How does the Council propose to address the additional pitches needed over the remainder of the Plan period?

Council response

6.11.1 The additional 6 pitches need in the later years of the plan can be addressed through the alternative methods suggested in the GTAA 2020 (HOU008). Paragraph 8.6 in the GTAA also states that future need from new household formation could also be met through natural turnover of pitches over time. Local Plan Policy HOU7 provides the criteria needed for making decisions on planning applications that come forward either as windfall supply or as part of the alternative methods suggested in the GTAA 2020.

6.12 Is policy HOU7 justified and effective in meeting the needs of these groups?

Council response

6.12.1 Policy HOU7 is a criteria-based policy that provides the basis for decisions for planning applications that come forward either as windfall supply or as part of the alternative methods suggested in the GTAA 2020. It is considered to be justified and effective in meeting the needs of Gypsy and Travellers in the borough because the evidence confirms that the need can be met on existing sites.

6.12.2 No representations from the traveller community objecting to this approach have been received.

6.13 In relation to Houseboats, the evidence has identified the need for 10 licensed permanent moorings. The Council have stated they are unable to accommodate this need. In light of this, is the Plan positively prepared in this regard and is it consistent with national policy?

Council response

6.13.1 As set out in the Council's Boat Dweller's Site Assessment [HOU009], the Council has not been able to find any available land in the Borough that is suitable to meet the need for the 10 additional moorings identified in HOU10 and no land or sites were put forward to address or meet this need during the three Regulation 18 consultation on the draft Plan or the Regulation 19 consultation. As such, Policy HOU7 and part (8) of Policy INF6 set out an approach that reflects this position and is supportive of windfall applications for such uses coming forward. The Council considers this to be a positively prepared approach consistent with national policy in this context.