

Home Builders Federation

Matter 3

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2.1 What is the Plan Period? It is expressed within the Plan as both 2021-2037 and 2022-2037.

Whilst this is for the council to answer the HBF would agree with the inspector that the plan period is unsound. In order for the plan period to be made sound it would need to look ahead for a minimum of 15 years. Assuming the plan is found sound this would be subject to main modifications and is unlikely to be prior to the end of 2024 and potentially into 2025 the plan period would need to be extended to 2039/40 to be consistent with paragraph 22 of the NPPF.

2.3 What are the implications for the above change in terms of the level of planned growth across the borough? The Council are requested to address this point with reference to an update in terms of the planned level of growth proposed for housing, employment, and other uses and what (if any) implications this may have for the IDP and housing trajectory which should also be updated (see questions 4.1 and 4.10 regarding the housing trajectory).

The housing need on submission of the local plan in August 2023 was 650 therefore the impact of extending the plan period to 2039/40 in order to ensure that there is full 15 years on adoption would be to increase the shortfall of housing that results from this local plan. Given that the Council consider they have left no stone unturned with regard to meeting housing needs there is likely to be limited supply to meet those needs and the only assumption is that supply will be significantly below needs in those additional years.

2.4 The Vision for Elmbridge specifies, amongst other things, that good growth will be supported by the right infrastructure in the right place, at the right time. Reference is



made to the use of innovative solutions to be used to improve transport interchanges, to manage the highway network for all users and foster a shift in travel behaviour towards more people walking and cycling, particularly for short journeys. Principle 5 (page 18 of the Plan) goes further to reference reducing reliance on the car, supporting modal shift in the way people live and access local services, workspaces and facilities, coordinating the delivery of the right infrastructure in the right place and at the right time. Which policies will deliver this principle?

For Council.

The Sustainability Appraisal (SA)

2.8 In terms of the SA, what is the reasoning for the scoping in relation to affordable housing (policy HOU4) and Specialist accommodation (policy HOU6) as set out at pages 148 -152? Is this a reasonable approach to take?

To not consider the affordable housing policy, and by dint the scale of the under supply in affordable housing in Elmbridge, is not a reasonable approach to take. For, example consideration could have been given as to the impact of the policy on the need to reduce travel and adapt to climate change with more people on lower incomes working in the borough having to travel further as they are unable to access affordable accommodation within Elmbridge. The failure to consider the wider impacts of the Council's strategy is an indication that the SA is insufficiently robust to have been an effective tool during the preparation of the local plan.

2.9 Has the SA considered all reasonable options for a spatial strategy that would secure a sustainable pattern of development in the borough?

The SA of the options in 2019 looked at 4 options that were below housing need and one that was almost double minimum needs. It is clear that option 3 was clearly inappropriate, however one would have expected an option that not only met housing needs but provided a buffer between needs and supply to ensure the housing requirement was delivered over the plan period would have been considered. Again, this points towards a decision-making process that lacked robustness. There would have been options between 3 and 5 that would have been reasonable and potentially

addressed the needs of the Borough with relatively limited green belt releases had the Council chosen to consider these, but it did not.

2.10 What information has been used to inform the Flood Risk scoring allocated within the SA to the options considered and are the assumptions used reasonable in light of the representations made by the Environment Agency in relation to the SFRA work completed to date?

No comment

2.11 To what extent have the Council taken into account the need for new development to deliver at least 10% biodiversity net gain and how has this been reflected in the SA scoring system used?

No account is seemingly given to the requirement for new development to deliver net gains. The Council has assessed objective 16 against the reasonable alternative for the spatial strategy on the basis that any green belt site would lead to a permanent impact on biodiversity which is not the case. This is also reflected in the SA of all the Green Belt sites considered in Table 9. All sites are considered to have a negative impact with regard to biodiversity without any consideration that these sites if developed will be required by law to deliver net gains. What is notable is that these benefits are acknowledged in paragraph 3.69 but not in the scoring which remains negative. We recognise that prior to the statutory requirement for development to deliver a 10% net gain in biodiversity the consideration may have been different but for this local plan the requirements to deliver net gains was a clear benefit that should have been recognised in the scoring. It is an example of the Council seeking to overstate the negative impacts arising from option 5 and 5a and support their decision not to amend Green Belt boundaries.

2.12 Is it clear how the SA has assessed employment needs arising from the Plans overall approach? In particular, how have the economic growth (6) and employment (7) scores been arrived at (see tables 7 and 11 of the SA) and what is the rationale behind the difference of approach in relation to these two sets of scoring? Paragraph 3.71 states that unknown scores are also given to SA objective 6: Economic growth as all three options support economic growth but do not allocate land due to the

uncertainty in the market for premises. Is this correct? Why is this different from the options assessed at table 7?

No comment

2.13 Is the scoring attributed to 'homes' within the SA accurate? In particular, are the scorings between option 4a and 5a in terms of homes accurate?

The SA objective 'homes' is to provide sufficient housing to enable people to live in a home suitable to their needs and which they can afford. Therefore, the final negative score between the spatial options would, on the surface appear, to be appropriate. However, it is interesting to note that the Council's initial score with regard to option 5a was a positive and indeed in the Council's exceptional circumstances paper from January 2022, when housing need was 641 dpa, or 9,615 over the plan, option 5a was still considered to be a positive outcome with regard to the 'homes' objective despite the shortfall being 287 dwellings. Whilst the shortfall is greater the following year it is not clear why the scoring would change substantially.

The discussion in the SA supporting the submitted plan does not seem to consider this or indeed go into much depth regarding other potential benefits of the green belt releases. In particular there is limited discussion with regard to affordable housing and the different merits between the development options 4a and 5a (and indeed option 6). Paragraph 3.69 notes that 5a would allow for affordable housing to be met but the scale of the affordable housing need is not discussed nor the significant shortfall in affordable housing need that would result from taking forward Option 4a. Nor is it highlighted that taking forward option 4a which is broadly a continuation of the current strategy set out in the Core Strategy has delivered very few affordable homes in Elmbridge. Evidence taken from the Council's AMRs indicate that between 2013/14 and 2022/23 the Council delivered 655 affordable homes, an average of just 65 each year. This was just 19% of the 3,521 affordable homes the Council estimated were needed over this period.

Whilst the Council scored option 4a correctly with a double negative the lack of detailed consideration in the plan as to the actual impacts of this option on housing in the borough and the relative benefits of option 5a or indeed option 6 is a concern. This is an indication of an SA that has failed to explore the actual impacts of each option and

lacks the necessary robustness to support decision making and to a spatial strategy that has not been justified.

2.14 Table 16 of the SA (page 59) summarises the total Plan impacts. What are the 197 allocated sites referred to under Economic Growth?

No comment

2.15 Under the heading 'Access and Equality' (page 13) what is the reason that boat dwellers have been excluded from this list provided?

No comment

2.16 The SA scores option 5a as a negative against the homes objective as it would fall short of the LHN figure by some 500 units. Is this correct?

See comments to question 2.13.

2.17 What is the rationale behind the Plans approach to supporting economic growth but not allocating land due to the uncertainty in the market for premises (paragraph 3.71 of document CD002) (Please note this question refers specifically to how the SA has assessed economic growth only, meeting employment needs in detail is set out under matter 8 below)

No comment

2.18 Is the distribution of housing growth across the borough supported by the SA and will it deliver an appropriate pattern of housing growth?

No comment.

2.19 Is it clear how alternative development options within the SA which would meet the local housing need have been assessed and is it clear how the conclusions have been reached? In particular, is it clear how the scoring of options 4a,5a and 6 have been arrived at and will the proposed strategy promote a sustainable pattern of development that seeks to meet the development needs of the area (paragraph 11a of the Framework).

It is not clear to the HBF how the conclusions on options 4a, 5a and 6 have been reached. We have highlighted concerns with regard to the assessment against SA Objective 16 Biodiversity and the assessment against SA objective 1 Homes. With regard to other objectives, no consideration has seemingly been given as to the impact on health (SA Objective 2) of providing insufficient affordable housing resulting from option 4a, nor the potential economic benefits of delivering more new homes on the local economy in relation to Objective 6 and 7. The general lack of detailed consideration of the evidence and potential outcomes of each option provides limited confidence that the SA could have adequately informed the preparation the local plan and the effective consideration of all available options.

It is also notable that the Council have highlighted in paragraph 3.63 the strong political and community support for option 4a. The HBF consider that such references are inappropriate within an SA which should be an objective assessment as to the impacts of a proposed plan not what is popular amongst some local people or politicians. Whilst such references may seem minor it is essential that considerations in the SA set aside these viewpoints and consider independently and objectively how each option addresses the wide range of issues facing an area and not just those that may object to options that secure more development to meet the needs of the area.

Finally, it is also unclear in the SA as to which option was considered preferable in terms of sustainability. The SA notes at paragraph 3.75 the Local Plan Working Group recommended that option 4a be taken forward but does not state what those preparing the SA considered to be the most sustainable of the three options and whether they considered option 4a to promote a sustainable pattern of development taking into account the development needs of the area.

Spatial Strategy – General

2.20 Does the Plan present an appropriate spatial strategy and in what way is this supported by the evidence base? In particular, will the proposed distribution of housing help to ensure that sufficient land will be available in the right places to meet the housing needs of present and future generations (paragraph 8 of the Framework).

The spatial strategy chosen by the Council is a brownfield only strategy that focuses development solely within the existing urban area. The Council acknowledges that the chosen strategy fails ensure that there is sufficient land available to meet the identified housing needs of present and future generations. In particular it fails to address the increasing shortfall in affordable housing and provides no alternative as to where the shortfall in these homes will be delivered. The evidence prepared to support his local plan, such as the Green Belt Boundary Review prepared by ARUP, shows that the boundary of the Green Belt could be amended to meet its development needs and that this would have very limited impact on the purposes of the Green Belt. In addition, the Council also noted that the loss of such land would amount to a 3% reduction of land under this designation in Elmbridge¹. The evidence presented by the Council shows that the harm to the Metropolitan Gren Belt to meet housing needs would be negligible.

The evidence also shows that there is a benefit from amending green belt boundaries. Principally it would deliver much needed affordable housing in an area which has failed to deliver significant levels of affordable housing and is facing a growing waiting list for such homes. The Council themselves acknowledge in paragraph 6.46 to 6.49 in OTH43 that the development at higher densities required to boost housing supply on Brownfield development will impact on the ability of the Council to deliver affordable homes, again the evidence points to an alternative strategy to the one chosen by the Council.

The HBF therefore considers the evidence presented by the Council in support of their chosen spatial strategy points to one where needs are meet through amendments to the Green Belt boundary and not to the chosen strategy that continues with the strategy adopted in 2011 that has b.

2.21 In what way will the spatial strategy address the Council's priority of addressing the acute affordable housing need within the Borough?

The strategy will not address the acute shortage in affordable housing within Elmbridge. Whilst the Council suggest that they will seek to intensify development in the area the HBF consider it unlikely that development will come forward at significantly higher densities and that affordable housing will be delivered at levels beyond what

¹ Paragraph 8.15 Exceptional Circumstances Case (OTH43) and Paragraph 5.37 of Topic Paper 1 (TOP001).

has been seen in the past. The local plan is in effect a continuation of the current strategy that has seen very little affordable housing come forward. As we have highlighted above the delivery of affordable housing over the last ten years has averaged circa 66 dwellings per annum against an average need of 352 dwelling per annum. This is a substantial shortfall and gives an indication as to the difficulty of delivery of affordable housing in an area that rely solely on brownfield land. The only effective way of delivering more affordable housing is through meeting housing needs in full by amending Green Belt boundaries and meeting housing needs in full.

2.22 Noting that the proposed strategy would not meet the Borough's objectively assessed housing need, in what way will the proposed spatial strategy support the Government's objective of significantly boosting the supply of homes (paragraph 60 of the Framework) by providing a sufficient amount and variety of land to come forward? In particular, in what way will the proposed strategy deliver the mix of homes needed? Is the Plan positively prepared in this regard?

The strategy will not provide a boost to housing supply. The strategy is a continuation of the adopted Core Strategy. Whilst the strategy in the submitted plan appears to show that supply will be increased the HBF remain doubtful that the land identified to support the levels of delivery stated by the council can be considered developable. As we highlighted in our representations there are significant gaps in the HELAA as to the potential availability of many of the sites allocated for development and whether they will come forward for housing development over the plan period.

2.23 Document TOP001 outlines a number of key principles behind the scale and location of growth within the borough (paragraph 7.16). The last bullet point refers to, amongst other things, avoiding areas at high risk of flooding. In light of the representations received from the Environment Agency, does the spatial strategy accord with this principle?

No comment

2.24 In responding to this question, it is not clear to me how the screening of sites, flood risk and the need to apply the sequential test have been taken into account in terms of the spatial strategy. The Council are therefore requested to set out clearly how it has carried out its site selection process including at the initial screening stage.

Given the advice contained within the Planning Practice Guidance that reasoned justifications should be provided where other sustainability criteria are considered to outweigh flood risk, I will need to understand how flood risk informed the site selection process and the spatial strategy outlined within the Plan. 2.25 Is the IDP sufficiently clear regarding the infrastructure requirements to deliver the spatial strategy over the Plan period and how these will be delivered? There appears to be a general policy support and emphasis on sustainable transport measures however it is not clear to me what these measures will be? Does the Plan need to be more precise in this regard?

No comment.

2.26 Surrey County Council representations refer to a requirement for a SEND school within the County and an application by Elmbridge to provide such a facility. What site is identified for this use, and should it be reflected in the Plan?

No comment.

2.27 Representors have raised concerns regarding document ENV012 Playing Pitch Strategy 2019 and the conclusions drawn. Has this document been updated? What are the requirements for the Period and are the concerns raised by Esher Rugby Club regarding this part of the evidence base valid?

No comment.

Policy SS3 – Scale and Location of Good Growth

2.33 The Council's spatial strategy relies entirely on brownfield sites within urban areas and is set out at policy SS3 which identifies the scale and location of good growth. Part 4 of the policy identifies the individual settlements within the borough and the number of units to be delivered. For each of the settlements identified, could the Council provide in a table a breakdown as to how the individual number of units have been arrived at.

For the council

2.34 Do these numbers correlate with the site allocations contained within chapter 9 of the Plan?

For council

2.35 Where in the evidence base does it set out which sites are included within these numbers?

For council.

2.36 According to the footnote, the figures do not include a non-implementation rate or windfall allowance – is this correct? How do these figures relate to those presented within the housing trajectory?

For Council.

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