

Former Moore Place Golf Course

Hearing Statement – Matter 4: The Housing
Requirement

ON BEHALF OF CHARTERHOUSE STRATEGIC LAND &

MOORE PLACE HOLDINGS

March 2024

Contents

1. Introduction	3
2. Issue 7: Whether the Local Plan has been positively prepared and whether the approach is justified, effective and consistent with national policy in relation to the housing requirement	4
Appendix A	7

1. Introduction

- 1.1 These Hearing Statements have been prepared on behalf of our client, Charterhouse Strategic Land (“CSL”), in response to the Examination in Public of the submission version of the Elmbridge Local Plan 2037.
- 1.2 CSL, in partnership with Moore Place Holdings LLP [the property owner], is promoting the former Moore Place Golf Course off Portsmouth Road, Esher, for residential development (hereafter referred to as the Site). A site location plan is included in **Appendix A**.
- 1.3 Our client, under Moore Place Holdings LLP, has previously submitted representations to Elmbridge Borough Council as part of the December 2016 Elmbridge Local Plan: Strategic Options Consultation (Regulation 18).
- 1.4 Representations were also submitted on behalf of CSL as part of Elmbridge Borough Council’s second Regulation 18 Options consultation which ran 19 August to 30 September 2019.
- 1.5 Further representations were submitted by CSL in March 2020 in response to the Council’s further Regulation 18 consultation document published January 2020, followed by representations to the Regulation 19 consultation of the Local Plan in July 2022.
- 1.6 Within these Hearing Statements, we have had regard to the documents sent to the Inspector after the submission of the Local Plan to the Secretary of State which were not available as part of the Regulation 19 consultation.

2. Issue 7: Whether the Local Plan has been positively prepared and whether the approach is justified, effective and consistent with national policy in relation to the housing requirement

Q3.1 The housing requirement for Elmbridge has been calculated at 9705 homes. Policy SS3 sets out that the Plan will deliver at least 6785 net additional homes over the Plan period. This equates to some 453 dpa and will leave an unmet need of some 2920 dwellings over the Plan period. This is a significant shortfall. Is the Plan justified in not meeting the full LHN?

- 2.1 In order to be justified, Plans should be based on an appropriate strategy, take account of reasonable alternatives and be based on proportionate evidence.
- 2.2 The Plan is not justified when delivering a significant shortfall in the number of houses against the Local Housing Need (“LHN”) – the Council has failed to reasonably evidence why the shortfall cannot be accommodated through an alternative spatial strategy. As set out in CSL’s representations to the Regulation 18 and Regulation 19 consultations, we consider this approach to be unsound, a view shared by EBC’s own planning officers (paragraph 2.27 of our Regulation 19 representations). The Council *itself* has agreed that there are no exceptional circumstances to deviate from the LHN figure (ref. Establishing Local Housing Need 2022). Despite this, the Council has progressed with an approach of adopting a target which is 30% lower than the identified need. This is a dramatic shortfall which will only compound affordability issues within the Borough and the wider Housing Market Area. This, quite clearly, cannot be considered an appropriate strategy.
- 2.3 The Council considered a number of options for the spatial strategy through the Regulation 18 consultations. Of the options assessed (five initial options with three further sub-options), only one (Option 3: Optimise urban area and large Green Belt release), meets the LHN figure for the Plan period. This option was not chosen to be the spatial strategy taken forward and neither was Option 5A (Urban area and 12 small parcels of G/B) which would meet 95% of the LHN whilst only needing 3% of the authority’s Green Belt to be released (with only half of this land being removed subsequently being developed) (paragraph 8.15 of the Exceptional Circumstances Case: Green Belt, January 2022).
- 2.4 Option 4a (Urban area only) was taken forward, despite stating that it would deliver just 6,787 homes and was the only option to receive a “significant negative change towards sustainability” score in the Sustainability Appraisal Non-Technical Summary (June 2022). As set out within our Regulation 19 representations and our Matter 3 Hearing Statement, the Council has quite clearly failed to consider reasonable alternatives and has not provided any rational justification to not meet its LHN in full. The proposed spatial strategy is clearly at odds with planning officers’ professional recommendations and cannot, therefore, be considered justified.
- 2.5 Furthermore, the spatial strategy is not based on proportionate evidence. The Council’s evidence base clearly demonstrates that there are exceptional circumstances for the release of land from the Green Belt and indeed the Council’s Exceptional Circumstances Case: Green Belt (January 2022) paper, sets out at Table 5, sites which were proposed for removal from the Green Belt and allocated for development. The former Moore Place Golf Club is included on this list. The Council has now been identified by the Council as a Local Green Space to suit the preferred strategy. CSL wholeheartedly disagree with this, as set out within representations, and will return to this specific point at the appropriate time.
- 2.6 As set out in our representations, the evidence base contradicts the spatial strategy chosen by the Council and has clearly been retrofitted to suit a political agenda rather than in response to the facts on the ground and to deliver

the number of homes needed. Therefore, it is clear that the Plan is not justified in failing to meet the LHN in full. The deficiencies in the evidence base are expanded upon further in our Hearing Statement for Matter 9.

- 2.7 It should also be noted that the proposed main modifications (ref. CD009) submitted by the Council intends to reduce the overall housing target further, to 6,680 dwellings due to some sites no longer being available for development. This proposed modification is not sound and demonstrates how the housing target has been retrofitted, i.e. based on supply rather than being a true consideration of need within both Elmbridge and in the wider Housing Market Area. The Council should not revise the housing target down simply because a number of sites are no longer available, it should instead find alternative sites to meet the housing target. This further demonstrates that the approach taken by the Council and the proposed housing target is not justified.

Q3.2 Does the approach demonstrate that the Plan has been positively prepared in accordance with paragraph 35 of the Framework and will it be effective?

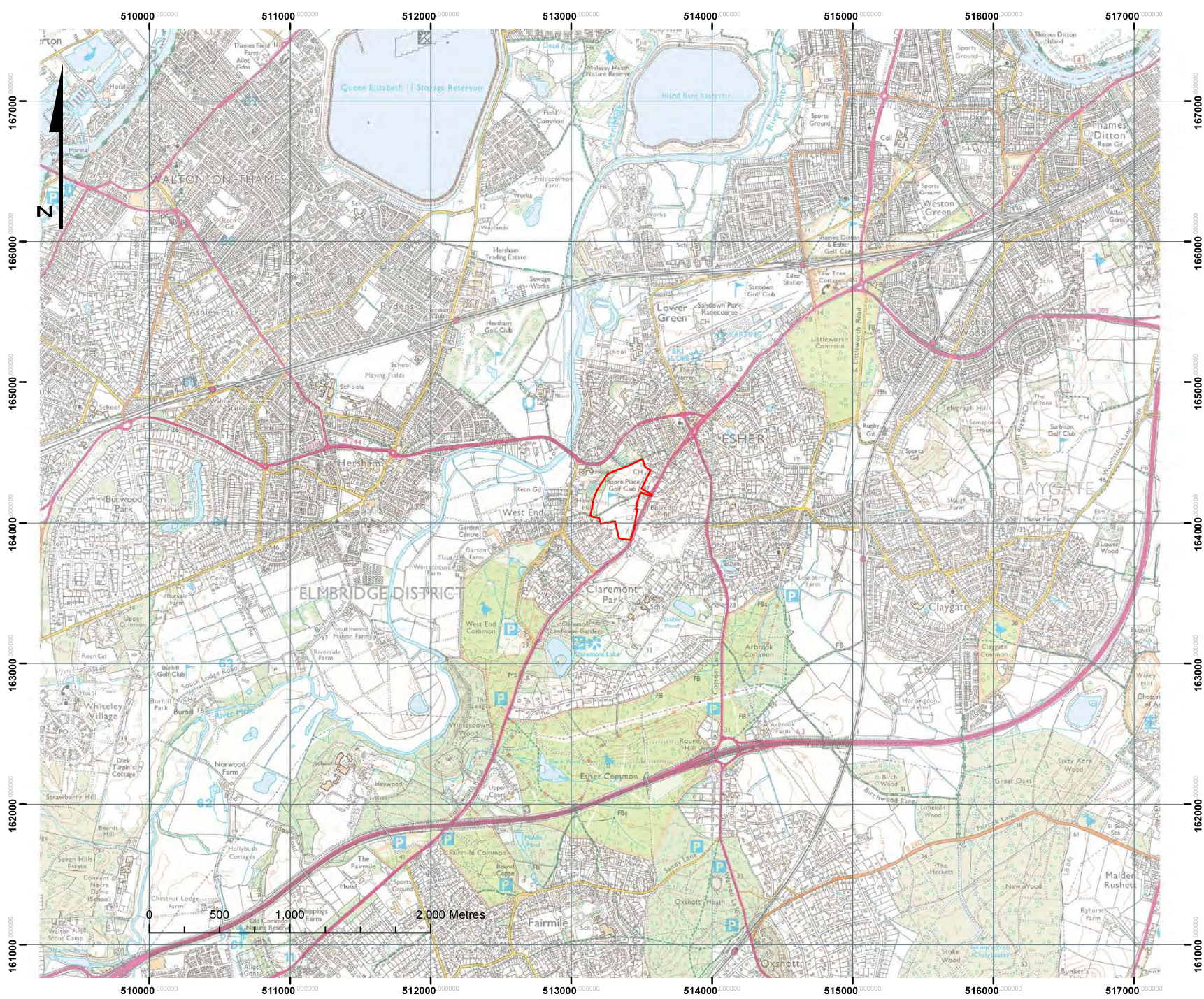
- 2.8 The NPPF states that in order for plans to be positively prepared, they should provide a strategy which, *as a minimum*, meets the area’s objectively assessed needs, and should be informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical and consistent with sustainable development.
- 2.9 For plans to be effective, they should be deliverable over the plan period, be based on effective joint working on cross-boundary strategic matters which are dealt with rather than deferred. This should be evidenced through statements of common ground.
- 2.10 The Plan cannot be considered positively prepared as this would require the Council to meet its housing need in full (as a minimum), as set out within the NPPF. The Council has disregarded options which meet (or nearly meet) the LHN, even with limited Green Belt release. The Council has also failed to take into consideration the severe implications of not meeting its own need in a context where there is a significant level of unmet need within the Housing Market Area (“HMA”) and neighbouring authorities. This is recognised within the Council’s Exceptional Circumstances paper (January 2022), where it states that there is an unmet need of 11,500 homes over a 15-year period within the HMA and neighbouring authorities. This is a staggering number of homes which will mean that thousands of people including families will be unable to have a home to live in, contributing to the crippling affordability issues in the area. The failure to meet the LHN in full is not considered to be consistent with objective of achieving sustainable development as per paragraph 8 of the NPPF.
- 2.11 The Council’s officers themselves have understood that this acute level of need contributes to evidence pointing towards exceptional circumstances to release land from the Green Belt (paragraph 6.31 of the Exceptional Circumstances paper January 2022). As set out within our Regulation 19 representations, there is a wealth of evidence collected by the Council which demonstrates that it can meet its LHN in full, however, Members have taken the conscious decision to deliver far fewer homes.
- 2.12 Quite clearly, the Plan cannot be considered effective as it is not meeting its housing need in full, despite there being evidence that this can be achieved within the context of sustainable development.

Q3.3 Part 1a of policy SS3 advises the Plan will make provision for the delivery of at least 30% affordable homes. This would equate to some 2035 affordable dwellings over the Plan period. The Local Housing Needs Assessment (HOU005) sets out a net annual requirement for affordable housing of 269 units, which equates to 4035 units over the Plan period. How does the Plan propose to address this shortfall? Does this approach accord with the Framework?

- 2.13 The Plan evidently does not address the significant shortfall in affordable homes. The Plan only proposes to deliver half of the affordable housing need (and in reality, is likely to deliver far fewer, as set out in our Hearing Statement for Matter 6). This approach is unsound, and the Council is failing in its duty to deliver homes for those with specific needs, as required by the NPPF.
- 2.14 Small sites often struggle to deliver on-site affordable housing due to viability concerns and may result in fewer homes being delivered on site in order to make them work financially due to a lower affordable housing contribution on sites of nine units or less compared to 10 dwellings or more.
- 2.15 This approach is within the context of woeful affordable housing delivery in Elmbridge over the last decade. In the 2022/23 monitoring year, only 13 affordable homes were delivered. This is a mere 5% of the annual affordable requirement identified in HOU005. Over the past decade, the Council has only delivered 655 affordable homes with only 68 of these being social rent. This is an average of just 66 affordable dwelling per annum.
- 2.16 The Council collected just over £1.3 million in affordable housing financial contributions in 2022/23 and has collected nearly £24.5 million through planning obligations for the Council’s Housing Enabling Fund¹. However, the Statement on Affordable Housing Provision on Small Sites (October 2021) suggests that only £5.5 million has been spent to deliver a total 87 affordable dwellings in the last 10 years. This suggests that much of the monies collected by the Council is not spent on providing affordable housing and assuming a similar delivery rate, only 121 new affordable homes will be delivered using the Fund. This is a tiny fraction of the need in Elmbridge and cannot therefore be considered sound.
- 2.17 As set out within our Regulation 19 representations and our Matter 9 Hearing Statement, the Council’s site selection process will mean that fewer affordable houses will be delivered. The focus on smaller brownfield sites will severely limit the number of affordable houses which will be delivered. Therefore, the Council is not only failing to deliver against the affordable housing need as a whole as set out in HOU005, but the spatial strategy will also mean that it will fail to deliver against the target it has set out itself within Policy SS3. As such, the Council’s approach cannot be considered to be in accordance with the Framework both in significantly boosting the supply of homes and providing homes for specific groups such as those who need affordable homes.

¹ Authority Monitoring Report 2022/23

Appendix A



Legend:

Site Boundary

REVISIONS:		
DATE:	VERSION:	INITIALS:
CELEBRATING 20 YEARS 1998 - 2018		
TITLE: Site Location Plan		
PROJECT/SITE: Moore Place Golf Course		
CLIENT: Charterhouse Strategic Land Limited		
MAP REF: 4279/01/17-3345		
VERSION: v1		
DATE: 13/04/18	SCALE: 1:25,000@A3	
APPROVED BY: RF	PRODUCED BY: SM	
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