

Elmbridge Local Plan Examination

Matter 3: The Vision, Spatial Strategy and the Distribution of Growth Over the Plan Period

Issue 5: Whether the vision and proposed spatial strategy is justified, effective, positively prepared, and consistent with national policy including the proposed distribution of development across the Borough.

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?

1. Our fundamental issue with the submitted Local Plan relates to the soundness of the spatial strategy in failing to provide for the housing / affordable housing that is demonstrably needed in a borough that, the Council itself acknowledges, has one of the highest average houses prices across Surrey and London and the 8th highest in England in 2019/20.
2. The Council's Sustainability Appraisal (CD002), in assessing the impacts of the proposed housing strategy (p96) confirms, against the SA Objective 1 "to provide sufficient housing to enable people to live in a home suitable to their needs and which they can afford", the Plan's fundamental deficiencies:

"The draft policy will not significantly boost the supply of housing as it will meet 70% the housing need. Using only sites in the urban area due to the borough's constraints the draft policy will not provide homes that are a suitable size and type to meet identified needs. The lack of larger sites does result in less opportunities to provide affordable homes, smaller family homes, specialist housing, custom builds and Traveller pitches. Therefore, as this policy will not meet housing need or provide the mix required a significant negative impact is expected." (emphasis added)

3. The Plan is demonstrably and fundamentally unsound.

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).

4. No.
5. The submitted Local Plan does not come close to meeting local housing need (providing for only 69% of total local housing need, even on the Council's own unrealistic and over-optimistic assumptions relevant to delivery from the sites it proposes to allocate).
6. The Sustainability Appraisal (CD002) identifies Options 4a, 5a and 6 as 'New Options 2021' (page 40) brought forward by the Council due to purported 'limitations' across the 5 options previously identified. Paragraphs 3.63 to 3.71 of the SA summarise these new options.
7. Table 11 of the Sustainability Appraisal provides the Council's assessment of the relative merits of Options 4a (urban area only), Option 5a (urban area and 12 small parcels of Green Belt) and Option 6 (urban area and intensify development around town and village centres and train stations).
8. There is no indication as to how the individual scores against the identified SA Objectives have been reached for each option – other than the very brief and very general explanation provided in paragraphs 3.68 to 3.71.

9. Despite this lack of transparency it is notable that Option 4a is, in any event, the only one of these new options to score a 'significant' negative against any of the SA Objectives (relating to 'Homes').
10. The same is true in Table 11a, which followed what are referred to in the SA as 'Further Revisions 2022' in the light of an update to the Council's Land Availability Assessment.

11. Despite this, the SA then states at paragraph 3.75 that:

"These three options have informed the strategy for the borough's housing and growth policy. Following the recommendations made at the Local Plan Working Group (LPWG) on 13 January 2022, a draft Local Plan, which is based on the intensification of the urban area (Option 4a) has been approved at Cabinet and Council in March and June 2022. Therefore, the SA report now considers a draft Local Plan based on option 4a, which is a preferred strategy based on the intensification of the urban area."

12. This paragraph sums up the fundamental failings of the submitted Local Plan. The strategy that was chosen was not informed by the Council's SA, or any other available evidence, and was instead a political decision made by the Council based on a (flawed) view that the overwhelming need for housing and affordable housing, despite the evidence and relevant national policy, is not as important as maintaining existing Green Belt boundaries.
13. As a consequence, it is evident that the submitted Local Plan will not meet the development needs of the area, is not informed by the Council's evidence, and is unsustainable and unsound.

Issue 6: Does the Plans spatial strategy expressed within policy SS3 present an appropriate strategy, taking into account the reasonable alternatives?

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).

14. No.
15. As summarised in Topic Paper 1 (TOP001), the spatial strategy in the submitted Local Plan (Option 4a) would, on the Council's own case, deliver no more than 70% of the borough's local housing need (6,885 homes in the period 2021-2037) focussing on urban land only.
16. Paragraph 8 of the Framework identifies that there are three overarching objectives for achieving sustainable development. This not only includes an environmental objective (to which the Council has seemingly given over-riding weight), but also economic and social objectives. The social objective seeks specifically to support strong, vibrant and health communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.
17. This is amplified by paragraph 60 of the Framework that confirms the Government's objective of *'significantly boosting the supply of new homes'*, identifying that it is important that *"...a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed"*.
18. Policy SS3 (Scale and Location of Growth) provides a level of housing that is substantially below local housing need calculated using the standard method (a method that the Council does not seek to dispute / depart from).
19. Appendix 1 of our submitted representations to Policy SS3 identifies that based on the Council's own figures, over the Local Plan period, this planned shortfall would equate to approximately 3,120 homes (a level very similar to that identified by the Inspector at Question 3.1 of Matter 4). As noted in our submitted representations, local housing need calculated using the standard method is in fact a capped figure. Actual need i.e. without this cap, using baseline assumptions adjusted to have regard to the chronic affordability issues in Elmbridge borough, is 860 dwellings per annum having regard to the 2022 standard methodology figures – which would result in a total requirement for 12,900 homes over a 15-year Plan period.
20. This lack of provision is a fundamental result of the lack of a proactive and positively prepared plan-making process, wholly at odds with the provisions of paragraph 25 of the Framework.
21. As set out in our responses to Issue 5, it is clear the evidence base does not support the Plan's spatial strategy, and neither is the spatial strategy consistent with or supported by national policy. It is consequently unsound.
22. We additionally note that the Local Plan contains a housing trajectory at Appendix A5 that identifies existing commitments, Land Availability Assessment sites and an assumed windfall allowance. Without comment on the accuracy of this trajectory, it can in any event be noted that almost 50% of the housing either has planning permission already or is a windfall. As such, the Local Plan is in reality doing little to boost the supply of housing in the borough.

23. As set out in our submitted representations, and as referenced in the Council's Sustainability Appraisal and Topic Paper 1, the brownfield only approach has been adopted not based on the available evidence, or national policy, but because the Council concluded that Green Belt release was not in its view justified by the existence of 'exceptional circumstances' (as are required by paragraph 140 of the Framework). Notably, this was a view wholly inconsistent with that of the professional Officers of the Council (see paragraphs 10 – 15 of our representations to Policy SS3).
24. The Council appointed consultants to undertake a series of technical assessments, starting as long ago as 2016, to assess the extent to which the Green Belt in the borough meets the purposes of the Green Belt. These are summarised in the bullet points in paragraph 33 of our submitted representations to Policy SS3. As confirmed in the Council's Land Availability Assessment and Topic Paper 1, these independently carried out assessments, undertaken by experienced and well-regarded consultants such as Arup, identified areas of weakly performing Green Belt land that could be released without a material impact on the function of the Green Belt, and could contribute to the development needs of the borough. The Council acknowledges that Spatial Option 5a, for example, would only represent a 3% reduction in land within the Green Belt (paragraph 8.15 Exceptional Circumstances Case (OTH43)).
25. It is clear that given the acute need for housing and affordable housing in the borough, and the fact that the Green Belt covers 57% of the borough and is drawn tightly around existing urban areas, that the necessary exceptional circumstances exist in Elmbridge to justify the release of appropriate land from the Green Belt, and the Council's own evidence shows that there are parcels of land that have independently been assessed to perform weakly in Green Belt terms.
26. By way of example, the Council's Green Belt Boundary Review includes land promoted by Kingacre Estates (The Former Corby Works, Seven Hills Road - Ref. RSA-12 (Sub-Area 21)) and considered within the Supplementary Work (Methodology and Assessment) dated December 2018. This parcel is concluded by the Council's evidence to perform only 'moderately' against the Green Belt purposes, and is noted to have strong urban influences on all sides. At a strategic level, it was recognised that the wider Sub-Area within which it is located performs weakly against Green Belt Purpose 2 and that its release is unlikely to harm the integrity of the wider strategic Green Belt. Accordingly, the Sub-Area was recommended for further consideration for development.
27. The Land Availability Assessment (2018) also confirms that the land promoted by Kingacre is suitable, available and achievable. Notably, the Site contains significant areas of previously developed land, including large areas of hardstanding, a two storey building and other structures, in a sustainable location opposite Whiteley Village.
28. As a consequence of these findings in the Council's evidence base, the Kingacre site was identified by the Council as a 'Potential Development Area to be Masterplanned' within the Local Plan Options Consultation 2019 (Regulation 18) document, as part of Option 3.
29. Despite all of the available evidence, the submitted Plan fails to make any land releases from the Green Belt, and deliberately fails to provide for the housing and affordable housing that the Council itself accepts is needed, and which is a government priority.
30. The Plan is not positively prepared, not justified, not effective and is not consistent with national policy, and is demonstrably unsound.

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

31. The Framework places a duty on the Council to deliver homes to meet specific needs (paragraph 60). Despite identifying the chronic need for affordable housing in the borough, and identifying at paragraph 6.24 of the Plan that "*Housing affordability is a significant issue for Elmbridge and is a key priority for the Council*", the submitted Local Plan does nothing to address it.

32. The Council's Spatial Strategy Topic Paper (TOP001) summarises the reality of the situation in Elmbridge at paragraph 4.8:

“The borough is one of the most expensive areas in the country to live, with high land values and intense pressure for new development. As a result, too many young people and families are moving out of the borough to have a realistic prospect of owning or renting their own home. Older residents are struggling to affordably downsize in a way that will enable them to continue to live independently or with care packages and remain in their local community. The cost of housing and reliance on people travelling into the borough is also making it difficult for local businesses and valued services to attract and retain employees, this includes essential key workers, such as teachers and health care providers.” (emphasis added)

33. The Council's Affordable Housing Topic Paper (TOP002) identifies that in 2019/20 the ratio of house prices to gross annual workplace-based earnings indicated that people in Elmbridge needed 18 times their annual earnings to afford a mortgage on an average priced property. In 2022 this had declined even further to a level in excess of 20¹.
34. Table 16 of the Council's SA confirms, in assessing the Plan against the SA Objective in relation to 'Homes', that the Plan does not meet housing need in full and includes small scale site allocations in the urban area which is likely to impact on the mix and delivery of affordable housing. Despite this, the submitted Plan does nothing to address it.
35. Even on the assumption that the Council was to deliver 30% affordable housing on every development coming forward in the Local Plan, the total of 6,785 new homes across the Plan period would deliver only 2,035 affordable homes (127dpa on average). This compares to the net level of affordable housing need identified by the Council (Affordable Housing Topic Paper) of 269dpa. As such, even on the Council's most optimistic case, and without challenge to any of its figures / assumptions, the submitted Plan would deliver less than 50% of the affordable housing that is needed in the borough.
36. There is no conceivable way that the Council can seek to reduce / address this affordable housing shortfall without altering Green Belt boundaries to allow development of those sites, at the very least, identified in the Council's evidence base as performing poorly / moderately in Green Belt terms. Furthermore, Policy HOU4 of the Local Plan demonstrates that the way to maximise affordable housing delivery is from greenfield sites of more than 10 homes, where provision of 40% affordable housing is to be sought (compared to 30% on brownfield sites of 10 units or more, and financial contributions equivalent to just 20% on smaller brownfield sites).
37. The submitted Plan does nothing to address the chronic need for affordable housing in the district, and conflicts with the Council's purported key priority to deliver affordable housing. It is demonstrably unsound.

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?

38. It will not.

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<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

39. As set out in our submitted representations and elsewhere in this Statement, the submitted Local Plan does not, and does not purport to, deliver anything even close to identified local housing need calculated using the standard method. It conflicts grossly with the provisions of paragraph 60 of the Farmwork in this regard.
40. In terms of housing mix, paragraph 6.18 of the submitted Plan identifies that the Local Housing Needs Assessment (2020) identified that it was important that new housing development focussed on providing smaller homes. It notes an indicative need as follows:
- 1 bed – 20%
 - 2 bed – 50%
 - 3 bed – 30%
 - 4+ bed – 10%
41. Some smaller 1 and 2 bed units can in theory be delivered through higher-density flatted developments in urban areas (subject to scale and viability). However, the SA at paragraph 3.27 sets out that the evidence base (comprising the Urban Capacity Study 2018, and the Land Availability Assessments (2018, 2021 and 2022)) concludes that there are very few, if any, large sites in the urban area that can accommodate the mix of homes needed, and particularly specialist accommodation. As such, it was considered necessary at that time to assess Green Belt land around existing settlements. This situation has not changed. However the Council's position, inexplicably, has.
42. High density developments on urban sites will only deliver smaller homes / flats, in order to respond to site context, parking requirements and viability. These types of homes are frequently unsuitable for family housing.
43. The Council's SA is clear that Green Belt release is necessary in order to meet need and to accommodate the mix of homes that are needed. Specifically, paragraph 3.96 of the SA states that:
- “Due to the small-scale nature of urban sites in the borough, a mix of housing types is difficult to achieve and competition for housing may impact economic land uses.”*
44. Contrary to the provisions of paragraph 60 of the Framework, and the conclusions of the Council's own evidence base, the submitted Plan fails to meet the overall need for housing / affordable housing, and fails also to deliver the mix of housing that is needed in Elmbridge, and it is unsound.

Policy SS2 – Sustainable place-making

2.31 The Council's approach to sustainable place making is set out at policy SS2. Is the approach reflective of paragraph 7 of the Framework? Part 2b of the policy refers to delivering homes for all. However the Councils approach to housing will only provide for approximately 69% of the borough's housing needs over the Plan period. Is the policy justified and effective as a result?

45. Paragraph 7 of the Framework confirms that the purpose of the planning system is to contribute to achieving sustainable development, including the provision of homes, by meeting the needs of the present without compromising the ability of future generations to meet their own needs.
46. Policy SS2 identifies that the Council will apply the presumption in favour of sustainable development, with all development proposals having regard to the criteria identified in the policy. Criterion b states that the Council is seeking to deliver homes for all, including an objective / requirement to deliver the right mix of well-designed and adaptable homes, including smaller housing to meet local housing needs.
47. As identified elsewhere within this Statement, and at Appendix 1 of our submitted representations to Policy SS3, the submitted Plan does not even purport to deliver homes for all. It plans to significantly under-deliver housing over the Plan period, preventing people from accessing housing and exacerbating further the chronic affordability issues. This shortfall, that is being planned for, is very substantial and will have severe consequences (and will in reality be even worse than that identified by the Council due to the optimistic assumptions made on delivery from the urban areas).
48. The Council's approach is not supported by any evidence, including its own, and is not positively prepared, justified, effective or consistent with national policy.
49. It can be noted that in addition to the substantial shortfalls being planned for by the Council, cumulatively the Surrey and London fringe authorities are failing to boost the supply of new housing significantly. As set out in our submitted representations, over the next 10-years the Surrey authorities could potentially under-deliver against the standard method minimum local housing needs figure by approximately 12,000 dwellings (20% of the current total Surrey standard method figure).
50. The Council's application of the Green Belt as an absolute constraint, to justify an approach to significantly under-providing against its objectively assessed needs, is wholly unreasonable and unsound.

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