

Former Moore Place Golf Course

Hearing Statement – Matter 9: Site
Allocations

ON BEHALF OF CHARTERHOUSE STRATEGIC LAND &

MOORE PLACE HOLDINGS

March 2024

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1. Introduction

- 1.1 These Hearing Statements have been prepared on behalf of our client, Charterhouse Strategic Land, in response to the Examination in Public of the submission version of the Elmbridge Local Plan 2037.
- 1.2 Charterhouse Strategic Land, 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 Charterhouse Strategic Land 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 Charterhouse Strategic Land 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 14: Are the proposed site allocations selected using an appropriate methodology based on a proportionate evidence base? Are they justified and effective? Will the allocations address the land use requirements across the Plan period?

Q8.2 Have the individual site allocations been chosen according to a robust site selection methodology?

- 2.1 It is evident that the site allocations have not been chosen based on a robust site selection methodology. As set out at paragraph 2.47 of our Regulation 19 representations, there are 44 sites which have been allocated for development but are absent from the 2022 Land Availability Assessment (“LAA”). In addition, there are eight sites which do not feature in either the 2021 or the 2022 LAA. Further, neither version of the LAA includes any sites located within the Green Belt, contrary to the PPG which requires local authorities to identify a wide range of sites and not simply rule out outright sites which are known to have constraints. In this regard, the site selection methodology is quite clearly flawed and cannot be considered sound.
- 2.2 The 2023 LAA was published in February 2024, however this has not been added to the Examination library. There are a number of sites which have not had availability confirmed (e.g. US169 Claygate Station car park and US194 Protech House) or have not had availability confirmed for a number of years (e.g. US160 Garages at Bennett Close where availability has not been confirmed since 2018). In addition, the Council is still including sites such as US121, Oxshott Medical Practice despite a pre-application request solely for additional medical facilities. The LAA has not considered all sites within the Green Belt or outside the urban area. It is not considered that the updated LAA addresses the deficiencies of the previous LAAs and the site selection methodology.
- 2.3 In addition to the failures of the LAAs, the evidence base and chosen spatial strategy is contradictory in nature. The Exceptional Circumstances paper (January 2022) makes it clear that Officers consider there are exceptional circumstances present to release land from the Green Belt. However, Members have completely disregarded this advice and have instead sought to retrofit the evidence base to suit a predetermined spatial strategy. As such, the Council has sought to allocate only brownfield sites whilst not adequately considering whether these are in fact deliverable or developable.
- 2.4 Two documents which epitomise the ineptitude of the site selection methodology are the “*Green Belt Site Assessment Proformas – Sites considered for release under spatial strategy 5A*” (2021) and the “*Green Belt Site Assessment Proformas – Sites no longer considered suitable for release*” (2022, updated 2023).
- 2.5 For example, and to illustrate the flawed site selection methodology the Former Moore Place Golf Club was considered under parcel SA-50. In the 2021 version, the assessment notes that the site meets the purposes of the Green Belt weakly and that it is identified within the Green Belt review as suitable for release from the Green Belt. It states in terms of sustainability, its overall score is fair with excellent bus links and limited access to railway services. Minor positives are also attributed to the parcel’s location to a significant employment site and major service centre.
- 2.6 In terms of landscape sensitivity, this is noted as being moderate to low and that the landscape may have a “greater ability to absorb change”. In fact, the assessment notes that whilst the site is being promoted for 285 dwellings at a “very low density” of 21.5dph, the Council considers it has the capacity for 475 dwellings at a density of 40dph.
- 2.7 In terms of opportunities for outdoor sport and recreation, it is noted that the site would likely provide a local green space or children’s play space.

- 2.8 However, the 2023 update provides a totally different set of conclusions. The 2023 version completely backtracks on the Green Belt conclusions and instead relies on the assessment within the 2016 Green Belt Boundary Review which looked at huge areas of the Green Belt and ignores the conclusions of the 2019 review which focuses on smaller parcels. Instead, it states that:
- “It is the Council’s position that, on the whole, the Ove Arup assessment in regard to the Green Belt sites undervalues their ‘performance’ against the purposes of Green Belt as well as ensuring the fundamental aim of Green Belt in preventing urban sprawl by keeping land permanently open. In addition, the Council considers that, all of the sites, either via Ove Arup’s assessment or the Council’s own, performs some degree (weakly, moderately, strongly) of function when considered against the purposes of Green Belt. It is the Council’s view that whilst some areas are considered to perform ‘weakly’ in the Ove Arup assessment in regard to the purposes of the Green Belt, they still perform some function. Neither the GBBR 2016 or 2018, identified any part of the Green Belt as no longer performing against the purposes overall.”*
- 2.9 It is obvious that this is not the view of Officers (as evidenced in the Local Plan Working Group minutes from June 2021) but of Members who have sought to retrofit the evidence base to suit a particular agenda. All sites within the Green Belt are likely to make some contribution to the purposes of the Green Belt and the harm caused by releasing sites from the Green Belt needs to be balanced against the need to deliver housing and whether exceptional circumstances exist.
- 2.10 The Council itself previously identified that there were exceptional circumstances for releasing land from the Green Belt and also stated that it considers the capacity of the Site to be far greater than what has been promoted. As such, the complete change in position of the Council points towards the chosen spatial strategy and site selection process not having been supported by a robust or justified evidence base. Accordingly, we consider the Plan is unsound in this regard
- 2.11 For sustainability, the updated assessment now states that the distances to the nearest major service centre and significant employment site are now “significant”, despite previously being noted as a minor positive for the site. It is not clear as to how or why these conclusions have changed so dramatically.
- 2.12 In terms of landscape sensitivity, the assessment notes the 2019 Landscape Sensitivity Study which is referred to in the previous document but then goes on to reference a 2023 version which has not been made available as part of the Council’s evidence base. It is quoted as saying that the site still has a moderate to low sensitivity to change but now the *“parcel would result in the grounds associated with Moore Place would be irrevocably altered. Moore Place is one of the few large suburban houses which has not been redeveloped for housing and there would be an effect on the setting of the town.”*
- 2.13 This is a bizarre argument and one which has no bearing on the sensitivity of the landscape or indeed its release from the Green Belt. It does not set out what the effect would be on the setting on the town, or indeed how this would be harmful in any sense. It is considered that the update to the Landscape Sensitivity Assessment has been produced in an attempt to row back on previous evidence which demonstrated that the site was suitable for development. As the document has not been made available for the public to view, it is not considered that this can be relied upon as evidence and certainly does not meet the tests of soundness.
- 2.14 For outdoor sport and recreation, the conclusion has changed again and now states that the development would result in the permanent loss of the golf course. As CSL has previously demonstrated through representations, there are a large number of golf courses within the wider area and the course has had to close due to financial issues.

2.15 The 2021 assessment states that:

“The impact on the heritage assets could be addressed through a sensitive design and layout of the development. It is considered that the significant potential of bringing a strategic level of housing delivery on this land would outweigh the identified negatives.”

2.16 However, in the 2023 assessment, it states that:

“Minor negatives are associated with the potential impact of any development proposal on historic environment and in terms of making best use of PDL.”

2.17 There is no sound justification as to why the conclusion that the significant benefits of housing delivery which would outweigh any negatives, has been removed.

2.18 In addition to the above, CSL would like to reiterate that the intention to designate the site as a Local Green Space is a cynical attempt to block the development of a sustainable site which the Council itself has provided large amounts of evidence to support its allocation in the Plan. The Local Green Space Addendum produced by the Council does not change any of the conclusions drawn by CSL within our Regulation 19 representations.

Q8.8 In terms of the sites which are identified as contributing towards housing supply during years 1-5 of the Plan period, are the sites available now, are they achievable with a realistic prospect of housing being delivered within five years? If this is not the case, is the allocation justified?

2.19 CSL has great concerns over the deliverability of sites identified within the LAA. These are set out within Section 2 of our Regulation 19 representations. The Council has stated that the LAA has been updated for 2023. This has not been made available for scrutiny as part of this examination.

2.20 The Council’s response to the Inspector’s Initial Letter (ref. COUD002), states that five car parks allocated for development are no longer available. This supports our concerns raised previously about such allocations. In fact, the Council acknowledges that *“As well as being in higher use than in 2020/21 (which informed the LAA 2022), the car parks also yield high revenues and are important to local shops, transport connections and community uses such as the karate centre that fronts the Hare Lane car park.”*

2.21 These precise concerns were raised within our previous representations and demonstrate that these concerns are indeed valid and will have a negative impact on the deliverability of sites allocated by the Council.

2.22 The Council, to date, has not presented any evidence which go any way to alleviating our concerns over the deliverability of a large proportion of the site allocations. As such, we maintain that the Plan is unsound and that these allocations should be removed and sites such as the Former Moore Place Golf Club, which have previously been identified by the Council as suitable for release from the Green Belt, be allocated for development.

Q8.9 In terms of the sites which are identified as contributing towards housing supply during years 6-15 of the Plan period, is there a reasonable prospect that the site will be available and could be viably developed at the point envisaged?

2.23 In the same vein as above, concerns have previously been raised with regards to sites intending to deliver housing in between years six and 10 of the Plan period. The deficiencies in the LAA 2022 and the wider evidence base do not provide confidence that many of the sites can be considered developable as per the definition set out in Annex 2 of the NPPF.

2.24 The Council has not provided any further evidence to give comfort that these sites are developable and as such their inclusion as allocations cannot be considered justified or sound.

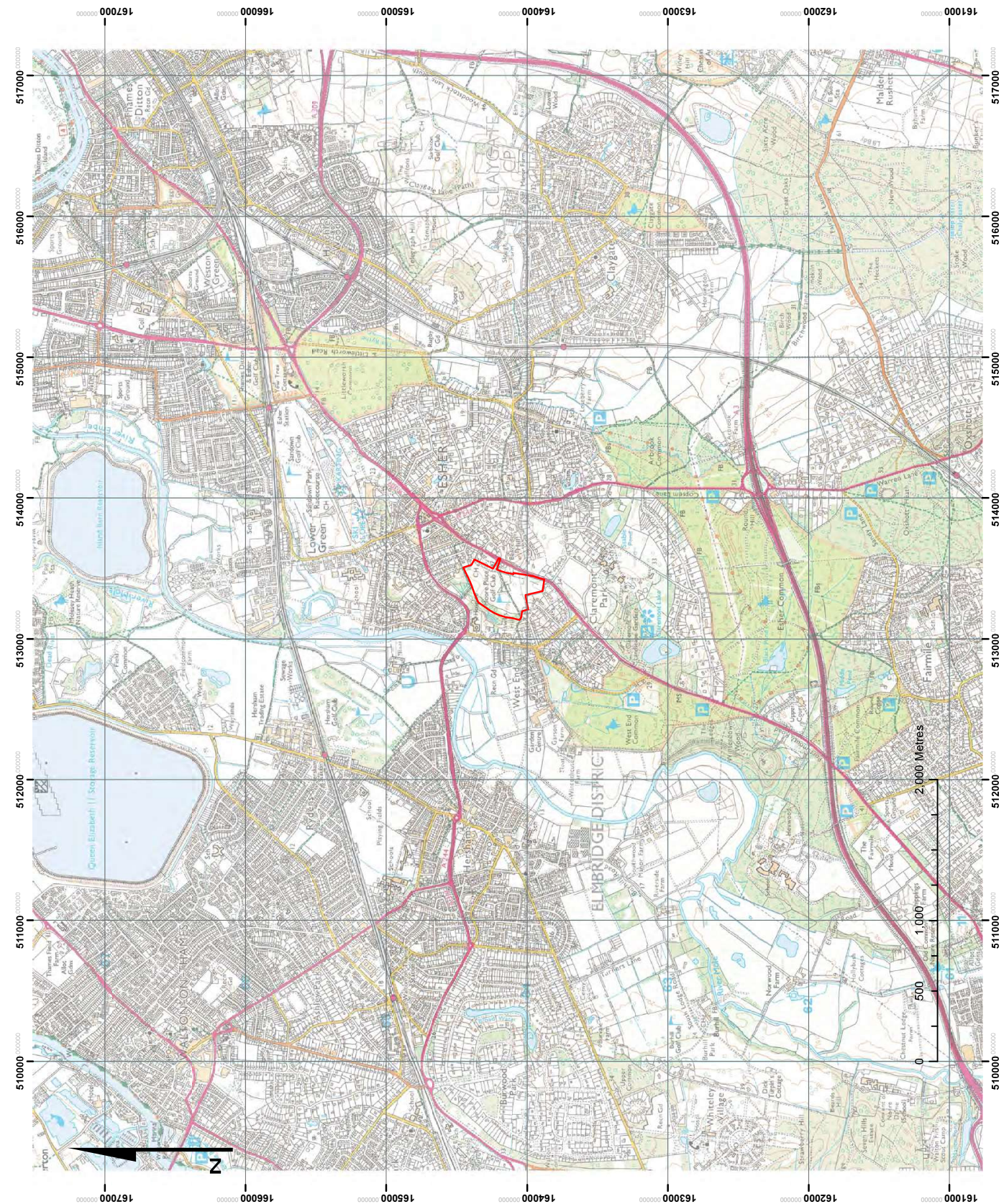
Q8.10 The Land Availability Assessment 2022 (HOU002) states that in terms of assessing availability, a site is considered to be available when based on the best information available, there is confidence that there are no legal or ownership problems and that the land is controlled by a developer/ landowner who has expressed an interest in developing the site. Notwithstanding this text, A number of allocations within the LLA state that the 'landowner has not confirmed the site is available'. In addition, a number of representors have also made the case that particular site allocations are not available or there has been no response. These are summarised below. If this is the case, how is it possible for these sites to meet the tests required in terms of the Framework and the definition of developable – a reasonable prospect that they will be available.

2.25 It is quite clear that these sites do not meet the test of deliverable as per Annex 2 of the NPPF. The Council has not provided any new evidence to demonstrate that there is a reasonable prospect that these sites will be available for development. As per Section 2 of our Regulation 19 representations, we consider that these sites should be removed as site allocations and the housing trajectory.

Appendix A

Legend:

Site Boundary



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