



PH/EBC/005

Elmbridge Local Plan

Development Management Plan: Sustainability Appraisal Report of Main Modifications

(Addendum Report)

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1. Introduction and context

1.1. Elmbridge Borough Council (EBC) is producing a Local Plan (LP) for the Borough to guide future planning and development. The first part of the LP, the Elmbridge Core Strategy was adopted in August 2011 with more detailed plans on Development Management and Site Allocations and Designations to follow in two separate plans. The Development Management Plan (DMP) was submitted for examination in June 2014 and contains the detailed policies required for the day to day management of development in the Borough. The public hearing part of the Examination in Public was held on 28th and 29th of August 2014.

1.2. As part of the examination process, the independently appointed Planning Inspector is able to recommend 'Main Modifications' (changes that materially affect the policies) to make the DMP 'sound' and/or 'legally compliant' – only if asked to by the local planning authority under the provisions of section 20(7)(c) of the 2004 Planning and Compulsory Purchase Act 2004 (as amended). As part of the examination EBC asked for the Inspector to make recommendations as to the soundness of the Plan. EBC can also put forward 'Minor Modifications' of its own to improve the plan, but they can only deal with minor matters not related to soundness or legal compliance.

1.3. EBC is required to undertake a six week public consultation on all proposed Main Modifications to the DMP. Depending upon the scope and extent of the modifications, further Sustainability Appraisal (SA) work may also be required.

1.4. This Report Addendum describes how the Main Modifications to the DMP affect the findings of the SA Report that was submitted alongside the DMP for examination. The report focuses on the Main Modifications to the Plan as they are proposed to address issues of soundness and as such could impact on the sustainability of a policy.

For a complete understanding of the entire SA process of the DMP, it is important that this Report Addendum is read in conjunction with the following documents:

- Submission SA Report (MD/EBC/009);
- Submission Development Management Plan (MD/EBC/001);
- Schedule of Main Modifications (PH/EBC/004);
- Consolidated Schedule of Minor Modifications (PH/EBC/009);

The submission SA Report provides a full description of the SA process, from the initial Scoping Report, through to the Progress Report and submission Report, as well as proposals for monitoring.

Purpose of the Sustainability Report

1.5. A SA of new, or revised, Local Plans is required by Section 19 of OED/EBC/0056 the Planning and Compulsory Purchase Act 2004. Section 39 of the same Act requires that the authority preparing a Local Plan must do so 'with the objective of contributing to the achievement of sustainable development'. The SA process therefore provides an opportunity to consider options in which the plan can contribute to improvements in social, economic and environmental conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have. By doing so it can help to make sure

that the proposals in the plan are the most appropriate given the reasonable alternatives. The SA process is governed by a range of European and national legislation and supported by Government policy, including:

- The requirements of European Directive 2001/42/EC (often known as the Strategic Environmental Assessment, or SEA, Directive) which requires the preparation of an environmental report that considers the significant environmental effects of a plan or programme. The SEA directive is transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004: Statutory Instrument 2004 No. 1633 (SEA Regulations);
- The 2004 Planning and Compulsory Purchase Act, which requires SA of all emerging Development Plan Documents and Supplementary Planning Documents;
- The Town and Country Planning (Local Planning) (England) Regulations 2012 which highlights the SA as one of the submission documents for local plans; and
- The National Planning Policy Framework (NPPF), which states that planning policies should be based on up-to-date information about the natural environment and other characteristics of the area including a SA which meets the requirements of the European Directive on strategic environmental assessment which should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

Compliance with Habitats Regulation Assessment

1.6. The European Directive (92/43/EEC) on the conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive established a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites and comprise of Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

1.7. Article 6 of the Habitats Directive and Regulation 48 of the Habitats Regulations 2010 states the need to determine if an Appropriate Assessment (AA) is required for proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more Natura 2000 sites.

1.8. A full screening assessment (OED/EBC/005) was undertaken as part of the preparation of the DMP and was consulted on during early 2013 as part of the consultation on the Draft Plan. This screening assessment is available online as one of the supporting documents for the Draft DMP (OED/EBC/003).

1.9. The DMP does not seek to deliver development in a different manner, either in extent or location, to that set out in the Core Strategy. The policies contained in the document are therefore in conformity with the Core Strategy and subject to the mitigation required within that Strategy to minimise the impact of development on European sites - in particular policy CS13 in the Core Strategy, which sets out the Council's approach to addressing the impact on the Thames Basin Heaths SPA. Therefore, it is not expected that the DMP will have any significant impacts, alone or in combination with other plans, on the integrity of the Natura 2000 sites to that identified in the HRA for the Core Strategy

2. Appraisal of Modifications

2.1. The results of the appraisal of the Main Modifications appears over the following pages. The approach taken is consistent with that taken in the appraisal of policies throughout the preparation of the Plan with the likely effects, and the significance of those effects arising from the proposed main modifications, being assessed against each of the SA objectives. The 19 Objectives are set out in Table 1 below.

Table 1: SA Objectives

Theme	Sustainability Appraisal Objective	SEA Directive Topic	Relevant NPPF Paragraph
Social Progress that meets the needs of everyone	1. To provide sufficient housing to enable people to live in a home suitable to their needs and which they can afford	Population, material assets	17, 47-52, 54, 55
	2. To facilitate the improved health and well-being of the whole population	Human Health, population	17, 69, 70, 73-78
	3. To reduce poverty, crime and social exclusion	Population	17, 28, 69, 70
	4. To minimise the harm from flooding	Human Health, Water, Landscape	17, 94, 99-104
	5. To improve accessibility to all services and facilities	Population	17, 28-30, 37, 38, 69, 70
Effective Protection of the Environment	6. To make the best use of previously developed land and existing buildings	Landscape, Climatic Factors	17, 89, 111
	7. To reduce land contamination and safeguard soil quality and quantity	Air, water , soil	17, 109, 110, 112, 120-125
	8. To ensure air quality continues to improve	Air, water , soil	17, 109, 110, 112, 120-125
	9. To reduce noise pollution	Air, water , soil	17, 109, 110, 112, 120-125
	10. To reduce light pollution	Air, water , soil	17, 109, 110, 112, 120-125
	11. To improve the water quality of rivers and groundwater, and maintain an adequate supply of water	Air, water , soil	17, 109, 110, 112, 120-125

Theme	Sustainability Appraisal Objective	SEA Directive Topic	Relevant NPPF Paragraph
	12. To conserve and enhance biodiversity within the plan area	Biodiversity, flora, fauna	17, 109, 110, 113, 114, 117-119
	13. To protect and enhance the natural, archaeological, historic environments and cultural assets	Cultural Heritage	17, 126-141
	14. To reduce the need to travel, encourage sustainable transport options and make the best use of existing transport infrastructure	Human health, air, climatic factors	17, 29-38, 93, 95
	15. To ensure that the District adapts to the impacts of the changing climate	Climatic factors	17, 30, 34, 93-99, 156
Maintenance of high and stable levels of growth	16. Provide for employment opportunities to meet the needs of the local economy	Population	17-28
	17. Support economic growth which is inclusive, innovative and sustainable	Population	17-28
Prudent use of natural resources	18. To achieve sustainable production and use of resources	Climatic factors	17, 30, 34, 93-99
	19. To increase energy efficiency and the production of energy from low carbon technologies, renewable sources and decentralised generation systems.	Climatic factors	17, 30, 34, 91, 93-99

2.2. The SA methodology was developed by the East Surrey Local Plans Group, in collaboration with the statutory consultees and the appraisal of the Plan Modifications was carried out by a Council Planning Officer. Table 2 below sets out the key to the appraisal of effects used within this appraisal.

Table 2: Sustainability Appraisal Effects

Type of Effect	
++	Likely to have significant positive

	effects
+	Likely to have positive effects
0	Neutral
-	Likely to have negative effects
--	Likely to have significant negative effects

Summary of Appraisals

Modification Reference: MM1

Relevant Policy: n/a

Page number/ paragraph: Para 1.17, Page 8

1.17 As the Development Management Plan policies support the Core Strategy Objectives, they will be monitored using the same indicators within the Objective Led Performance Framework. However, in addition to these indicators the Council will add the indicators set out in appendix 6 to ensure more specific monitoring of the Development Management Plan is included in the Council's existing approach to monitoring. Where necessary the Council will also create new indicators and delete obsolete ones to meet changing circumstances, for example to address changes to national policy. Under the provisions of the Localism Act 2011, changes to monitoring requirements have given local planning authorities more scope to decide what is included within their monitoring information. As well as monitoring the outcome of policies individually, the AMR will also assess the effects of policies holistically to assess whether or not they are proving effective at delivering sustainable development. Where any negative effects are identified, remedial action will be suggested.

(Table of additional indicators and introductory text will be inserted as new Appendix 6 is set out in Annex 1.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Summary

No changes to sustainability were identified as a result of these modifications. The proposed modifications are regarding the monitoring of the policies. Monitoring is an essential part of the Local Plan process and allows the Council to analyse housing, economic, environmental and social performance which, in turn, helps to measure the effectiveness of policies and strategies. Additional indicators have been created to help in assessing the effectiveness of the DMP in meeting the overarching objectives of the Local Plan. However in itself this does change policy content and therefore the modification would not have an effect on the sustainability objectives.

Modification Reference: MM2

Relevant Policy: DM2 – Design and Amenity

Page number/ paragraph: Page 11, part c,

Proposals should take account of landform, layout, building orientation, massing and landscape to minimise energy consumption, ~~incorporating sustainable design and construction requirements as set out in the sustainability section of Chapter 5 of the Design and Character SPD.~~

Insert footnote linking to the word ‘consumption’ as follows:

Further advice on sustainable design and construction is set out in the Sustainability chapter of the Design and Character SPD

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	+	+	+	+	+	0	+	+	+	+	+	++	+	+	0	0	+	+

Summary

No changes to sustainability were identified as a result of these modifications. The removal of the reference of the Council’s SPD in the main body of the policy and the amendment to a footnote has no sustainability implications. Whilst no longer specifically referenced in the policy the SPD is adopted Council guidance and any proposal will be expected to take account of the sustainability principles set out in this (or any superseding) document. This modification does not raise any issues in relation to the above sustainability objectives.

Modification Reference: MM3

Relevant Policy: DM2

Page number/ paragraph: Page 13 Paragraph 2.8

2.8 This policy is intended to provide the basis for assessing design and amenity in a universal manner. Development proposals will be expected to take account of other relevant policies that address specific issues including access and parking (with particular reference to policy DM7), flooding, landscape and trees. Given the significant amount of Green Belt within Elmbridge, proposals should take into account the character of any open land adjoining the site. By applying good design principles, development can form an attractive transition, ensuring that more prominent elements of the building are located furthest from the Green Belt boundary and ensuring that softer landscape features such as gardens are located closest to it.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	+	+	+	+	+	0	+	+	+	+	+	++	+	+	0	0	+	+

Summary

No changes to sustainability were identified as a result of these modifications. This modification moves a paragraph from DM17 Green Belt (Development of New Buildings) into the explanatory text for policy DM2- Design and Amenity. It is not considered that the insertion of this text has a significant impact on the policy and would have no impact on the above sustainability objectives.

Modification Reference: MM4

Relevant Policy: Policy DM10

Page number/ paragraph: page 32, part c



c. Living Standards

Proposals for new housing development or the conversion of larger dwellings into smaller units will be expected to offer an appropriate standard of living, internally and externally. Minimum space standards will be applied to all new housing development (including conversions) in line with the table below, unless these are superseded by nationally applicable standards, in which case, the nationally described space standards will apply. Where developments come forward that are smaller than the space standards but offer purpose built, innovative and unique accommodation to address a specific need the Council will consider such proposals on their merits. Residential accommodation should offer residents an appropriate level of light, outlook (particularly when accommodation is lit solely by roof lights) and amenity, including gardens and open space, commensurate with the type and location of housing proposed.

Insert footnote linking to the word ‘standards’ as follows:

The Space Standards set out a minimum requirement of provision for C3 use class residential properties only. These are intended to be a minimum standard which developers should exceed where possible. The intended number of occupants should be indicated on the planning application form.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
+	+	+	0	+	+	0	0	0	0	0	0	+	+	0	+	+	0	0

Summary

The revised wording seeks to ensure that proposed new housing development will provide suitable space for occupants whilst also meeting the needs of the borough. The Council's proposed space standards are relatively similar to those proposed by the Government in their most recent consultation document (PH/EBC/006 and PH/EBC/007). As such whether the space standards set out in the policy or those proposed nationally are applied, neither is considered to raise any significant issues.

The additional wording allows the consideration of proposals with lower space standards in certain circumstances, where they provide an innovative and unique form of accommodation. This is seen as improving the delivery of sufficient housing to meet the specific needs of local people and as such improves sustainability against objective 1 but as this is already a positive it was not considered necessary to change the assessment. However, it was considered that the amendment would support objective 3 to reduce poverty and social exclusion by supporting smaller units that may meet the needs of some groups by improving affordability. As the proposed modification does not affect any other objectives and is considered to improve the sustainability of the policy.

The inclusion of the footnote provides clarity on how the policy will be applied it does not introduce any new policy or result in additional sustainability implications.

Modification Reference:MM5

Relevant Policy:DM10 - Housing

Page number/ paragraph: Page 35, Paragraph 2.44

2.44 Following a Housing Standards Review, the Government has stated its intention, subject to legislation, to introduce a national internal space standard for dwellings. The

Government's aim is to make it easier to bring forward much needed new housing, whilst improving quality, and safeguarding environmental protections and access for disabled people. The national internal space standard is intended to be referenced in planning policies, where justified by need and subject to viability. Within the Borough, ~~In considering proposals for new development, the Council proposes applying minimum internal space standards¹⁵. This is a new provision in the Elmbridge Local Plan due to there have been~~ concerns that some developments have been proposed that are not large enough to offer the future occupant(s) a decent standard of living accommodation or to provide lifetime homes in accordance with Core Strategy policies CS17 - Local Character, Density and Design and CS20 - Older People, in order to meet Objective 13¹⁶.

2.45 Particularly when the housing market is buoyant, the Borough can experience pressure on even the smallest of sites for residential units, such as the conversion of storerooms behind or above retail premises or the subdivision of larger units to form smaller flats or bedsits. Although the creation of smaller units is often welcomed, there is also a responsibility to ensure that such housing is not excessively small to result in a poor standard of living accommodation for its occupants. All proposals for residential development will be considered in the light of Policy DM10c and the internal space standards set out in the table alongside it. The standards are consistent with those used as Elmbridge's minimum floorspace requirements for affordable housing (see the Developer Contributions SPD). The standards in the table, which are generally similar to those set out in the Government's consultation (Housing Standards Review - Technical Consultation, September 2014), will be applied until new nationally described space standards come into force. When and if such a national space standard comes into force, it will supersede those set out in the table. The Council is also aware of companies and organisations specialising in the provision of innovative, well designed residential units which would not be compliant with the space standards. Whilst such units are smaller than ideally would be required, it is acknowledged that such products are designed to offer high quality living spaces to meet specific needs and demands.

Delete footnote 15.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
+	+	+	0	+	+	0	0	0	0	0	0	+	+	0	+	+	0	0

Summary

This modification is to the support text of the policy DM10; it provides greater clarity on how the modifications to the policy will apply. These modifications do not impact on the sustainability objectives. Modifications to the actual policy are considered under Main Modification 4.

Modification Reference: MM6

Relevant Policy: DM10 - Housing

Page number/ paragraph: Para 2.47, Page 35

2.47 The Council is mindful that housing development needs to respond flexibly to the changing needs of families by accommodating additional relatives or staff. The policy on ancillary accommodation aims to meet such needs whilst recognising that separate buildings within the curtilage of larger dwellings can have a negative impact on the character of the area and may not have suitable amenity space or access arrangements to be used as an independent house. Conditions may therefore be appropriate in order to set the parameters

for the occupation of the extension or buildings and to retain control where appropriate. Proposals for ancillary accommodation within the Green Belt would also be considered against Policy DM18.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
+	+	+	0	+	+	0	0	0	0	0	0	+	+	0	+	+	0	0

Summary

The policy itself is unaltered; the additional wording does not have any changes to the supporting text of policy DM10 but does provides further clarity that ancillary accommodation will all be considered against the criteria in policy DM18. This modification will have no significant impact on the sustainability objectives.

Modification Reference: MM7

Relevant Policy: DM12 - Heritage

Page number/ paragraph: page 40-42.

Planning permission will be granted for developments that protect, conserve and enhance the Borough’s historic environment. This includes the following heritage assets²²:

- a. Listed Buildings and their settings
- b. Conservation Areas and their settings
- c. Parks and Gardens of Special Historic Interest and their settings
- d. Scheduled Monuments and their settings
- e. Areas of High Archaeological Potential and County Sites of Archaeological Importance (CSAIs)
- f. Locally Listed Buildings and other identified or potential assets (including non-designated locally significant assets identified in the local lists compiled by the Council).

a. Listed Buildings

- 4. The Council will encourage appropriate development to maintain and restore Listed Buildings, particularly those identified as being most at risk.
- 5. Development to, or within the curtilage or vicinity of, a listed building or structure should preserve or enhance its setting and any features of special interest architectural or historical interest which it possesses and its setting.
- 6. A change of use of part, or the whole, of a Listed Building will be approved provided that its setting, character and features of special architectural or historic interest would be preserved or enhanced. Consideration will also be given to the long-term preservation that might be secured through a more viable use.
- 7. ~~Partial demolition of a Listed Building, including curtilage buildings, will be resisted unless the character or appearance of the listed building and its setting will be improved.~~ Development which would cause substantial harm to or loss of a listed building (including curtilage buildings), such as total or partial demolition, will be permitted only in exceptional circumstances. In such cases, consideration will be given to the asset’s significance²³. Applicants will need to clearly demonstrate that either:
 - 20. There are substantial public benefits outweighing any harm or loss; or
 - 21. All of the following apply:
 - a. the nature of the listed building prevents all reasonable use of the site;

- b. no viable use of the listed building can be found in the medium term through appropriate marketing that will enable its conservation:
- c. it can be demonstrated that charitable or public funding/ownership is not available to enable its conservation:
- d. any harm or loss is outweighed by the benefit of bringing the site back into use.

8. ~~Total demolition of a Listed Building will be refused.~~

b. Conservation Areas

~~6.1 Development proposals should take full account of the Council's Conservation Area Character Appraisals and Management Plans for the relevant area.~~

1. Proposals for all new development, including alterations and extensions to buildings, their re-use and the incorporation of energy efficiency and renewable energy technologies, must have a sensitive and appropriate response to context and good attention to detail.
2. Development within or affecting the setting of a conservation area, including views in or out, should preserve or enhance the character and appearance of the area, taking account of the streetscape, plot and frontage sizes, materials and relationships between existing buildings and spaces.
3. Open spaces, trees and other hard and soft landscape features important to the character or appearance of the area should be retained or be in keeping with the character of the area²⁴.
4. ~~Demolition of buildings and/or structures will be granted consent provided that the building and/or structure to be demolished makes no material contribution to the character or appearance of the conservation area and that permission has been granted for their sensitive replacement or redevelopment.~~ Proposals to demolish buildings and/or structures will be assessed against their contribution to the significance of the conservation area as a heritage asset. Where substantial harm would be caused to a conservation area's significance, the proposal will be resisted unless exceptional circumstances, including substantial public benefits outweighing any harm to the conservation area, can be demonstrated. Where the harm would be less than substantial, it will be weighed against any public benefits of the proposal, including securing optimum viable use of the heritage asset and whether it would enhance or better reveal the significance of the conservation area.

c. Parks and Gardens of Special Historic Interest

- Parks and gardens identified as being of special historic interest, including landscape features and buildings, and their setting, will be protected and their sensitive restoration encouraged.
- Any proposed development within or conspicuous from a historic park or garden will be permitted provided that it does not detract from the asset.

d. Scheduled Monuments and County Sites of Archaeological Interest (CSAIs)

1. Development that adversely affects the physical survival, setting or overall heritage significance of any element of a Scheduled Monument or CSAI will be resisted.
2. Any new development should be sensitive to these criteria and positively act to enhance the monument or CSAI overall and ensure its continued survival.

e. Areas of High Archaeological Potential²³²⁵

- Proposals for development should take account of the likelihood of heritage assets with archaeological significance being present on the site, provide for positive

measures to assess the significance of any such assets, and enhance understanding of their value.

f. Locally Listed Buildings and other identified non-designated heritage assets

- The Council will seek to retain these, where possible, and will assess proposals which would directly or indirectly impact on them in the light of their significance and the degree of harm or loss, if any, which would be caused. ~~ensuring new development does not harm the character, appearance or setting of the building or asset. Where harm or loss to a heritage asset is considered by the Council to be justified by the scale and nature of public benefits of the proposed development, developers will be required to record and advance understanding of the significance of the asset to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence publicly accessible.~~

Add new footnotes:

²³In the case of grade I and II* listed building any development resulting in substantial harm will be wholly exceptional. In the case of all listed buildings, where the harm would be less than substantial, it will be weighed against the public benefits of the proposal, including securing its optimum viable use.

²⁴More detailed guidance can be found in the Conservation Area Character Appraisal and Management Plan for the relevant area.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
+	0	0	0	0	++	0	+	+	0	0	0	0	0	+	+	+	+	+

Summary

Looking at the sustainability objectives as a whole the modifications would have a positive impact. The revised wording now allows greater flexibility for the demolition of heritage assets such as; listed buildings; buildings/ structures in the conservation area and/or locally listed buildings. Whilst this policy now has provides less protection to heritage assets it provides scope and opportunity to bring a site which potentially could be derelict back into use. The preservation, retention and continued use of a listed building can sometimes be unviable and the amendments to the policy now recognise this issue and allow, in exceptional circumstances, for the redevelopment of the site to a more viable use. When considered as a whole the modifications allow the Council to consider other public benefits which would outweigh the harm. Such public benefits would have to be specific and depend on the nature of the scheme. However this could include; remediation of contaminated land, the provision of new and much needed housing or new employment opportunities. In particular the ability to ensure that buildings and land can be brought back into a viable use has significant social and economic benefits. In particular this has seen scoring under objective 1, 6, 16, 17 and 19 improve.

However, the double positive in terms of objective 13 on protecting and enhancing historic assets has been reduced to a neutral impact. This is because the modification gives scope for the loss or alteration of a heritage asset should the benefits outweigh the negatives. It is considered that the modifications provide an overall improvement to the sustainability of the policy due the social and economic benefits.

Modification Reference: MM8

Relevant Policy: DM17 – Green Belt (Development of new buildings)

Policy DM17, page 53

- a. The Green Belt boundary is defined on the Policies Map²⁸. In order to uphold the ~~purposes~~ fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development will not be approved unless the applicant can demonstrate very special circumstances that will clearly outweigh the harm.
- b. Built development for outdoor sport, recreation and cemeteries ~~other appropriate uses~~²⁹ will need to demonstrate that the building's function is ancillary and appropriate to the use and that it would not be practical to re-use or adapt any existing buildings on the site. Proposals should be sited and designed to minimise the impact on the openness of the Green Belt and should include a high quality landscape scheme. ~~The development will be expected to comply with other policies that prevent an adverse impact on the environment and the community.~~
- c. Proposals for the limited infilling or the partial or complete redevelopment of previously developed sites will be considered in light of the size, height, type, layout and impact of existing buildings, structures and hard standing. ~~Support~~ Encouragement will be given to proposals that limit the dispersal of development throughout the site. ~~or can demonstrate that the openness of the Green Belt will be improved.~~
- d. ~~New development of land adjoining or clearly visible from the Green Belt should respond to its setting and the character of the area, ensuring that buildings and landscape schemes are designed to create an appropriate transition between urban and open land.~~

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

Modifications to the policy have been made to be consistent with the wording of the NPPF and to provide greater clarity in order to improve effectiveness. Whilst it is not considered that these modifications will impact on sustainability, the removal of paragraph d from the policy was felt to have the potential to have greater impact as it was removed from the policy to a supporting paragraph in DM2.

The removal of paragraph d from policy text and its insertion into the explanatory text of policy DM2 may result in this paragraph having less weight in the consideration of proposal and therefore it could be argued that it would now allow for a larger sized or visually prominent development adjacent to the Green Belt, which could result in a negative impact on the perception of the Green Belts openness. However policy DM2 still requires development as whole to take into account the character and appearance of the area. Therefore the deletion of this paragraph and amendment to the explanatory text of DM2 is not considered to have a significant impact on the sustainability of the policy.

Modification Reference: MM9

Relevant Policy: DM17 – Green Belt (development of new buildings)

Page number/ paragraph: Page 54, Paragraph 2.76

Proposed modification:

2.76 Some development is regarded as ‘not inappropriate’ within the Green Belt and this is limited to that which supports uses which keep the land open and are consistent with the purpose it serves. ~~including agriculture, forestry, cemeteries, and outdoor sport and recreation. Other forms of development that are also ‘not inappropriate’ are listed in the Framework. The Council acknowledges the appropriateness of such proposals and plans to positively enhance the beneficial use of the Green Belt but will require buildings to be genuinely ancillary and appropriate to the sustainable operation of the appropriate use in order to minimise development wherever possible and therefore preserve the openness of the Green Belt. Similarly, applicants will be expected to consider whether any existing buildings could be re-used sustainably rather than proposing a new development that may have a greater impact on the Green Belt and the environment, and to include measures that may serve to mitigate the effect on the character of the area, such as a high standard of design and landscape.~~ DM17(b) considers appropriate facilities for outdoor sport, recreation and cemeteries. Other types of development which may potentially not be inappropriate within the Green Belt will be considered against national policy, particularly paragraphs 89 and 90 of the National Planning Policy Framework. Proposals for extension, alteration and replacement of buildings will be considered under DM18–Green Belt (development of existing buildings).

2.77 The Council acknowledges that, in certain circumstances, new buildings are not inappropriate in the Green Belt. Where possible, new development should positively enhance the beneficial use of the Green Belt and be genuinely ancillary and appropriate in scale form and function to the sustainable operation of the use in order to minimise development and preserve the openness of the Green Belt. Similarly, applicants will be expected to consider whether any existing buildings could be re-used sustainably rather than proposing a new development that may have a greater impact on the Green Belt and the environment, and to include measures that may serve to mitigate the effect on the character of the area, such as a high standard of design and landscape.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

The policy itself is unaltered; the additional wording in the supporting text provides further clarity and direction against which development in the Green Belt will be considered.. This modification does not alter nor introduce new policy and will have no significant impact on the sustainability objectives of the policy.

Modification Reference: MM10

Relevant Policy: DM17 – Green Belt (development of new buildings)

Page number/ paragraph: Page 54 paragraph 2.78

Proposed modification:

Delete paragraph 2.78 and amend paragraph 2.8 accordingly (see MM3).

~~2.78 The policy also refers to land adjoining the Green Belt but not within it, recognising that development in close proximity to its boundary could have just as significant an effect upon it. By applying good design principles, development can form an attractive transition, ensuring that more prominent elements of the building are located furthest from the Green Belt boundary and ensuring that softer landscape features such as gardens are located~~

closest to it.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

The paragraph in the explanatory text refers to the design of development adjacent to the Green Belt. It has been moved within the Plan document (see MM3) to be contained with the explanatory text for DM2. Whilst being moved within the Plan document its content has already been considered as part of the original Sustainability Appraisal.

Modification Reference: MM11

Relevant Policy: DM18 – Green Belt (development of existing buildings)

Page number/ paragraph: Pages 56- 57

Proposed modification:

a. Extensions and alterations to a building will be permitted provided they do not result in disproportionate additions over and above the size of the original building, either individually or cumulatively. Support will be given to proposals that do not have a materially greater impact on the openness of the Green Belt and, in particular:

- 2.1. Are well designed to respond to the context of the site and the character of the area, taking into account the particular visual sensitivity of open and prominent locations.
- 2.2. Do not result in an increase beyond 25% in volume and 25% in footprint³³, and
- 2.3. Do not materially increase the overall height of the building.

b. The replacement of a building in the same use will be permitted provided that the new building is not materially larger than the one it replaces. Support will be given to proposals that do not have a materially greater impact on the openness of the Green Belt and, in particular:

- Are well designed to respond to the context of the site and the character of the area, taking into account the particular visual sensitivity of open and prominent locations.
- Do not result in an increase beyond 10% in volume and 10% in footprint³²,
- Do not materially increase the overall height of the building, and
- Are sited in the same position as the existing building or in a preferable position within the site to maximise the openness of the Green Belt.

c. The volume and footprint of existing buildings to be demolished within the site may be included in the increase in volume and footprint under (a) and (b) above, taking into account their size, permanence, design and proximity to the building to be extended or replaced. Conditions may be used to remove permitted development rights for further outbuildings and extensions.

d. Proposals to erect, extend or replace an ancillary building within 5 metres of the main building will be treated as an extension to ~~the main building~~, under (a) above. The extension or replacement of an ancillary building sited more than 5 metres from the main building will be considered under either (a) or (b) above, as appropriate, as a building in its own right. ~~Permission will not be granted for new ancillary buildings sited more than 5 metres from the main building unless it is for an appropriate use in the Green Belt or very special circumstances can be demonstrated that would clearly outweigh any harm to the openness.~~ Proposals to erect new ancillary buildings sited more than 5 metres from the main building, which would not replace existing buildings, will be assessed against the relevant policies

relating to new free-standing buildings within the Green Belt.

e. Proposals for a basement will be permitted provided it is wholly subterranean, does not generate significant additional activity on the site as a whole, does not exceed the footprint of the existing building (including as extended or replaced) and is served only by discreet light wells, ventilation systems or means of escape³³. Basements that do not comply with these provisions will be regarded as contributing to the increase in volume and footprint under (a) and (b) above.

Amend footnotes 31 and 32 to both read as follows:

To be calculated based on external dimensions. ~~Figures lower than the maximum percentage permitted under this policy may be sought in open and prominent locations within the Green Belt.~~

New footnote

³³ This does not preclude features such as internal connections to the rest of the house.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

The proposed modifications are not considered to effect the fundamental aims of the policy but do improve its effectiveness and consistency with national policy. The only element of the proposed modification that may have some impact is the inclusion of the need to consider visual sensitivity of prominent locations with the main body of the policy. This could be considered to have a slightly more positive effect on protecting natural and historic environments, however, as this was already considered to be a positive the scoring has not been changed.

Other amendments to the wording of the text regarding new buildings within the Green Belt are to align the policy more clearly with the provisions of the NPPF; however the revised text does not introduce any new policy, only clarifies how proposals for new buildings will be considered. As such there is not considered to be any impact on the original assessment of sustainability for this policy.

Modification Reference: MM12

Relevant Policy: DM18 – Green Belt (development of existing buildings)

Page number/ paragraph: page 57, Para 2.80

Proposed modification:

2.80 There will be instances where perhaps a significantly lower figure will be more appropriate, based on the specifics of the site, such as in open and prominent locations and where environmental constraints are a factor, including flood risk, but the percentages offer clear parameters within which new developments can be designed to preserve the openness of the Green Belt and the character of the area.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

The additional wording provides further clarity of potential examples where a lower quantum could be expected. The additional wording does not include any new policy. As such this

modification does not raise any additional implications on sustainability.

Modification Reference: MM13

Relevant Policy: DM18 – Green Belt (development of existing buildings)

Page number/ paragraph: Para. 2.82, page 58

Proposed modification:

2.82 This policy gives specific guidance on how ancillary buildings will be treated in assessing new proposals. This is to give greater clarity for applicants which could result in more focus on the quality and design of the proposal rather than lengthy discussion on other matters. The distance of 5 metres within which an ancillary building will be treated as being part of the main building has been specified as a dimension that is commonly used to imply contiguousness of development for Green Belt purposes and stems from its use in earlier versions of the General Permitted Development Order in respect of outbuildings to dwelling houses. Proposals for new free-standing ancillary buildings sited more than 5 metres from the main building would be considered against policies DM17, DM18 and national policy relating to new buildings in the Green Belt, rather than extensions to existing buildings, due the separation between the built forms and the resulting lack of contiguousness. Ancillary buildings in any location would also need to satisfy part e of policy DM10-Housing.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0

Summary

Amendments to the wording of the supporting text provide greater clarity regarding how new buildings within the Green Belt will be considered. This modification does not amend policy and as such raises no significant issues in relation to the sustainability objectives.

Modification Reference: MM14

Relevant Policy: DM19 – Horse-related uses and development

Page number/ paragraph: page 59, Part a.

Proposed modification:

- a. New development associated with appropriate horse-related activities will be permitted, including within the Green Belt ~~where provided~~ it complies with policy, if it would respect the character and amenity of the area without resulting in undue pressure on local infrastructure, nature conservation and biodiversity.
- b. Proposals for new buildings, extensions to existing buildings and means of enclosure should achieve a high standard of design and use sensitive materials that reflect local character, particularly in the Green Belt and other open areas, and be of a scale that is proportionate to the activity proposed. Appropriate provision should be made for access, storage and waste associated with the activity, especially in residential areas.
- c. Proposals will be expected to incorporate a high quality landscape scheme into the design, especially within the Green Belt and other open areas, in order to integrate the development into the natural landscape.
- ~~d. New development should be designed to offer a high level of equine welfare in accordance with current legislation.~~
- de. Proposals to extend and/or enhance the recreational value of the bridleway network will

be supported, provided that there is no conflict with agriculture, nature conservation or with facilities for walkers on existing public footpaths or other paths currently only used by walkers.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	+	0	0	+	0	0	0	0	0	0	+	+	0	0	+	+	0	0

Summary

As equine welfare is addressed in alternative legislation and the referencing to this legislation in the supporting text, alongside the need for consultation between licensing and planning, it is not considered that the deletion of part d of policy DM19 will impact on the sustainability of the policy.

Modification Reference: MM15

Relevant Policy: DM19

Page number/ paragraph: Para 2.86, page 59

Proposed modification:

~~2.86 As an appropriate use of the Green Belt, equestrian uses will be supported. In certain circumstances, equestrian uses may be acceptable within the Green Belt.~~ It is important that the design of new buildings and associated facilities respond positively to their context, which is usually rural in character and landscape. Therefore proposals will be expected to demonstrate that the scale of development, quality of design, use of materials and the landscape scheme will enhance the visual amenity of the area. There are also factors that will influence the location of buildings within the site, such as the need for natural surveillance, site security and welfare considerations. These matters are for the applicant to consider in the context of the specifics of the site when designing the scheme.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	+	0	0	+	0	0	0	0	0	0	+	+	0	0	+	+	0	0

Summary

The alterations to the explanatory text of the policy seek to provide greater clarity and flexibility regarding equestrian uses. The alterations in the wording are not considered to have any impact on the sustainability of the policy.

Modification Reference: MM16

Relevant Policy: DM19

Page number/ paragraph: Para 2.88, page 60

Proposed modification:

~~2.88 The policy also includes reference to welfare standards for horses.~~ Environmental Health & Licensing is the body responsible for issuing licences to riding centres and can offer advice to applicants on requirements that may have an impact on the size and design of stables and loose boxes. The Council can therefore offer a collaborative approach to ensuring the aims of the policy are achieved whilst also ensuring equine welfare. This will prevent the need to reapply for a revised scheme if the approved design does not meet the standards required to acquire the necessary licences.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	+	0	0	+	0	0	0	0	0	0	+	+	0	0	+	+	0	0

Summary

The policy itself is unaltered. Alterations to the paragraph, contained within the explanatory text, seek to provide greater clarity regarding the intention of the policy. The alterations in the wording are considered to have no impact on the SA objectives.

Modification Reference: MM17

Relevant Policy: DM20

Page number/ paragraph: Para 2.90, page 61

Proposed modification:

2.90 The open space within Elmbridge is essential to its character and contributes to the quality of the landscape and the network of green infrastructure. It is very important to local people, who enjoy the visual benefits, wildlife habitats and the recreation function it provides. In addition, open spaces are also beneficial in helping to minimise flood risk

2.91 Whilst enjoying similar benefits, Green Belt serves five distinct purposes³⁶ that are not shared by land in more urban and residential parts of the Borough. Therefore this policy does not cover all Green Infrastructure Assets, as defined in the Core Strategy (CS14 – Green Infrastructure), by excluding areas in the Green Belt that are covered by separate Development Management policies. CS14 also covers other Green Infrastructure Assets that this policy does not, such as Suitable Accessible Natural Greenspace, so they should be assessed together. For the avoidance of doubt, part (c) of the policy applies across the relevant parts of the whole Borough, including the Green Belt.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
-	+	0	+	+	+	0	0	0	0	0	+	+	0	0	-	-	0	0

Summary

These modifications do not introduce any new policy, the additional sentence to paragraph 2.90 stresses the importance of open space and the additional sentence to paragraph 2.91 provides further clarification regarding how the policy will be applied. These amendments do not have any impact on the sustainability objectives, individually or as a whole.

Modification Reference: MM18

Relevant Policy: DM7

Page number/ paragraph: Para 2.25, page 25

Proposed Modification

2.25 The high trip rate of the Borough's residents to work, train stations and local services result in congestion on the roads and emissions that adversely affect air quality. The Core Strategy aims to minimise the effect of trips by encouraging new development in accessible locations, encouraging use of sustainable transport modes and applying maximum parking standards, including consideration of zero parking for certain town centre developments. However, in many instances zero parking will not be acceptable and this is often the case in areas where on-street parking stress is a particular problem and there is no suitable alternative provision. In such cases, the Council will require one parking space per residential unit for new developments in order to ensure that the existing pressure to park on nearby roads is not exacerbated. Factors to take into account when considering whether an area experiences on-street parking stress will be the levels of parking on nearby roads, the availability of spaces in public car parks and whether there are any particular pressures

caused by existing uses or developments in the area. The level of parking that should be provided on non-residential developments in areas of parking stress will be individually assessed, taking into account the availability of other parking and travel options for shoppers, workers and visitors in that location. The onus will be on the applicant to demonstrate why zero parking is appropriate in a given location. This Development Management policy supports the aims of the Core Strategy by providing detailed parking standards that are also based on maximums and ensuring that proposals affecting public car parks are carefully considered in terms of the wider impact on the Borough.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	0	+	0	+	0	0	0	+	+	0	+	+	+	0	0	0	0	0

Summary

The additional wording provides further clarity on how the Council will assess on-street parking stress; it does not change nor introduce any new policy. As such this modification does not raise any sustainability implications.

Modification Reference: MM19

Relevant Policy: DM7

Page number/ paragraph: Appendix 1, Parking Standards for Residential Parking, page 74

Proposed modification:

e. As set out in policy DM7 - Access and Parking, in areas of parking stress the Council would expect a minimum of 1 space per residential unit.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
0	0	+	0	+	0	0	0	+	+	0	+	+	+	0	0	0	0	0

Summary

This modification is to improve clarity and effectiveness of the policy through improved cross referencing and, as such, is just repeating policy in DM7. Therefore it is not considered to have any additional impacts on the sustainability of policy DM7.

3. Conclusions

3.1. It is apparent from the appraisal undertaken is that the effects of the main modifications on sustainability are minor and either have no effect or a small positive effective. The exception to this are the modifications made to policy DM12 – Heritage. The modifications to this policy had a significant impact, both positively and negatively on a number of the sustainability objectives.

3.2. The main modifications to DM12 were more significant than for many of the other policies and were required in order to ensure consistency with the National Planning Policy Framework. There was considered to be notable divergence between the proposed policy and national policy set out in section 12 of the NPPF. In particular, the Inspector considered that more consideration needed to be given to how significance should be considered and how that was considered against any potential benefits accruing from any harm or loss.

3.3. To ensure consistency with the NPPF the proposed modifications could be considered to have weakened the policy DM12 in relation to the protection of heritage assets which, for example, stated that the demolition of listed buildings would be refused. Due to this it was considered that the changes could potential have a negative impact on objective 13 to enhance and protect natural, archaeological and historic environments and cultural assets. In appraising this modification the effect on objective 13 went from a positive to a neutral effect as loss or harm could now be considered under the proposed modification. However, it wasn't considered necessary to score this as a negative as the policy was still oine principally of protecting heritage assets.

3.4. However, the appraisal of the main modifications to DM12 also highlighted that there could be significant economic and social benefits. This was considered to be case as the policy now had the flexibility consider the benefits that may arise from any loss of, or harm to, a heritage asset. Whilst it is clear in the modifications that these benefits should be substantial there would be potential from these modifications to secure significant social and economic benefits in terms of new housing or employment uses. Therefore the overall impact of the modification was considered to have a positive impact on sustainability as a whole.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
DM1	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
DM2	0	+	+	+	+	+	0	+	+	+	+	+	++	+	+	0	0	+	+
DM3	+	+	+	0	+	+	0	+	+	0	0	0	0	+	0	+	+	0	0
DM4	+	+	+	0	+	+	0	0	0	0	0	+	0	+	0	+	+	0	0
DM5	0	+	0	0	0	0	+	+	+	+	+	0	0	0	+	0	0	0	0
DM6	0	+	0	+	0	0	0	+	0	0	0	+	++	0	+	0	0	0	0
DM7	0	0	+	0	+	0	0	0	+	+	0	+	+	+	0	0	0	0	0
DM8	0	+	0	0	0	0	0	0	0	0	0	0	++	0	+	0	0	0	0
DM9	0	+	+	0	+	+	0	0	0	0	0	0	++	+	0	+	+	0	0
DM10	+	+	+	0	+	+	0	0	0	0	0	0	+	+	0	+	+	0	0
DM11	0	0	0	0	0	+	0	+	+	0	0	0	++	0	+	0	0	+	0
DM12	+	0	0	0	0	++	0	+	+	0	0	0	0	0	+	+	+	+	+
DM13	0	+	0	+	+	0	0	0	0	0	+	+	+	+	+	0	0	0	0

DM14	0	0	+	0	+	+	0	0	+	0	0	0	0	+	0	+	+	0	0
DM15	0	0	0	0	+	0	0	0	0	++	0	+	++	0	0	0	+	0	0
DM16	0	0	0	0	+	0	0	0	0	0	0	0	+	+	0	+	+	0	0
DM17	-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0
DM18	-	0	0	0	+	+	+	0	0	0	0	+	+	+	0	-	-	0	0
DM19	0	+	0	0	+	0	0	0	0	0	0	+	+	0	0	+	+	0	0
DM20	-	+	0	+	+	+	0	0	0	0	0	+	+	0	0	-	-	0	0
DM21	0	+	0	+	0	+	0	0	0	0	0	+	+	0	0	0	0	0	0
DM22	0	+	0	0	+	0	0	0	+	0	+	+	+	+	+	0	0	0	0

Mitigating Adverse Effects of Local Plan Policy and Maximising Beneficial Effects

3.5. Sustainability Appraisal guidance requires measures to prevent, reduce or offset any significant adverse effects of implementing the Local Plan. The SA report for the DMP identifies the likely negative and positive impacts each policy has on achieving sustainability objectives based on the framework set out. It demonstrates that the proposed submission version of the Plan will contribute significantly towards delivering the social, economic, and environmental objectives set out in the SA framework.

3.6. However, as outlined above the main modification proposed to DM12 - Heritage would have a reduction in the positive impact on the sustainability objective to enhance and protect natural, archaeological and historic environments and cultural assets. Part of the mitigation of any loss is that there will need to be substantial benefits arising from any harm or loss of the the heritage asset, as such off setting the loss or harm and maximing the beneficial effects of the policy. The policy clearly sets out the circumstances and is clear as to the evidence that will need to be provided by applicants to satisfy this test and any application will be required to go through the necessary consultation which will include both statutory and local heritage bodies.

Monitoring

3.7. Monitoring is a key element of the planning system and a requirement under Section 35 of the Planning and Compulsory Purchase Act 2004. Section 113 of the Localism Act 2011 requires that local planning authorities produce an Authority Monitoring Report (AMR). The purpose of the AMR is to provide information on the social, environmental and economic effects of planning policy documents, to help determine the extent to which objectives, targets and programmes are being met, and to monitor the extent to which the timetable set out in the Local Development Scheme is being met. The Council's most recent AMR is available from <http://www.elmbridge.gov.uk/planning/policy/monitoringreports.htm>

3.8. As part of its objective-led performance framework, the AMR will continue to monitor those indicators outlined in the Core Strategy and other documents in the Local Plan. The indicators have been examined alongside agreed objectives in order to assess their effectiveness regarding whether the policies set out are achieving the agreed objectives. Monitoring will also allow the Council to know if it is necessary to trigger contingency plans outlined in the Core Strategy should performance fall below expectations.

3.9. As part of the main modifications the additional indicators have been included to ensure the more accurate monitoring of the policies in the Plan. These will be included in the annual Authority's Monitoring Report and be subject to public scrutiny. The indicators will also allow for any impacts on the sustainability of the plan to be assessed alongside those existing indicators monitoring the delivery of the objectives set out in the Core Strategy.