
Shaping Elmbridge A New Local Plan



Exceptional Circumstances Case: Green Belt

January 2022



Elmbridge
Borough Council
... bridging the communities ...

Contents

1. Introduction.....	5
Purpose of this paper	5
The structure of this paper.....	7
2. The Green Belt in Elmbridge Borough.....	9
History of the Green Belt	9
3. The Planning & Legal Frameworks	12
National Policy.....	12
Case Law	15
4. Local Plan Development Options.....	20
Options for meeting our development needs.....	20
How the options have emerged.....	20
5. Examining all other reasonable options.....	30
National Planning Policy.....	30
Establishing our housing need	31
Suitable brownfield and under-utilised land	32
Optimising the density of development.....	39
Engaging with neighbouring authorities (duty to cooperate).....	44
Reasonable alternative options conclusion	46
6. Exceptional Circumstance: Removing land from the Green Belt.....	48
The Calverton Case	48
i) The acuteness / intensity of the objectively assessed need (matters of degree may be important)	48
ii) The inherent constraints on supply / availability of land prima facie suitable for sustainable development	58
(iii) (On the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt	66
(iv) The nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed	72
(v) The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent	74
7. Exceptional Circumstances: Additions to the Green Belt	76
National Policy.....	76
Case Law	76
Greenfield Sites.....	77

Land at the former Molesey Former Sewage Works, Approach Road, Molesey	77
8. Conclusion	79
Appendix A – Sites to be removed from the Green Belt and allocated for development – Green Belt information.....	84
Appendix B – The location of sites to be removed / added to the Green Belt through the emerging draft Local Plan	88
Appendix C - Sites to be removed from the Green Belt and allocated for development: compensatory improvements.....	90

1. Introduction

Purpose of this paper

- 1.1 This paper has been prepared to assist Councillors in their consideration of the preferred development strategy for Elmbridge Borough to be set out in the draft Local Plan 2037.
- 1.2 The spatial strategy in the Local Plan will provide the overarching direction for development in the borough, including responding to climate change; safeguarding the natural and built environment; and reducing carbon emissions, alongside the development strategy for the provision of homes; employment space; retail and infrastructure provision.
- 1.3 It is important that the Local Plan sets a clear vision and spatial strategy for the borough to 2037, shaping how the borough will evolve to meet the needs of its existing and future residents, communities and businesses.
- 1.4 One of the main challenges for the Local Plan is delivering new homes. The number of new homes the council is expected to plan for is set by the Government's Standard Method. This was introduced in July 2018 and the current calculation for Elmbridge is 641 new homes per year (9,615 dwellings across the plan-period). This is significantly higher than the number of homes the council had previously been planning for in its Core Strategy 2011 (225 dwellings per annum).
- 1.5 As part of the preparation of the emerging draft Local Plan, the council has considered several options regarding the spatial strategy for the borough / how development need could be addressed. The options have evolved over time in response to several factors including the wider planning context; the Local Plan evidence base as it is prepared / reviewed; consultation responses (received during the three Regulation 18 consultations); and from collaborative working between Councillors and officers throughout the preparation of the emerging draft Local Plan.
- 1.6 In accordance with the National Planning Policy Framework (NPPF, 2021) the principal focus of all options is to seek to make as much use of brownfield land. However, some options have considered the possibility of releasing land from the Green Belt in order to assist in meeting any potential unmet need arising from both within the borough and, from neighbouring authorities.
- 1.7 The NPPF makes clear that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and

justified, through the preparation or updating of plans.

- 1.8 At the Local Plan Working Group (LPWG) on 22 June 2021 the Working Group and other Councillors considered a working draft of the Local Plan which included a small amount of Green Belt to be released to help meet identified housing need. This recommendation was formulated based on officers' consideration of the requirements of the NPPF, Planning Practice Guidance (PPG) and case law, as well as the emerging evidence base. In making this recommendation officers exercised their planning judgement that exceptional circumstances could be demonstrated to justify amendments to the Green Belt boundary.
- 1.9 In support of the officers' recommendation, an Exceptional Circumstances Case: Green Belt (paper) (May 2021) was provided to Councillors setting out the evidence and officers' justification for amending the boundaries of the Green Belt in contemplation that it would be approved by the Council.
- 1.10 Having reviewed the working draft Local Plan and supporting evidence, including the aforementioned paper, the recommendations of the LPWG were that the Cabinet:
 - should not agree the draft Local Plan for a Regulation 19 Representation period;
 - should be invited to agree that the officer recommended Plan and proposed release of Green Belt is not supported by the exceptional circumstances as set out in the evidence base documents; and
 - should direct officers to bring to Cabinet a draft Local Plan and supporting documents to support a growth strategy that excludes all Green Belt sites for Member consideration. The Plan should look to optimise the urban areas to provide as many homes as possible without destroying the character of Elmbridge.
- 1.11 In responding to the third bullet point, officers presented to the LPWG (26 July 2021 and 18 November 2021) further development options relating to the existing urban areas only. These were presented alongside a comparison with a spatial strategy that releases Green Belt, and what the risks are associated with each approach.
- 1.12 Prior to the Councillors deciding on the preferred development strategy for the borough, officers consider it appropriate to update the Exceptional Circumstances Paper prepared in May 2021. The purpose of this updated paper is twofold:
 - To incorporate into officers' consideration of whether exceptional

circumstances exist to justify amendments to the Green Belt boundary, those options presented to the LPWG in July and November 2021.

- To set out for Councillors an updated audit of the evidence considered by officers and the planning judgements made including the key points that Councillors will also need to consider when reaching a decision on the preferred spatial strategy for the borough.
- 1.13 This paper identifies and considers the exceptional circumstances which officers believe exist to justify amendments to the Green Belt boundary. Councillors should note that does not preclude them taking into account a consideration which is relevant to the determination but is not specified by officers.
- 1.14 Furthermore, having considered the provisions of the NPPF; case law; the Local Plan evidence; and any other factor that Councillors consider relevant, it does not preclude them from exercising their planning judgement and reaching an alternative conclusion.
- 1.15 As set out in the previous iteration of this paper, the information presented here should not be read or considered in isolation but, in parallel with the complete series of Local Plan evidence base documents provided to Councillors. Other evidence base documents particularly relevant to this paper have been referred to throughout. Links to these documents have either been provided or, they are available on the Council's website or Members' Library via Mod.Gov.

The structure of this paper

- 1.16 The structure of this paper is as follows:
- 2. The Green Belt in Elmbridge Borough** – this section provides a brief history of Green Belt designation in Elmbridge Borough. Included are maps detailing the current boundary of the Green Belt.
 - 3. The Planning & Legal Frameworks** – this section summarises the planning and legal framework of national policies on Green Belts and recent case law on the process of formulating an exceptional circumstances case.
 - 4. Formulating development options** – sets out the options that have evolved throughout the preparation of the draft Local Plan that Councillors and officers have considered regarding the spatial strategy for the borough / how development needs could be addressed and the

reasonable alternatives remaining.

5. **The consideration of reasonable alternative options** – in accordance with national planning policy, this section responds to paragraph 141 of the NPPF.
6. **Exceptional Circumstances: Removing land from the Green Belt** – using the Calverton and the Gallagher Homes cases (see Section 3), this section sets planning issues considered by officers as part of their determination as to whether exceptional circumstances are evidenced and justified to amend the boundary of the Green Belt, removing land from it, as part of its draft Local Plan.
7. **Exceptional Circumstances: Adding land to the Green Belt** – using the Calverton and the Gallagher Homes cases (see Section 3), this section sets out the sets planning issues considered by officers as part of their determination as to whether exceptional circumstances are evidenced and justified to amend the boundary of the Green Belt, adding land from it, as part of its draft Local Plan.
8. **Conclusion** – this section summarises officers' position regarding exceptional circumstances and provides details as to the amount of land that could be released / added to the Green Belt.

Appendix A – sets out information from the Local Plan evidence base document insofar as the Green Belt Boundary Review (2016) and Supplementary Work (2018) and the sites that could be removed from the Green Belt.

Appendix B – provides a map of those areas that could be removed and added to the Green Belt as part of the draft Local Plan.

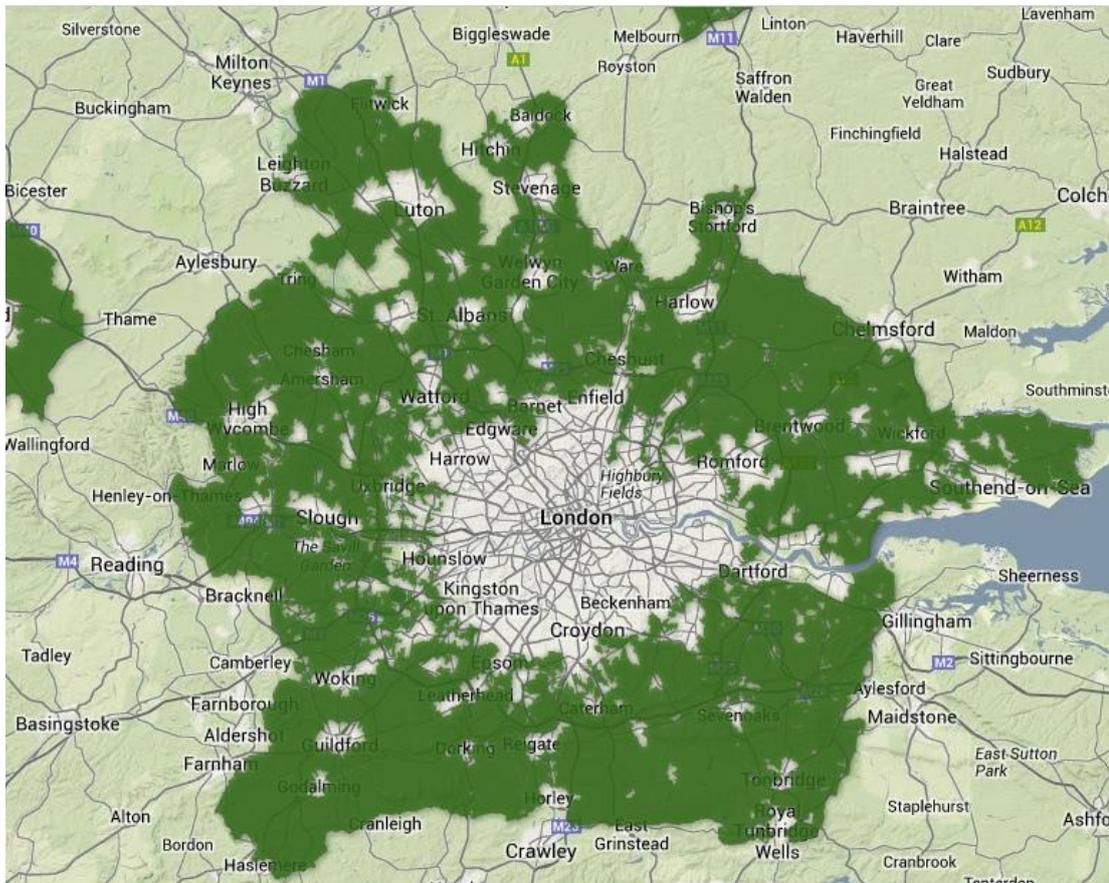
Appendix C – sets out for those sites that could be removed from the Green Belt and the compensatory improvements to be secured.

2. The Green Belt in Elmbridge Borough

History of the Green Belt

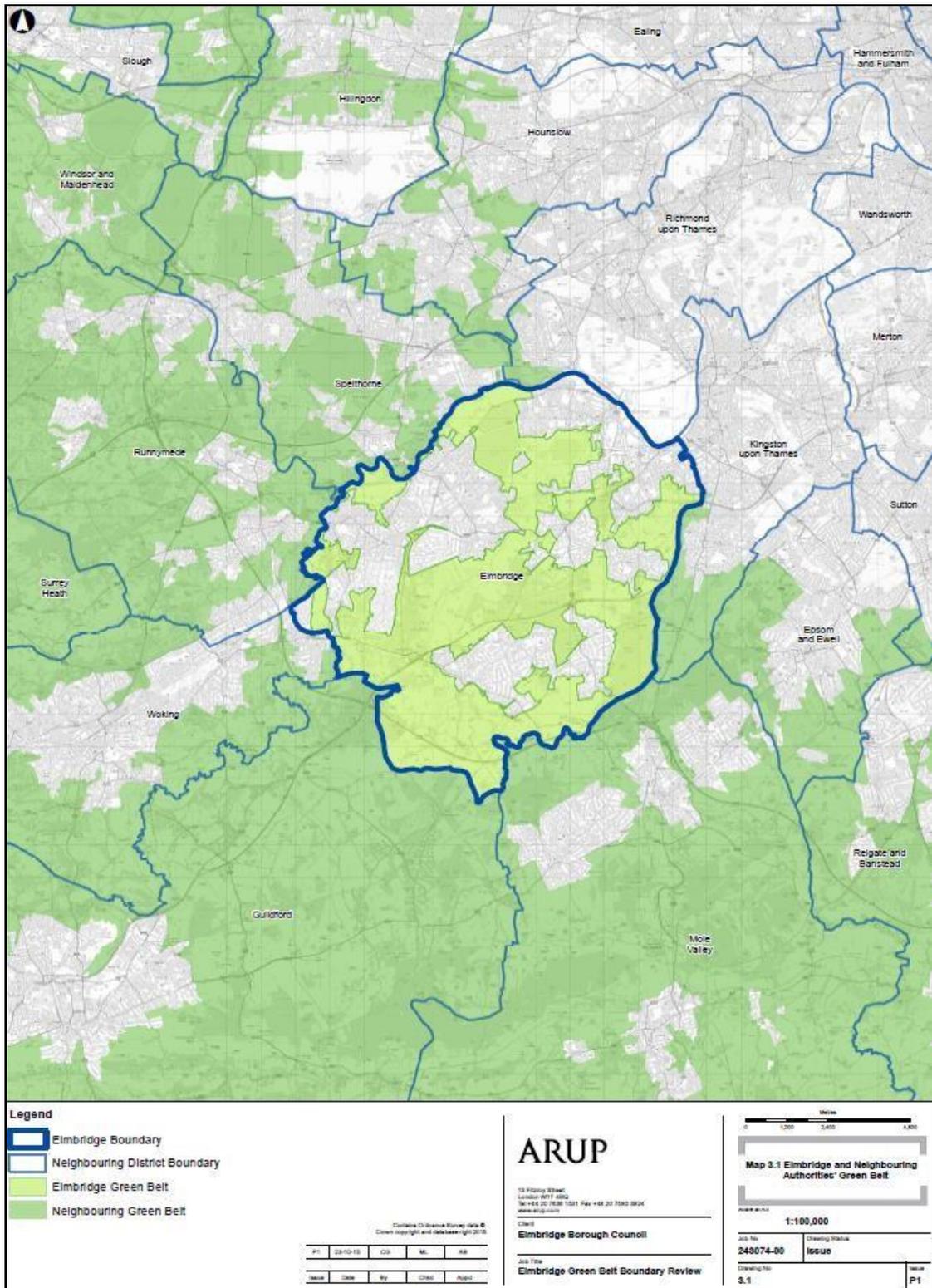
- 2.1 The concept of Green Belt dates to the origins of the modern British planning system and is frequently credited as one of its most notable achievements; halting the outward ‘sprawl’ of London into the countryside. Concern regarding the outward spread of London started to become an issue during the 19th century and in particular, after World War I, with the rapid expansion of the railways suddenly bringing once remote settlements within commuting distance of central London; Elmbridge was no exception.
- 2.2 Due to the proximity of Surrey to London, the County Council played a particularly important role in the development of the early concept of Green Belt. The Surrey County Council Act 1931 created its pre-cursor; it made provision for the County Council to purchase rural land for quiet enjoyment to form a Countryside Estate, much of which remains in the ownership of the authority today. Subsequently, the Metropolitan Green Belt, first suggested by Raymond Unwin in 1933 as a ‘green girdle’ which was embodied in the Green Belt (London and Home Counties) Act 1938 and Sir Patrick Abercrombie’s Greater London Plan of 1944 (later established nationwide in the Town and Country Planning Act of 1947), curtailed the further unchecked growth of London’s urban area.
- 2.3 This original (pre-1950s) Green Belt was six to ten miles wide but was subsequently deemed as insufficient to restrict development in the widening commuter belt. Circular 42/55, released by Government in 1955, therefore encouraged local authorities to establish their own Green Belts. Following this, the Surrey Development Plan of 1958 was the first plan to formally designate Metropolitan Green Belt in Surrey, including in Elmbridge. This built upon Circular 50/75, published in 1957, which distinguished the inner and outer boundaries of Green Belts (with Elmbridge located in the inner edge of the Metropolitan Green Belt) and established the importance of defined and detailed permanent boundaries.
- 2.4 In 1962, the Minister of Housing and Local Government published the advice booklet titled ‘The Green Belts’. The booklet recorded that the last of the Home Counties development plans had been approved in 1959, enabling the completion of the Metropolitan Green Belt.

Figure 1: The Metropolitan Green Belt



2.5 In 1978, the Surrey Structure Plan considered a Green Belt distance of approximately 19-24 km (12-15 miles) sufficient to contain the outward sprawl of London. Following local government reorganisation in 1972 and the merger of Esher Urban District Council with Walton and Weybridge Urban District Council to create the Borough of Elmbridge, the Green Belt boundaries were subsequently reviewed during the preparation of the 1993 Local Plan, which established precise boundaries throughout the Borough for the first time. Since 1993 there have been limited amendments to the Green Belt boundary within the Borough. Within the Borough boundary, 57% of the land is designated as Green Belt (54.9 km²) (see Figure 2).

Figure 2 - Green Belt in Elmbridge and Neighbouring Authorities



3. The Planning & Legal Frameworks

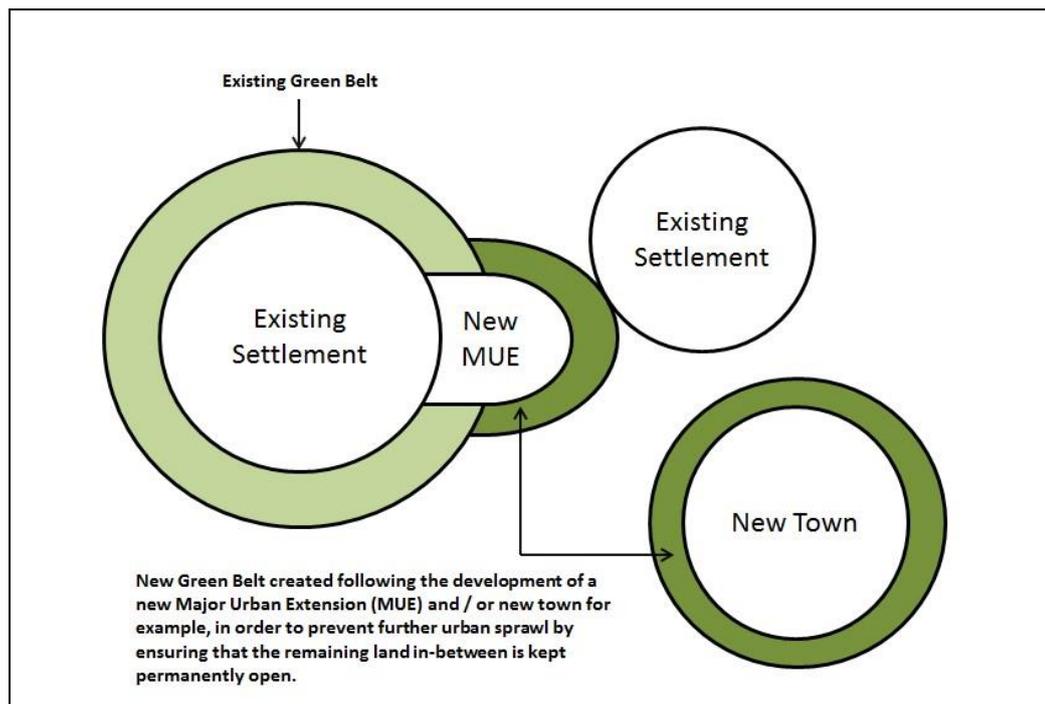
National Policy

- 3.1 The National Planning Policy Framework (NPPF) (2021) sets out the Government's planning policies for England and how these are expected to be applied both during the preparation of a local plan and in the determination of planning applications. At the heart of the NPPF is a presumption in favour of sustainable development. As set out in paragraph 11 of the NPPF, for plan-making this means that:
- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including making effective use of land in urban areas) and adapt to its effects;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas [footnote 6], unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area [footnote 7]; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.2 Footnote 7 of paragraph 11 states that the policies referred to (that provides a strong reason for restricting the overall scale, type or distribution of development in the plan area) are those in the Framework (rather than those in development plans relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.
- 3.3 Regarding Green Belt, further policies are set out in Chapter 13: Protecting Green Belt land. Paragraph 137 is clear in that the Government attaches

great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 3.4 As set out in paragraph 138, Green Belt Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.5 Paragraph 139 states that the general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions.
- 3.6 It is officers' understanding that in circumstances where large scale development such as new settlement or major urban extensions are proposed, the creation of Green Belt may be required around the new development to ensure that the remaining land in-between is kept permanently open in order to prevent further urban sprawl (see Figure 3).

Figure 3: The creation of a new Green Belt



- 3.7 Regarding Green Belt boundaries, paragraph 140 states that once established, they should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. It continues, that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. It is also stated that where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.
- 3.8 Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 141 makes clear that, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:
- a) makes as much use as possible of suitable brownfield sites and under-utilised land;
 - b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
 - c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.
- 3.9 The Government has not defined in what constitutes “exceptional circumstances”. Nevertheless, it is clear that they must be fully evidenced and justified.
- 3.10 National Planning Practice Guidance (PPG) also provides little guidance only shedding some light on the debate as to whether housing and economic needs override Green Belt policy when carrying out the assessment of sites for allocation (Paragraph: 002 Reference ID: 3-002-20190722).
- 3.11 Nevertheless, paragraph 142 of the NPPF states that when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. The NPPF continues to set out

that strategic policy-making authorities should consider the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Paragraph 142 ends that where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport and that plans should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

- 3.12 In regard to the beneficial use, paragraph 145 of the NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Case Law

- 3.13 As there is no formal definition or standard set of assessment criteria to demonstrate exceptional circumstances, there has been an increasing amount of case law as local planning authorities attempt to alter the boundaries of the Green Belt, and their justifications for doing so, have become under increasing scrutiny.
- 3.14 Two, well-established cases are: *Gallagher Homes Limited v Solihull Metropolitan Borough Council* [2014] EWHC 1283 (Admin), (“[the Gallagher Homes case](#)”) and *Calverton Parish Council v Nottingham City Council* [2015] EWHC 1078 (Admin), (“[the Calverton case](#)”).
- 3.15 In the *Gallagher Homes case*, a developers’ sites were being proposed to be placed into the Green Belt and the developer challenged this on 3 grounds:
- i. that it was not supported by an objectively assessed figure for housing need;
 - ii. the Council had failed in its duty to cooperate; and,
 - iii. the Council adopted a plan without regard to the proper test for revising Green Belt boundaries.
- 3.16 The claim succeeded at the High Court. An appeal was dismissed by the Court of Appeal. The Court held that the Inspector and Solihull Metropolitan Borough Council had made an error in law in failing to identify a figure for the

objective assessment of housing need as a separate and prior exercise.

- 3.17 The Judge also dismissed the Inspector's reasons for returning the developer's sites to the Green Belt, saying that:

'The fact that a particular site within a Council's area happens not to be suitable for housing development cannot be said without more to constitute an exceptional circumstance, justifying an alteration of the Green Belt by the allocation to it of the site in question'.

- 3.18 Through the Gallagher Homes case, the following points were made clear by this judgement:

- PPG is a material consideration for plan-making and decision-taking. However, it does not have statutory force: the only statutory obligations to have regard to relevant policies.
- The test for redefining a Green Belt boundary has not been changed by the NPPF. It is not arguable that the mere fact that a local authority is drawing up its local plan is itself an exceptional circumstances justifying a boundary change. PPG has always dealt with revisions of the Green Belt in the context of reviews of local plans (e.g. paragraph 2.7 of PPG2) and has always required exceptional circumstances to do this.
- A local planning authority must find that exceptional circumstances exist before they make any alteration in a Green Belt boundary, whether it is considering extending or diminishing the Green Belt; and
- Whilst each case is fact-sensitive and the question of whether circumstances are exceptional for these purposes requires an exercise of planning judgement, what is capable of amounting to exceptional circumstances is a matter of law, and a plan-maker may err in law if they fail to adopt a lawful approach to exceptional circumstances. Once Green Belt has been established and approved, it requires more than general planning concepts to justify alterations.

- 3.19 In the Calverton case, Mr. Justice Jay set out five considerations that ought to be addressed to ascertain whether 'exceptional circumstances' exist to justify releasing land from the Green Belt for development. Paragraph. 51 of the judgment states that:

"... the planning judgements involved in the ascertainment of exceptional circumstances in the context of both national policy and the positive obligation located in section 39(2)5 should, at least ideally, identify and then grapple with the following matters:

- i. *the acuteness / intensity of the objectively assessed need (matters of degree may be important);*
- ii. *the inherent constraints on supply / availability of land prima facie suitable for sustainable development;*
- iii. *(on the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;*
- iv. *the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed; and*
- v. *the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.”*

3.20 More recently (December 2019), in the challenge to the adoption of the Guildford Local Plan, Sir Duncan Ouseley confirmed in his judgement that:

- There is no definition of the policy concept of "exceptional circumstances". This itself is a deliberate policy decision, demonstrating that there is a planning judgment to be made in all the circumstances of any particular case. It is deliberately broad, and not susceptible to dictionary definition.
- Whether a particular factor was capable of being an "exceptional circumstance" in any particular case was a matter of law; but whether in any particular case it was treated as such, was a matter of planning judgment.
- A judicial decision that a factor relied on by a planning decision-maker as an "exceptional circumstance" was not in law capable of being one is likely to require some caution and judicial restraint. All that is required is that the circumstances relied on, taken together, rationally fit within the scope of "exceptional circumstances" in this context. The breadth of the phrase and the array of circumstances which may come within it place the judicial emphasis very much more on the rationality of the judgment than on providing a definition or criteria or characteristics for that which the policy-maker has left in deliberately broad terms.
- "Exceptional circumstances" is a less demanding test than the development control test for permitting inappropriate development in the Green Belt, which requires "very special circumstances."
- The phrase does not require at least more than one individual

"exceptional circumstance". The "exceptional circumstances" can be found in the accumulation or combination of circumstances, of varying natures, which entitle the decision-maker, in the rational exercise of a planning judgment, to say that the circumstances are sufficiently exceptional to warrant altering the Green Belt boundary.

- General planning needs, such as ordinary housing, are not precluded from its scope; indeed, meeting such needs is often part of the judgment that "exceptional circumstances" exist; the phrase is not limited to some unusual form of housing, nor to a particular intensity of need.

3.21 In addition to those points above, it is also apparent to officers from reviewing case law, other Local Authorities' Local Plans, and Examination in Public decisions (Inspectors' Reports) that:

- When considering whether to amend the boundary of the Green Belt, the starting point for every local authority is that this decision should only arise after all reasonable and acceptable efforts have been taken to maximise the amount of development within the urban area. Optimising densities and ensuring that all land is appropriately used must be the first response to growth;
- General planning merits cannot be exceptional circumstances: for example, it is not sufficient that the local authority consider that the relevant land would, or would not be, a sustainable location for development, or that they would have drawn the boundary line in a different place had they been starting from scratch. In other words, something must have occurred subsequent to the definition of the Green Belt boundary that justifies a change. The fact that, after the definition of the Green Belt boundary, the local authority or an inspector may form a different view on where the boundary should lie, however cogent that view on planning grounds, that cannot of itself constitute an exceptional circumstance which necessitates and therefore justifies a change;
- Should a local authority decide that exceptional circumstances do necessitate a revision to Green Belt boundaries, then they cannot revise the boundaries further than is necessary to meet those exceptional circumstances;
- A local authority will need to ensure that the exceptional circumstances justifying the release of Green Belt land are carried through to fruition when allocating sites for development / granting planning permission. For example, providing sufficient affordable housing provision on-site if a significant need for affordable housing has been successfully

demonstrated to justify the release of land designated as Green Belt;
and

- If challenged, the Court can declare the adoption of a plan unlawful and quash it (or parts of it) if the plan-maker has failed to take a lawful approach to exceptional circumstances. This means that it is not enough for a local authority or inspector to assert that exceptional circumstances exist: it is not possible to convert unexceptional circumstances into exceptional circumstances simply by labelling them as such.

4. Local Plan Development Options

Options for meeting our development needs

- 4.1 As part of the preparation of the emerging draft Local Plan, the council has considered several options regarding the spatial strategy for the borough / how development need could be addressed. The options have evolved over time in response to several factors including the wider planning context; the Local Plan evidence base; consultation responses (received during the three Regulation 18 consultations); and working in collaboration with Councillors throughout the preparation of the draft Local Plan.
- 4.2 These options are referred to throughout this paper as their development, assessment and consideration is central to the preparation of the emerging draft Local Plan and, those which are considered to be 'reasonable alternatives' form part of the consideration as to whether exceptional circumstances exist to amend the boundaries of the Green Belt. As such, an audit of the options and those which remain as 'reasonable alternatives' is set out in this Section.

How the options have emerged

- 4.3 As part of its early evidence base work, the council prepared and published an [Alternative Development Options](#) (September 2016) paper. Its purpose was to outline the alternative strategic options that the council and its communities needed to consider as to how and where housing growth and new development could be delivered within the borough.
- 4.4 The paper set out various delivery opportunities considered by the council in trying to meet its housing need (as identified in the [Strategic Housing Market Assessment \(SHMA\) 2016/17](#)) and that of the wider area within the borough's settlement areas, commensurate with ensuring the proper balance between residential, employment and other uses.
- 4.5 The paper utilised information from other evidence base documents available at the time the including the [Land Availability Assessment \(LAA\), Employment Land Review \(ELR\), Retail Assessment, and Open Space & Recreation Assessment \(OSRA\)](#).
- 4.6 As set out in the paper, in exploring alternative options for how the council could seek to meet its development needs, several options were considered. These were whether our housing need could be addressed by:

- authorities outside of the borough e.g. in neighbouring boroughs and districts through the duty to co-operate;
- increasing residential densities;
- intensification and more mixed-use in our retail centres and around our transport hubs;
- sub-division of existing housing and by bringing vacant dwellings back into use;
- conversion of office and commercial buildings;
- re-allocation of employment land;
- development and re-provision of Strategic Open Urban Land; and
- reviewing / developing the council's own landholdings.

4.7 The paper also set out options for meeting local housing need through new settlements, major urban extension, and smaller urban extensions.

4.8 Based upon the evidence available at the time, the conclusion of the paper was that the housing need figure (as identified in the SHMA) could, with far reaching policy interventions, be met within the urban areas through the above options or via a combination of them. However, this approach of continuing to channel development towards the existing urban areas could have significant detrimental consequences for the borough and its residents and businesses. For example, significant urbanisation and intensification of the existing settlement areas, completely changing the character of the borough. Land-swapping between open spaces and employment areas was also deemed to have significant implications for the local economy, wildlife and character of the area.

4.9 The findings of the paper were used to inform the [Strategic Options Consultation \(2016/17\)](#), the first Regulation 18 undertaken by the council.

Strategic Options Consultation (2016/17)

4.10 Following a process of initial evidence gathering, the first key stage of the plan preparation process was to identify the strategic issues to be addressed by the Local Plan and the options for doing so, before then seeking the views of the public on these matters. This was done in the paper entitled 'Elmbridge Local Plan: Strategic Options Consultation (Regulation 18) (December 2016)' which drew upon the evidence base prepared. The consultation took place between 16 December 2016 and February 24 February 2017. The consultation sought the views of members of the public and other stakeholders on the options for meeting development needs as part of the preparation of a new Local Plan to replace the Core Strategy.

4.11 The paper set out three strategic options. The options were informed by national planning policy which was extant at that time, and the evidence on development needs and land supply which was extant at that time. The three strategic options which were considered at that time were:

(i) Strategic Option 1: Maintain existing Green Belt boundaries and deliver all development needs in full by concentrating development within the urban area by:

- a) significantly increasing densities on all sites in the urban areas;
- b) identifying open spaces, such as allotments and playing fields, for redevelopment and relocating these uses within the existing Green Belt; and
- c) using the duty to co-operate to enquire as to whether other authorities have the potential to meet some of our need.

(ii) Strategic Option 2: As far as possible meet development needs whilst maintaining development at appropriate densities in the urban area by:

- a) increasing densities on sites in the urban area only where it is considered appropriate and does not impact significantly on character;
- b) amending Green Belt boundaries where:
 - (1) the designation is at its weakest;
 - (2) the areas are in sustainable locations; and
 - (3) the areas are not, or are only partially, affected by absolute constraints.

Within these areas, opportunities for accommodating our development needs will be explored taking into account site constraints, land ownership, the need to support sustainable development, and compliance with other planning policies; and

- c) using the duty to co-operate to enquire as to whether other authorities have the potential to meet some of our need.

(iii) Strategic Option 3: Deliver development needs of the Borough in full and explore opportunities to meet needs of other Boroughs and Districts in the HMA by:

- a) increasing densities only on sites in the urban area only where it is considered appropriate and does not impact on character; and
- b) amending Green Belt boundaries regardless of the strength of Green Belt and allocating sites in these areas for development.

4.12 When examining these options with a view to selecting an initial preferred option, the Council noted the Government's position at that time, reflected both in national policy and in the decisions of the Secretary of State on appeal, about the importance of the Green Belt. The Council also noted,

however, the Government's expectation that plan-making authorities should seek to meet housing need in full, through the plan-making process, and further noted that this may require the amendment of Green Belt boundaries, but only if there were 'exceptional circumstances'.

- 4.13 Bearing this in mind, and having considered the evidence base, the sustainability of each of the options, and extant national policy, the Council indicated that Strategic Option 2 was its initial preferred option. This initial preferred option was considered to strike a reasonable balance between development needs and land constraints; however, this was not based on a completed evidence base.
- 4.14 As set out above, Strategic Option 2 stated that Green Belt boundaries should only be amended where the designation was at its weakest; the areas were in sustainable locations; and the areas were not, or were only partially, affected by absolute constraints. Following these principles, the Council considered there to be three Key Strategic Areas within the Green Belt where the designation could be removed. Those were:
- (i) Land north of Blundel Lane including Knowle Hill Park and Fairmile Park, Cobham (Local Area 14);
 - (ii) Land south of the A3 including Chippings Farm and The Fairmile, Cobham (Local Area 20); and
 - (iii) Land north of the A309 and east of Woodstock Lane North, Long Ditton (Local Area 58).
- 4.15 The Council invited consultees to comment on whether there were 'exceptional circumstances' which would warrant the release of these three sites from the Green Belt. The Council set out factors that it felt, at the time, were capable of amounting to 'exceptional circumstances' to justify the release of Green Belt land in its 'Exceptional Circumstances Case (September 2016)' paper.
- 4.16 In light of the consultation responses received; the publication of the Housing White Paper in 2017; the publication of the revised National Planning Policy Framework in 2018; and the publication of updates to the Planning Practice Guidance (in particular the introduction of the new Standard Methodology for calculating housing need), the Council considered it appropriate to review the options previously considered in the Strategic Options Consultation.

A New Local Plan: Options Consultation

- 4.17 The review included additional technical work and led to the refinement of the three options identified in the Strategic Options Consultation, and the

identification of two more options. This was presented in a paper entitled '[Options Consultation 2019](#)'. Consultation on this document took place between 19 August 2019 and 30 September 2019. The consultation sought the views of members of the public and other stakeholders on the spatial strategy options.

4.18 The paper set out five strategic options: options one to three were evolutions of the options presented in the Strategic Options Consultation; options four and five were new. The options were informed by national planning policy which was extant at that time, the evidence on development needs and land supply, which was extant at that time, the further work undertaken since the Strategic Options Consultation, and the responses to the Strategic Options Consultation. The Council did not indicate a preferred option. The five options were:

- (i) Option 1 — Intensity the Urban Area: this option would deliver all the new homes needed under the standard methodology (9,345 homes) by:
 - (a) significantly increasing densities on all sites across the urban area; and
 - (b) identifying open spaces, such as allotments and playing fields, for redevelopment, and relocating these uses within the existing Green Belt.

- (ii) Option 2 — Optimise Urban Area and 3 Areas of Green Belt Release: this option would not deliver all of the new homes needed under the standard methodology (it would deliver approximately 6,800 homes). It would deliver those homes by:
 - (a) optimising densities and ensuring effective use of land across the urban area so that new homes are of the right type to meet local needs;
 - (b) creating areas for new homes by removing land from the Green Belt where:
 - (1) it is weakly performing the purpose(s) of Green Belt policy;
 - (2) it is in a sustainable location for new homes; and
 - (3) it is not, or is only partially, affected by absolute constraints which prevent development coming forward.
 - (c) using the duty to cooperate to see if other authorities can meet some of our need

- (iii) Option 3 — Optimise Urban Area and Large Green Belt Release: this option would deliver all of the new homes needed under the standard methodology (16,300 homes) and would be able to help other boroughs and districts meet their housing needs by:

- (a) optimising densities and ensuring effective use of land across the urban area so that new homes are of the right type to meet local needs;
 - (b) creating areas for new homes by removing land from the Green Belt where:
 - (1) it is weakly performing, or if it not essential, for the Green Belt policy to work properly;
 - (2) it is being put forward for development by the landowner regardless of strength or importance; and
 - (3) it is not, or is only partially, affected by absolute constraints which prevent development coming forward.
- (iv) Option 4 — Optimise Urban Area: this option would not deliver all of the homes needed under the standard methodology (it would deliver approximately 5,300 homes). It would deliver those homes by:
- (a) optimising densities and ensuring effective use of land across the urban area so that new homes are of the right type to meet local needs;
 - (b) using the duty to cooperate to see if other authorities can meet some of our need.
- (v) Option 5 — Optimise Urban Area and Small Areas of Green Belt Release: this option would deliver all of the new homes required under the standard methodology (9,400 homes). It would do so by:
- (a) optimising densities and ensuring effective use of land across the urban area so that new homes are of the right type to meet local needs; and
 - (b) creating areas for new homes by removing smaller sub-divided parcels of land from Green Belt where:
 - (1) it is weakly performing, or it is not essential for, the Green Belt policy to work properly; and
 - (2) it is not, or is only partially, affected by absolute constraints which prevent development coming forward.

Creating our vision, objectives and the direction for development management policies 2020

- 4.19 A third consultation was carried out concerning the vision and objectives for the Local Plan, as well as the direction for development management policies in the Plan. The work was presented in a paper entitled '[Creating our vision, objectives and the direction for development management policies 2020](#)',

which was published alongside a number of theme papers which are available to review online. Whereas the first two consultations focused heavily on the spatial strategy, and in particular, on the location and number of new homes that would be delivered, this consultation considered other important issues in more detail, including, in particular, the natural environment, growing a prosperous economy, and ensuring health and wellbeing for all. Consultation took place between 27 January 2020 and 9 March 2020.

Emerging draft Local Plan

- 4.20 By mid-2021, the calculation of Elmbridge's housing need had increased to 641 dwellings per annum, or 9,615 over the plan period. This meant that Options 1 and 5 (from the Options Consultation 2019), which previously had met housing need in full, no longer did. Only Option 3 would continue to meet housing need in full as well as assisting in meeting the need of other authorities. However, Option 3 scored many significant negative impacts in its assessment within the sustainability work carried out and it would undermine the purpose of Green Belt. In addition, an initial assessment of the mitigation required was not considered to be deliverable. For these reasons, this option was not developed further as a reasonable option for the spatial strategy.
- 4.21 Throughout the plan preparation period, officers have actively engaged with neighbouring authorities and those within the wider South East region, to see whether any other Local Planning Authorities could meet any of Elmbridge's potential unmet housing need. This forms part of the council's duty to cooperate requirements.
- 4.22 Section 33A of the Planning and Compulsory Purchase Act 2004 (inserted by Section 110 of the Localism Act 2011) places an obligation on local planning authorities to co-operate with other local planning authorities, county councils and other prescribed bodies in order to maximise the effectiveness of, amongst other things, the preparation of development plan documents (section 33A(1) and (3)(a)). The duty requires local planning authorities, amongst other things, to engage constructively, actively and on an ongoing basis with those bodies and persons during the preparation of a development plan document (section 33A(2)(a)).
- 4.23 From the process of actively engaging with neighbouring authorities and those within the wider South East region, it has become apparent that due to their own constraints or their current plan position, no other local authority has the capacity available to meet any unmet housing need arising from Elmbridge.
- 4.24 Whilst in the SA Options 2 and 4 (as presented in the Options Consultation 2019) have been assessed as potential development options, they are no

longer considered to be reasonable alternatives for the Spatial Strategy as they relied on some need being met through the duty to cooperate.

- 4.25 In addition to these changing circumstances, further work on the land availability evidence base was carried out. The findings of the Land Availability Assessment 2021 (available in the Members' Library via Mog.Gov), which considered sites only within the urban area, resulted in a new figure for expected housing delivery over the plan period of 6,988 units. This has reduced the residual housing need, which cannot be met by optimising sites within the urban areas, to 2,627 (-27%).
- 4.26 Having taken the representations made during each of these consultations into account, further work on the evidence base and a review of national planning policy, officers presented to the LPWG on 22 June 2021 a working draft Local Plan which included the release of a small amount of Green Belt land, sufficient in order to meet the number of homes needed under the Standard Method, based upon the 'exceptional circumstances' they considered existed for Green Belt release. The LPWG was advised of the implications of following this approach and was presented with the policies that would be required to support such a spatial strategy.
- 4.27 The LPWG was asked for a steer on next steps. Having reviewed the working draft and the supporting evidence base, one of the LPWG recommendations was that a draft Local Plan and supporting documents to support a growth strategy that excludes all Green Belt sites should be explored for consideration. The Plan should look to optimise the urban areas to provide as many homes as possible without destroying the character of Elmbridge.
- 4.28 Subsequently, at the LPWG meeting on 26 July 2021, the LPWG and other Councillors considered a paper which set out the identified capacity of sites within the urban area and introduced potential options to increase capacity, as well as a comparison with a spatial strategy involving Green Belt release, and a review of the risks associated with each approach. Having reviewed the paper, the Local Plan Working Group agreed that the areas identified be used as a basis for determining the spatial strategy to be pursued by the Council in the emerging Elmbridge Local Plan 2036.
- 4.29 Papers addressing the possibility of (i) intensifying housing delivery on sites in the urban area; and (ii) re-purposing employment land were presented at the LPWG meeting on 18 November 2021. Councillors expressed their concern that the intensification of sites in the most sustainable locations in the borough would result in unacceptable harm to the character and appearance of the area. Councillors supported the view of officers that the re-purposing of employment land to provide additional residential capacity would not be a

reasonable approach, balancing the competing pressures for different types of development and preserving employment opportunities within the borough.

- 4.30 Following the above process of developing, assessing and considering potential development options to form the basis of the spatial strategy for the borough, officers considered there to be three 'reasonable alternatives' remaining. These are set out below.

Option 4a Optimisation - Option 4 from the Options Consultation 2019 is no longer considered to be reasonable due to its reliance on neighbouring authorities to meet residual need. However, 85% of respondents from that consultation supported Option 4 as it would optimise densities, ensure effective use of the urban area and maintain existing Green Belt boundaries. Therefore, a new policy option based on Option 4 has been considered. Option 4a aims to deliver 73% of the borough's housing need on urban land only. There is considered to be strong community support for this option, but it would not meet the borough's need for housing in full.

Option 5a Optimisation and small Green Belt release - consists of the 6,988 units which could be identified on urban sites within the LAA, with an additional 2,395 units to be accommodated on 12 sites to be released from the Green Belt. The 12 Green Belt sites were identified within Option 5 of the Options Consultation 2019 (which itself proposed 33 sites for release). Having conducted a review of Option 5, only 12 sites were considered to positively contribute towards the achievement of sustainable development and so the remainder were discounted. The identified sites are the most sustainable, with access to public transport and the potential to walk /cycle to local shops and services. This option would provide a shortfall of 232 dwellings across that plan-period (15 dwellings per annum) which is considered to be negligible particularly as additional land has been identified to be safeguarded to meet development needs beyond the plan-period (in accordance with paragraph 143 of the NPPF, which seeks to ensure that boundaries to the Green Belt have a degree of permanence and are not continually amended) and could be bought forward earlier if necessary should housing delivery not meet expected levels.

Option 6 optimisation and intensification in more sustainable locations - This option includes the same sites within the urban area as Option 5a, but increases the development densities for those urban sites located in the town, district and local centres as well as any sites close to the borough's railway stations. This is in accordance with paragraph 130 of the NPPF, which aims to ensure that significant development is focused on locations which are or can be made sustainable. Though intensification was the basis of Option 1 presented in the Options Consultation 2019, Option 6 is different in that it

does not include land swapping of urban green spaces and does not use a blanket density across all urban sites. The evidence supporting this option has found that 9,776 dwellings can be delivered, which would meet Elmbridge's housing need in full with a small amount of contingency.

- 4.31 Options 4a, 5a and 6 are the reasonable alternative options identified by officers as most appropriate to inform the spatial strategy for the emerging draft Local Plan.
- 4.32 Officers also considered the possibility increasing the amount of Strategic Employment Land (SEL) to be repurposed for residential use. This option was previously identified in 2016 but was disregarded at that time as it was considered a valuable use which was contributing to the local economy and protected by current planning policy. Since this time, further evidence has emerged: the Local Market Appraisal (2020) provided updated data on the demand of large office buildings as well as the need for warehousing and distribution uses and the Strategic Employment Land (SEL) Review (2021) provided information on the current 'status' of our SEL sites. Although it was concluded that larger office units were in lesser demand and some were already being converted to residential use under permitted development rights, it was concluded that pursuing this option would reduce the opportunities for business to locate, continue to operate or expand in the borough. In addition, it was considered premature to undertake additional evidence-gathering work to inform this option until there is a period of stability following the Covid-19 pandemic and any resultant changes in work practices. For these reasons, this option remains discounted.

5. Examining all other reasonable options

National Planning Policy

5.1 The previous section of this paper provides an overview of the potential development options that have evolved during the preparation of the emerging draft Local Plan. This includes a summary of the justification as to why certain options have been discounted and those options that officers consider remain and are most appropriate to consider when determining a preferred development strategy (spatial strategy) in the emerging draft Local Plan. These options are:

- Option 4a – optimisation
- Option 5a – optimisation and small-scale Green Belt release
- Option 6 – optimisation and intensification in more sustainable locations

5.2 Option 5a includes an element of small-scale Green Belt release. In determining whether this option should form the basis of the preferred spatial strategy for the borough, it must be evidenced and justified that exceptional circumstance exist to amend the boundaries of the Green Belt.

5.3 In considering Option 5a as an option for the preferred development strategy officers have, amongst other factors, considered the provisions of national planning policy. In particular, paragraph 141 of the National Planning Policy Framework (NPPF, 2021) which states:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and under-utilised land;*
- b) optimises the density of development in line with the policies in chapter 11 of the Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground”.

- 5.4 The purpose of this Section is to provide a detailed response to the points considered by officers regarding the bullet points in paragraph 141 of the NPPF. Whilst set out separately from officers’ consideration of the Calverton case (see Section 6), it forms part of officers’ overall consideration of the policy test of whether exceptional circumstances are fully evidenced and justified. This section therefore needs to be read alongside the information in Section 6 and cannot be considered in isolation as to whether officers consider that exceptional circumstance are evidenced and justified.

Establishing our housing need

- 5.5 In accordance with the NPPF (paragraph 61), the council is required to determine the minimum number of homes needed using the Government’s Standard Method, as set out in national planning guidance unless, exceptional circumstances justify an alternative approach. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 5.6 Applying the Standard Method (published December 2020) the local housing need for Elmbridge is 641 dwellings per annum (9,615 dwellings over a 15-year period).
- 5.7 The Government has made it clear both in the NPPF and PPG ([paragraph: 001 Reference ID: 2a-002-20190220](#) and [paragraph: 002 Reference ID: 3-002-20190772](#)) that the local housing need figure as calculated by the Standard Method is not automatically transposed into a Local Plan to be the housing target / requirement for the authority. Government recognises that there are constraints to meeting development need.
- 5.8 As set out in paragraph 11 and footnote 7 of the NPPF (the presumption of in favour of sustainable development), for plan-making the Government states that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless (as set out in point b(i)) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.
- 5.9 The policies referred to in paragraph 11 footnote 7 are those in Framework

(rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

- 5.10 Nevertheless, in regard to Green Belt, the NPPF sets out the circumstances for considering exceptional circumstances to amending the Green Belt and Guidance sets out whether or not plan-makers should override constraints such as Green Belt, when carrying out the assessment (land availability) to meet identified need.
- 5.11 Focusing on the individual bullet points of paragraph 141 of the NPPF, officers have summarised below the key Local Plan evidence base documents that respond to this policy requirement and that officers have taken into consideration when determining if exceptional circumstances can be evidenced and justified.

Suitable brownfield and under-utilised land

Sites within the existing urban areas

- 5.12 Set out in the bullet points to paragraph 141 of the NPPF, is the requirement to be considered if the strategy makes as much use as possible of suitable brownfield and under-utilised land.
- 5.13 The NPPF does not define “under-utilised” land or state whether it is distinct from brownfield land. Officers have therefore interpreted this as prioritising the identification of suitable sites within the urban boundary first, before looking at Green Belt. This may involve, for example, reassessing existing employment sites to identify whether they are still being fully and appropriately utilised for economic uses.
- 5.14 The NPPF states that a policy-making authority should have a clear understanding of the land supply for housing within its area and that this can be achieved by producing a Strategic Housing Land Availability Assessment (SHLAA). This provides an indication of how much land is suitable, available and achievable for housing development in accordance with PPG. The SHLAA looks at a number of assessment criteria, including physical constraints such as flood risk, topography, access and compatibility with surrounding uses.

- 5.15 The Council's latest Land Availability Assessment (LAA) (referred to as a LAA as opposed to SHLAA as it includes the availability of sites for other forms of development also) is set at a base date of 31 March 2021 (available to review in the Members' Library via Mod.Gov). The LAA forms part of the evidence base underpinning the development strategy for the borough insofar as the site identification and selection process (of sites in the existing urban areas).
- 5.16 During the preparation of the emerging draft Local Plan, officers have continuously reviewed the suitability, availability and achievability of sites; preparing in advance and publishing alongside each of the Regulations 18 Consultations (Strategic Options Consultation 2016/7 and Options Consultation 2019) a LAA. The 2021 follows the methodology used in published 2016 and 2018 LAAs.
- 5.17 In addition, officers have also sought to leave 'no stone un-turned' when it comes to identifying opportunities in the urban areas. As set out in the 2021 LAA, all available types of sites and sources of data have been investigated to maximise the council's ability to meet its development needs within the existing urban areas. The following sources of information were used to identify land for development:
- Sites promoted at the Strategic Options & Options consultations
 - Sites submitted from the Developer Call for Sites
 - Sites submitted from the Community Call for sites
 - Sites highlighted at the Member workshops
 - Sites in public ownership e.g. the borough and county councils
 - Previous LAA sites
 - Pre-application sites
 - Refused and withdrawn planning application sites (but where the principal of the development is acceptable)
 - Sites identified from the [Urban Capacity Study \(April 2018\)](#)
- 5.18 Focusing on the Urban Capacity Study (2018) this evidence base document was specifically commissioned to identify potential development sites that had not been identified through one of the other bullet points above and to respond to criticism received during the Regulation 18 Consultation (Strategic Options Consultation - 2016/17) that the council had not done enough to find sites in the urban areas. For example, the council actively looking for potential sites itself and 'playing the role of the developer'.
- 5.19 In addition to the more traditional methods of identifying potential sites e.g. call for sites and a review of existing information, the consultants preparing the Study undertook a review (map-based and through site visits) of all land in

our town, district and local centres and train stations and within a set catchment of these. A 'policy-off' approach was applied to identify potential opportunities for further investigation.

- 5.20 The outcome of the Study was the identification of a potential supply of circ. 5,500 homes over a 15-year period. However, this required further detailed assessment through the LAA process. In particular, an assessment of the availability of these sites for development.
- 5.21 Alongside the more detailed assessment of the Urban Capacity Study sites and those sources of land supply identified in paragraph 5.17 above, the 2021 LAA (and those prepared previously), on the basis of optimising the development capacity of individual sites, concludes that there is insufficient land within the existing urban areas to meet the local needs figure (or that identified in the Strategic Housing Market Assessment in regard to the 2016 LAA). Table 1 sets out the estimated housing land supply of deliverable and developable sites in the existing urban areas based on strategy of optimisation (Option 4a).

Table 1: Estimated housing land supply and shortfall (urban sites) based on an optimisation strategy (Option 4a)

	Units
Units with planning permission at 01.04.2021	1,264
Units under construction at 01.04.2021	1,102
Deliverable units (years 1 – 5)	1,076
Developable units (years 6 – 10)	973
Developable units (years 11 – 15)	1,566
Windfall allowance (67 units per annum)	1,007
Total (estimated housing land supply)	6,988
Shortfall 15-year requirement (9,615 – 7,196)	2,627 (27%)

Under-utilised land

Employment land

- 5.22 Throughout the preparation of the emerging draft Local Plan, it has been suggested that allocated employment sites could be 're-purposed' for residential development in order to avoid the need to amend the Green Belt boundary to accommodate additional development. This is on the basis that some employment sites are under-utilised; providing low jobs per square metre ratio and / or have high vacancy rates.
- 5.23 As set out in paragraph Section 4 of this paper, officers explored the option of re-allocating / re-purposing employment land as part of the [Alternative Development Options \(2016\)](#) paper however, it was concluded that this could

have a significant detrimental impact on the local economy. Nevertheless, as the preparation of the Local Plan and its evidence base progressed, the officers have continued to explore the potential of this option insofar as ensuring that it had addressed the points raised by our residents through the [Local Plan Strategic Options Consultation \(2016/17\)](#) and whether a balance could be struck.

- 5.24 Regarding the economy and striking a balance, the council is equally required to seek opportunities to meet its economic development needs as it is its need for new homes. As required by the NPPF and PPG, local authorities are required to, as part of their Local Plans, provide a clear economic vision and strategy which positively and proactively encourages sustainable economic growth and brings forward sufficient land / allocates enough sites to deliver the strategic priorities of the area.
- 5.25 Therefore, in support of its Local Plan preparation and seeking to understand the needs of the local economy as well as whether there is any opportunity to re-allocate employment land to meet our housing need, officers have prepared several additional (post 2016) evidence base documents. Together, these identify the state of the economy and emerging trends; the vision for the borough's economy; and the needs of our current and future businesses and how these can be met.
- 5.26 One of these documents is the [Strategic Employment Land Review 2019](#). This document was updated in 2021 as is available to review on the Members' Library via Mod.Gov. The evidence base shows that outside of the town, village and district centre, land allocated for employment uses falls within 13 sites currently designated as Strategic Employment Land (SEL). These sites were initially designated in the 2000 Elmbridge Replacement Borough Local Plan and taken forward as part of the Elmbridge Core Strategy (2011). The Review therefore looked at the borough's employment sites (SEL and other non-designated sites); considering the potential of these areas to meet the needs of the market and deliver new growth to meet demand. The Review identified that of the 13 SEL sites, five had already received planning permission for redevelopment for residential / a mixed-use scheme.
- 5.27 Of the remaining eight SEL sites, the Review recommends that five are retained as SEL and employment opportunities on those sites optimised to meet development needs, with three existing SEL sites having their designation removed.
- 5.28 Responding to the evidence base, officers are recommending that the council in its draft Local Plan no-longer retains the SEL designation on three existing sites (Glaxo Smith Kline, Weybridge; Kington House Estate, Long Ditton; and

The Pavilion, Thames Ditton). However, it does not necessarily mean that their employment function should be lost or that they are unsuited to employment uses. This is also true of other employment sites assessed as part of the Review. Officers recognise that even sites which are assessed as being relatively poor quality in relation to employment use for example, can be a valuable source of land for development which meets the needs of smaller businesses which can only pay modest rents and who wish to remain in the local area. There is also a lack of alternative (and affordable) sites and premises for these businesses to relocate to.

5.29 Following the June 2021 LPWG, officers revisited the option of repurposing land currently within designated SEL within the borough as part of additional work carried out on a possible urban spatial development strategy direction.

5.30 The Local Plan Working Group (LPWG) on 18 November 2021, were presented with a paper that set out:

- an overview of the current evidence base on employment land that supports the emerging Local Plan including the updated SEL Review 2021;
- an overview of the existing SELs in the borough, where land has already been lost and those areas that are being considered further;
- an assessment of the five proposed remaining SELs' role in a possible urban strategy for the draft Local Plan; and
- a conclusion including narrative on the potential advantages and harm of this option, the results of a Sustainability Appraisal and how this option strategy would fit with the vision and principles set out in the draft Local Plan presented to LPWG on 22 June 2021.

5.31 The paper presented to LPWG on 18 November 2021, stated that in order to preserve Elmbridge's valued mixed communities, to balance the competing pressures for different types of development and to maintain employment opportunities within the borough, land designated for employment purposes should remain as such. The re-purposing of employment land to provide new capacity for residential development is not considered by officers to be a reasonable way of meeting the borough's development needs.

5.32 As set out in the recorded minutes of the 18 November 2021 LPWG, Councillors supported officers' views that the re-purposing of additional employment land above that presented in June 2021 to provide new capacity for residential development would not be a reasonable way of meeting the

borough's development needs and land designated for employment purposes should remain as such.

- 5.33 As such, only employment sites identified via one of the sources outlined in paragraph 5.17 above, have been considered as part of the LAA process resulting in only a limited potential to reallocate employment land for housing.

Special Low-Density Character Areas

- 5.34 Another source of under-utilised land in the existing urban areas are three areas of the borough allocated as Special Low-Density Character Areas. Dating back to at least the 1993 Local Plan, St. George's Hill Estate (Weybridge) Burwood Park, Hersham; and The Crown Estate, Oxshott are identified on the policies map as areas where their distinctive very low-density characteristics are protected.
- 5.35 Within these three areas the average density ranges between 1 and 3 dwellings per hectare (dph). In St. George's Hill for example, there is even a historic reference to council not permitting any new single dwelling plots to be less than 0.4 hectares (ha) in extent.
- 5.36 In response to the council's Regulation 18 consultations (2016/17 and 2019), comments were received asking why these three areas are afforded special protection whilst the council is seeking to optimise development opportunities elsewhere.
- 5.37 In response to these comments and as part of the need to utilise under-developed land in accordance with the NPPF, officers are recommending the deletion of this specific policy. Nevertheless, whilst the council can remove the planning barriers, there are still legal covenants and, in the case of St. George's Hill, an Act of Parliament, which limit additional development coming forward in these areas.
- 5.38 As set out in Table 1 however, even when seeking to optimise the capacity of suitable brownfield sites and under-utilised land; this still yields an insufficient housing land supply to meet our local housing need.

Other 'non-Green Belt' land

- 5.39 Whilst 'non-Green Belt' land is not referred to within paragraph 141 of the NPPF, officers consider it important to fully consider all reasonable alternatives as part of the consideration of whether there are the exceptional circumstances.
- 5.40 Whilst within the borough there is no land designated as Countryside, there

are two greenfield sites within the borough: Land at Merrileas, Leatherhead Road, Oxshott and Land at the former Molesey Former Sewage Works, Approach Road, Molesey. These sites were allocated by Policy HSG4 of the Replacement Elmbridge Local Plan (2000) as Major Development Sites for future residential development. Whilst the allocation was deleted upon the adoption of the Development Management Plan (2015), the two sites remain outside of the Green Belt. The total area of the two greenfield sites is 5 ha (3.2 ha at the Molesey site and 1.8 ha at the Oxshott site).

- 5.41 In February 2021, planning permission was granted (subject to a S106 agreement) for the redevelopment of the site at Merrileas for 67 residential units (application [2020/0308](#)). The delivery of 67 dwellings is included in Table 1 as part of the number of units with planning permission.
- 5.42 Thus, within the borough there remains one greenfield site that has not been developed or has permission to be developed for residential use. Within the Replacement Elmbridge Local Plan an estimated capacity of 80 dwellings is shown at the Molesey site (25 dpa). This figure represents low-density developments however, even if set at 40 or 60 dph, on the basis of 3.2 hectares, only circ. 130 – 195 dwellings would theoretically be achieved. This would be insufficient to close the shortfall in housing need and supply as set out in Table 1 and on the basis of a strategy which seeks to optimise the capacity of development sites.
- 5.43 Furthermore, as part of the consideration of potential development opportunities, both greenfield sites were assessed as part of the [Green Belt Boundary Review \(2016\)](#) and their suitability; availability and achievability for development / allocation assessed as part of officers' consideration of potential development opportunities.
- 5.44 Regarding the Molesey site, this is owned by the council and has not been promoted for development. As indicated in the Replacement Elmbridge Local Plan (2000) there are issues with contamination which would require remediation. There are also issues relating to access to the site which is currently via a single-way small bridge across the Dead River. As such, the site is not considered to be viable by officers (achievable).
- 5.45 Through the preparation of the emerging draft Local Plan, there have also been requests to see the greenfield site at Molesey returned to the Green Belt. This has been considered by officers and is covered in Section 7 of this paper.
- 5.46 In summary, whilst there are two greenfield sites within the borough, one has been granted permission for residential development already and is included

in the list of planning permissions (Table 1). The other is not considered by officers to be developable / deliverable and, even if developed, would not provide sufficient capacity to meet the residual housing need within the borough as set out in Table 1 (based on an option of optimising sites).

- 5.47 Having undertaken a rigorous assessment of brownfield land and under-utilised land in the existing urban areas and greenfield sites, officers concluded that there is insufficient housing land supply to meet our local housing need (based on an option of optimising sites).

Optimising the density of development

- 5.48 The NPPF is clear that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.

- 5.49 Informing the preparation of the emerging draft Local Plan, the council has prepared four principle documents that look at opportunities for optimising the density of development for sites in the existing urban areas. These are the:

- [Alternative Development Options \(2016\)](#)
- [Density Study \(2019\)](#)
- [Urban Capacity Study \(2018\)](#)
- [Land Availability Assessment \(2021\)](#)

- 5.50 As set out in Section 4 of this paper, the Alternative Development Options (2016) explored the option of increasing densities within the existing residential areas and, in particular, within our town; local and district centres and around our transport hubs, to see if the local housing need for the borough could be met. Based on the Local Plan evidence base available at the time, the conclusion was that building at the densities required to meet our housing need could require significant policy interventions and could have detrimental impact on the character of the area.

- 5.51 Nevertheless, as the preparation of the Local Plan and its evidence base progressed, officers continued to explore the potential of this option insofar as ensuring that it had addressed the points raised by our residents through the Local Plan Strategic Options Consultation (2016/17) e.g. that additional development could take place in our existing urban areas in order to maintain the Green Belt.

- 5.52 As such a series of additional evidence base documents exploring the possibility to increase densities in the existing urban areas were prepared. This included the Density Study (2019). The purpose of this Study being to

provide an assessment of existing dwelling densities across the borough and assist in identifying where and how it may be appropriate to optimise density in order to help meet the council's housing need in the existing urban areas.

- 5.53 Section 3 of the Density Study sets out the detailed methodology employed in the Study however, in summary, the approach was to calculate the density of each settlement area (excluding for example, undeveloped Green Belt land, undeveloped land in the urban areas and large civic buildings and commercial / industrial areas) using the council's Geographic Information System (GIS) and the Local Land and Property Gazetteer.
- 5.54 Densities were calculated for each settlement areas and also on the basis of the character sub-areas created for the [Design and Character Supplementary Planning Document \(SPD\) \(2012\)](#). As set out in Table 2 below, the Study showed the across the borough, the average density of each settlement was below 30 dph. The highest average densities were seen in East & West Molesey and Walton on Thames, with the lowest average densities in Esher and Cobham, Oxshott & Stoke D'Abernon.
- 5.55 The Study also showed that even in some of the more developed sub-area, the density was lower than might be expected for such locations. For example, Esher District Centre (25.5 dph); Walton Road District Centre (41.3 dph); Walton Town Centre (42.6 dph); and Weybridge District Centre & Residential Environs (34.5 dph).

Table 2: Densities of development identified per settlement in the Density Study 2019

Settlement	Highest density of a sub-area (dph)	Lowest density of a sub-area (dph)	Average density for the settlement (dph)
Claygate	29.83	7.05	15.69
Cobham, Oxshott & Stoke D'Abernon	30.76	3.52	9.20
Dittons	28.63	9.96	17.63
East & West Molesey	41.33	11.58	24.19
Esher	25.5	3.01	8.61
Hersham	28.03	4.36	14.47
Walton on Thames	42.64	5.90	23.34
Weybridge	37.5	1.29	10.73

- 5.56 The Density Study also looked at planning applications permitted since the

adoption of the Core Strategy (July 2011) and the densities applied; the accessibility / availability to services and facilities to support increases in development; and opportunities within each settlement where the density could be increased.

- 5.57 The conclusion of the Study was that higher density developments across all settlement areas were being permitted without impacting on the overall character of the areas and that there were additional opportunities to increase densities in some areas should sites come forward.
- 5.58 In part, the Density Study was also used to inform the Urban Capacity Study (2018) and the densities applied. Section 4 of the Urban Capacity Study sets out in detail how capacity / density was considered for individual sites. In summary, the density of a site was calculated through the application of 1) gross to net ratio to consider the amount of land that might be suitable for housing on any one site and 2) use of standard density multipliers applicable to the location.
- 5.59 Regarding point 2) standard density multipliers application to the location, Table 3 sets out the density multipliers applied. Reflecting the opportunities identified in the Density Study, it can be seen that the densities applied in the Capacity Study are higher than those set out in Table 2, demonstrating the drive to optimise land through the preparation of the Local Plan.

Table 3: Density multipliers used in the Urban Capacity Study (2018)

	Location	Low density multiplier	High density multiplier
01	Town centres: Walton, and Walton Road district centre	75 dph	150 dph
02	District centres: Cobham, Esher, East Molesey, Hersham and Weybridge	40 dph	100 dph
03	Town and District centre catchments and within Local centres: including Claygate, Hinchley Wood, Oxshott and Thames Ditton	30 dph	70 dph
04	Railway Station catchments	30 dph	70 dph
05	Residential areas	20 dph	40 dph
06	Special low-density character areas	5 dph	10 dph

- 5.60 Taking forwards the Density Study and the Urban Capacity Study, the potential opportunities to optimise land within the urban areas was reflected in

the Land Availability Assessment (LAA) (2021). During the site selection assessment process and the identification of the housing land supply in the existing urban areas, density was carefully considered. This took account of the need to optimise density wherever possible but was also mindful of other considerations, such those set out in paragraph 124 of NPPF.

- 5.61 Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of existing infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.
- 5.62 With this in mind, and guided by the Urban Capacity Study, officers have sought to optimise density where considered appropriate to do so (i.e. close to principal roads, site within / adjacent town and local centres and train stations) but has not assumed a high density is appropriate for every site if this would have a significantly adverse impact on the surrounding character.
- 5.63 As set out in the LAA 2021, therefore, rather than applying a blanket density multiplier for all sites, the potential capacity of each site was identified by first estimating the net developable area of the site (taking account of the need to avoid flood risk, areas of habitat etc.) and then applying other considerations. These other considerations included:
- the nature of the area e.g. town centre, edge of centre, residential areas.
 - the consideration of historic development yields achieved on comparable schemes within the locality or proposed through pre-applications / applications for the development of the site.
 - other factors, including the shape and access to the site, and any likely on-site infrastructure requirements including open space.
- 5.64 As stated in the LAA, the estimation of housing potential is based on the best information available at the time of writing. The housing potential indicated does not preclude densities being increased on sites, subject to further information and assessment at such a time as a planning application is made.
- 5.65 The average density of development on the 200 proposed urban sites that include an element of residential development is approximately 73 dwellings

per hectare (dph). This includes sites up to 250 - 350 dph on development involving Walton Audi 1 Station Road, Walton-on-Thames (ref. US355); 12 to 16a High Street, Walton-on-Thames (US135); and 24-26 Church Street, Weybridge (US482). Even if the highest density sites are removed (i.e. all those of 100 dph or above), the average still emerges at around 53 dph which is relatively high for a borough such as Elmbridge given its character.

- 5.66 As set out in Table 1 however, even when seeking opportunities to increase densities and optimising urban land, this still yields an insufficient housing land supply to meet our local housing need.
- 5.67 Following the June 2021 LPWG, officers revisited the possibility of intensifying the development of sites in the borough's most sustainable locations (Option 6). The Local Plan Working Group (LPWG) on 18 November 2021, were presented with a paper that set out:
- locations within Elmbridge which are considered by officers to be 'sustainable', and a method for considering higher densities and taller buildings in these locations;
 - on a settlement basis, the potential of the sustainable locations identified to accommodate development;
 - an overview of this spatial strategy, including the overall identified capacity and potential advantages and disadvantages of pursuing an intensification strategy; and
 - a conclusion identifying how the strategy would fit with the emerging vision and principles set out in the working draft Local Plan presented to LPWG on 22 June 2021. It also identified further work which would be needed to support the strategy.
- 5.68 As set out in the paper presented to LPWG on 18 November 2021, in contrast to the optimisation of sites' residential capacity which is the approach taken in LAA 2021 (Option 4a), an intensification strategy (Option 6) would seek to maximise the number of homes a development site could accommodate.
- 5.69 The paper concludes that, in specific locations, and subject to further evidence base work (particularly concerning infrastructure implications, visual effects, and the availability of sites), an intensification strategy could have the potential to meet Elmbridge's housing need in full within the existing urban areas.
- 5.70 The increased level of development that officers consider could be

accommodated within the borough via a strategy which seeks to intensify sites as opposed to a strategy which seeks to optimise sites, is set in Table 4 below.

Table 4: Resultant yields from an optimisation (Option 4a) and intensification strategy (Option 6)

Settlement	A. Optimisation yield (net)	B. Intensification yield (net)	Difference (B-A)
Walton-on-Thames	1069	2115	+1046
Esher	250	436	+186
Weybridge	478	1217	+739
Cobham	305	584	+279
Hersham	196	420	+224
Claygate	85	229	+144
East Molesey	334	417	+83
Thames Ditton	148	245	+97
Totals	2865	5663	+2788

- 5.71 Whilst the work undertaken by officers on the potential to intensify the development of sites in the urban area shows that local housing need could be met in full and provide for an additional 161 dwellings above the Standard Method figure over the plan-period, consideration must be given, in accordance with the NPPF, as to whether this option is reasonable and the preferred approach for the spatial strategy.
- 5.72 As set out in paragraph 5.4 of this paper, the consideration of paragraph 141 of the NPPF forms part of the officers' overall consideration of the policy test of whether exceptional circumstances are fully evidenced and justified. The appropriateness of an intensification option is therefore considered in further detail in Section 6 of this paper.

Engaging with neighbouring authorities (duty to cooperate)

- 5.73 Throughout the preparation of the emerging draft Local Plan, the council has

actively engaged with adjoining and other authorities and consultees as part of the duty to cooperate.

- 5.74 As part of the [Alternative Development Options \(2016\)](#) paper, the council undertook an early assessment of whether our housing need could be addressed with the assistance of neighbouring authorities. This summarised the position of each Local Authority in Surrey's and the two adjoining London Borough's Local Plan position; their current housing target; and emerging housing need figure. As part of this work, officers also looked at each authorities' most recent assessment of land supply and whether they were also looking to or, had, undertaken a review of their Green Belt boundaries.
- 5.75 The conclusion of this work was that there appeared to be no opportunity for the adjoining and surrounding authorities, within the immediate or wider housing market area, which could assist in meeting our local housing need. It was stated however, that as part of the council's duty to co-operate obligations, it would formally write to the adjoining and neighbouring authorities to enquire as to whether they have the ability to accommodate any unmet housing need.
- 5.76 As evidenced in the Duty to Co-operate Compliance Statement (2022), on-going engagement of other authorities with the aim of seeking to address any potential unmet housing need, has continued throughout the preparation of the Local Plan. As part of the council's Regulation 18 consultation (2016/17 and 2019), options for how housing need could be met were presented. Both consultations included options that would require the council to work with neighbouring authorities to address any unmet need (see Section 4 of this paper).
- 5.77 Full details of the response received from local authorities in regard to the duty and unmet need are presented in the Compliance Statement however, in summary, all Local Planning Authorities (LPAs) responses stated that their authorities were in similar positions in terms of facing significant challenges in seeking to meet development needs and were unlikely to do so and / or, were unlikely to be able to meet the unmet development needs of Elmbridge. All those meeting / planning to meet their development needs were having to amend Green Belt boundaries to do so.
- 5.78 As work of the emerging Local Plan progressed and with on-going joint working with authorities in the Housing Market Area (HMA) and wider-Surrey area, the evidence continued to show that it was highly unlikely that other neighbouring and Surrey authorities could assist the council in meeting its housing need. Therefore, in January 2020 officers wrote to all local authorities in the South East region under the duty to see if they could assist in

accommodating our anticipated residual housing.

- 5.79 The area in which officers engaged other local authorities was extended to the South East following a meeting with officers from the then Ministry of Housing, Communities and Local Government (MHCLG) as part of wider discussions with Elmbridge Officers and Councillors on housing numbers and the Green Belt. In discussing the challenge Elmbridge and other Surrey Authorities faced in balancing the requirement to meet our housing numbers and, protect the Green Belt, it was suggested that the council look beyond County boundaries and engage across a wider area. Reference to the coast was made as well as the entirety of the South East forming part of the larger London Housing Market Area (HMA).
- 5.80 The responses received are set out in detail in the Compliance Statement. However, the conclusion of this process was that no local authority in the South East consider themselves to be in a position to assist in meeting the potential unmet housing need of the borough (circ. 4,000 homes on the basis of not amending the Green Belt boundary and on the local Plan evidence base available at the time).
- 5.81 During October 2021, officers again wrote to the local planning authorities within Elmbridge's housing market area, and those with which there is a shared boundary, to ask whether they would be able to accommodate any of the borough's development needs. Officers also wrote to every other local planning authority within the South East of England, to invite them into discussions as to whether there would be a reasonable prospect for meeting Elmbridge's needs within their areas. Respondents have all advised that there is no possibility of their areas accommodating Elmbridge's unmet needs.

Reasonable alternative options conclusion

- 5.82 As is set out above, the process taken in seeking to meet the local housing need for the borough has focused on brownfield sites in the existing urban areas. Wherever a brownfield site was assessed by officers to be suitable, available and achievable this land has been recommended for allocation. However, Elmbridge is a small borough on the edge of London, with a limited amount of brownfield land and of this total supply, even less is considered appropriate for redevelopment when considering existing land uses and constraints e.g. flooding.
- 5.83 As evidenced by the Density Study; Urban Capacity Study; and Land Availability Assessment (2021), density has also been carefully considered and optimised as much as possible. Officers have considered the density of each site on a case by case basis; ensuring that it is optimised on all sites

with a focus on the most sustainable locations within the borough.

- 5.84 Officers are mindful of the scope of intensifying densities in the urban areas in order to protect the prevailing character of the area. Under those options that seek to optimise development sites (Options 4a and 5a), a balance has been struck which seeks to make efficient use of brownfield sites, whilst protecting character. Whilst the density achieved (as set out in the LAA 2021) are significantly higher than average densities of our existing settlements, the borough's housing need is not met.
- 5.85 Only via the option of intensification (Option 6) can the needs of the borough be met within the existing urban areas. Nevertheless, as set out in para 5.4 of this paper, paragraph 141 of the NPPF forms part of officers' consideration of whether exceptional circumstances and, in applying the Calverton Case, consideration needs to be given as to whether this option is a reasonable alternative and how it fits with the vision and principles in the emerging draft Local Plan amongst other factors (see Section 6).
- 5.86 Discussions with neighbouring authorities and those in the South East has concluded that no other authority was able to accommodate any of Elmbridge's unmet housing need, particularly given the challenges faced in meeting their own needs.

6. Exceptional Circumstance: Removing land from the Green Belt

The Calverton Case

- 6.1 As set out in Section 3, in the case of Calverton Parish Council v Nottingham City Council [2015] EWHC 1078 (Admin), (“the Calverton case”), Mr. Justice Jay set out five considerations that ought to be addressed to ascertain whether ‘exceptional circumstances’ exist to justify releasing land from the Green Belt for development. Paragraph. 51 of the judgment states that:

“... the planning judgements involved in the ascertainment of exceptional circumstances in the context of both national policy and the positive obligation located in section 39(2)5 should, at least ideally, identify and then grapple with the following matters:

- (i) the acuteness / intensity of the objectively assessed need (matters of degree may be important);
 - (ii) the inherent constraints on supply / availability of land prima facie suitable for sustainable development;
 - (iii) (on the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;
 - (iv) the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed; and
 - (v) the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.”
- 6.2 This section of the paper sets out officers’ consideration of the five points above in order to ascertain whether in their planning judgement, exceptional circumstances can be evidenced and justified to release land from the Green Belt for development.

i) The acuteness / intensity of the objectively assessed need (matters of degree may be important)

Local housing need

- 6.3 As part of the preparation of the new Local Plan, the council is required by National Policy (the National Planning Policy Framework (NPPF) (2021)) to seek opportunities to meet the development needs of the area, as well as any needs that cannot be met within neighbouring areas.

- 6.4 Regarding housing need, the NPPF (paragraph 61) states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the Standard Method in national planning guidance. It continues that only in exceptional circumstance would an alternative approach which also reflects current and future demographic trends and markets signals, be justified. In addition to the local housing need figure, the NPPF also requires that any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 6.5 Officers have prepared a Topic Paper on how the Local Housing Need figure has been established including why they do not consider there are any exceptional circumstances that would justify the council to deviate from the standard method (this is available in the Members' Library via Mod.Gov). As such, applying the Standard Method (published December 2020) the local housing need for Elmbridge is 641 dwellings per annum (9,615 dwellings over a 15-year period (2021 – 2036)).
- 6.6 The annual local housing need figure of 641 dwellings per annum is significantly higher than the existing target set within the adopted [Core Strategy \(2011\)](#) (225 dwellings per annum; 3,375 net dwellings across the Plan period between 2011 and 2026) which, as set out in the Spatial Strategy (Policy CS1) could be accommodate within the existing urban areas.
- 6.7 As evidence in Table 4 and taken from the council's [Authorities' Monitoring Report \(AMR\) \(2019/20\)](#), the annual local housing need figure of 641 dwellings per annum is also significantly above the levels of development that have been achieved in recent years.

Table 4: Net completions within the borough between 2010/11 and 2019/20

Monitoring year	Net Completions	Shortfall & (% shortfall) against the local housing need figure of 641
2010/11	355	-286 (-44.6%)
2011/12	300	-341 (-53.2%)
2012/13	264	-377 (-58.8%)
2013/14	257	-384 (-59.9%)
2014/15	273	-368 (-57.4%)
2015/16	240	-401 (-62.6%)
2016/17	267	-374 (-58.3%)
2017/18	231	-410 (-64.0%)
2018/19	353	-288 (-44.9%)
2019/20	396	-245 (-38.2%)
Total Average	294	-347 (-54.1%)

- 6.8 Whilst the housing target / need figure has varied across the last 10-years as identified by the Core Strategy, Strategic Housing Market Assessment and Standard Methodology (2018 and 2020 results), Table 4 identifies that on average the council has delivered 294 dwellings per annum over the last 10-years. This equates to an average shortfall measured against 641 dwellings per annum of 347 homes (-54.1%).
- 6.9 Whilst the target / need figure has not been set at 641 dwellings per annum, the applicable target / need figure has not been treated as a 'ceiling' restricting additional development from coming forward. Rather, it is a reflective in part, of an existing strategy that is insufficient of delivering the level of homes now required.
- 6.10 As evidenced in Table 1, the continuation of the strategy of focusing development in the urban areas and optimising densities would mean the under-delivery of 2,627 new homes across the plan-period (-27%). This is a significant shortfall that requires an alternative approach to meeting our housing needs.
- 6.11 Whilst the option of intensifying sites within the existing urban areas would meet the borough's development need, in considering whether there are the exceptional circumstances to amend the Green Belt boundary, officers believe it not only appropriate to consider the potential quantum and shortfall of housing need but also how this can be broken down to different, types, sizes and tenures.
- 6.12 Paragraph 62 of the NPPF, identifies that within the context of establishing local housing needs figures, the size; type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 6.13 In support of the preparation of the Local Plan, the council commissioned a [Local Housing Needs Assessment \(2020\)](#) with the aim breaking down the total housing need by age group, type of household, size of household, tenure, and any special requirements (such as those of disabled people).
- 6.14 The Assessment was undertaken when the Standard Method result from 2018 of 623 dwellings per annum applied however, within the Assessment the figure of 626 dwelling per annum was used due to rounding-up the figures during each step of the Government's methodology. The results show that taking into account the existing pattern of occupation of the private housing stock which includes a substantial element of under-occupation, the impact of deteriorating affordability, and the need to make the most effective use of

limited land supply, that the market element of new construction should be broken down by size as follows: one-bedroomed units 20%; two-bedroomed units 50%; three-bedroomed units 20%; and units with four or more bedrooms 10%.

- 6.15 For affordable homes, the size break-down was as follows: 15% of need is for one-bedroomed units, 34% for two-bedrooms; 11% for three bedrooms; and 40% for four or more bedrooms.
- 6.16 Regarding the number of affordable homes needed, the Assessment estimated that 399 households per annum could not afford to pay the market entry threshold cost and therefore needed affordable housing. After taking account of the supply of affordable housing from relets (130 dwellings per annum), the net level of affordable need is 269 units.
- 6.17 5% of affordable housing need is from households which cannot afford even a social rent without increasing the share of their income which they devote to housing costs above 25%. A further 12% can only afford a rent up to 49% of the private sector lower quartile rent. 54% of households in need could afford a rent between 50% and 75% of the lower quartile private sector rent. The remaining 29% of affordable need is from people who could afford higher costs and would probably therefore be able to access intermediate tenure housing of various types.
- 6.18 The need for affordable homes within the borough is not surprising given the average cost of a homes within the borough in February 2021 was £615,238. The [UK House Price Index England \(February 2021\)](#) published by the Land Registry showed Elmbridge to have the 9th highest average property price in England. Those authorities with a higher average property price were all London Boroughs including the neighbouring London Borough of Richmond upon Thames.
- 6.19 However, unlike the London Borough's of Kensington & Chelsea; City of Westminster; City of London and Hammersmith & Fulham which are all ranked above Elmbridge and saw the average property price decrease between February 2020 and February 2021 (on average by -8.7% across the four London Boroughs), the rate for Elmbridge rose by 4.7% (from £587,758).
- 6.20 The average property price for the borough in February 2021, was higher than the England average (£268,291) by 56%; the Surrey average (£471,975) by 23%; and the London average (£545,531) by 11%.
- 6.21 The Affordability Ratio for the borough also provides an indication as to the need for affordable homes within the borough. Whilst average property prices in the borough are likely to be distorted due to several properties costing in

excesses of £1 million, the Affordability Ratio looks at the median house price and compares this to median gross annual income.

- 6.22 Published by the ONS, the [Affordability Ratio](#) in Elmbridge in 2020 was 16.83. This means that full-time workers could be expected to pay an estimated 16.83 times their annual workplace-based earnings on purchasing a home in the borough. The ratio places Elmbridge as the 11th least affordable borough in England (in the top 5%). Only London Boroughs, including the neighbouring borough of Richmond upon Thames, and the Surrey Boroughs of Epsom & Ewell and Waverley are ranked above.
- 6.23 Since 2010 apart from the periods 2010/11 and 2017/18, the Ratio has progressively increased from 12.73 in 2010. Elmbridge's Ratio of 16.83 is above the average Ratio of 9.06 for the 312 authorities where data is provided. It is also above the Ratio for Surrey (13.37); the South East (10.73) and London (14.84).
- 6.24 In the working draft Local Plan presented to the LPWG in June 2021, under Option 5a, officers identified 12 areas of Green Belt for release and allocation for housing development within the plan-period with a further 2 areas of Green Belt to be released from the Green Belt and safeguarded for future development. Applying the emerging policies relating to affordable housing provision, it is anticipated that these 12 areas could provide approximately 950 affordable homes. This number of affordable homes is approximately half (47%) of our anticipated affordable housing delivery across the plan-period across all sites (providing 10 or more units). In effect, whilst the shortfall of housing delivery in the urban areas is 25% when measured against our Local Housing Need figure, the loss to affordable housing is circ. 50% of overall potential delivery.
- 6.25 Supporting the need to provide new homes and in particular affordable homes as an exceptional circumstance is the Guildford Local Plan examination whereby the Planning Inspector partly justified the Green Belt releases on the grounds that the area has a pressing need, severe and deteriorating housing affordability and a very serious shortfall in the provision of affordable homes.

The Housing Need of Neighbouring Authorities

- 6.26 As part of the preparation of the new Local Plan, the council is required by the NPPF (paragraph 11), to seek opportunities to meet the development needs of the area, **as well as any needs that cannot be met within neighbouring areas** (officers' emphasis).
- 6.27 Throughout the plan preparation period, officers have engaged extensively with a range of partners under the duty to co-operate. This engagement is

being comprehensively recorded in the draft Duty to Co-operate Statement of Compliance and will be made available on the Members' Library on Mod.Gov. In relation to housing need, officers have sought to understand firstly whether any other authorities have unmet needs, in which case consideration must be given as to whether these needs could be met in Elmbridge. Secondly, it has been necessary to explore whether any other local authorities might have the capacity to meet any unmet needs arising from Elmbridge.

6.28 It has already been set out in this paper (see Section 5) that neighbouring authorities are unable to assist Elmbridge Borough in meeting any of its potential unmet housing need. However, as part of the consideration of the whether exceptional circumstances can be evidenced and justified, and in accordance with the NPPF and their application of the Calverton case, officers consider it important to also assess the acuteness / intensity of the objectively assessed need arising from neighbouring authorities.

6.29 The issue of objectively assessed housing need and unmet development needs arising from the Housing Market Area (HMA) and neighbouring local authority areas of Royal Borough of Kingston-upon-Thames, Epsom and Ewell Borough Council, Mole Valley District Council, London Borough of Richmond-upon-Thames, Guildford Borough Council, Runnymede Borough Council, Spelthorne Borough Council and Woking Borough Council has been considered. The information presented below is based on the known current position of each Local Planning Authority as obtained from information in the public domain or from on-going discussion.

- **Epsom & Ewell Borough Council** - Undertook a 2017 Issues and Options public consultation to consider different approaches to delivering the borough's housing and employment need. Initial evidence showed that need could not be met by a continuation of the existing development strategy and that optimising land within the urban areas and / or the use of Green Belt would be required.

From on-going discussion under the duty to cooperate and as part of the Housing Market Area (HMA) Partnership, it is known that the council is at the stage of reviewing its evidence base and considering its growth strategy including whether this can meet its identified development needs.

It is expected that there will be unmet need arising from Epsom & Ewell. As a guide, their latest Land Availability Assessment showed a shortfall of 4,381 dwellings across the plan-period.

Officers are engaged in the preparation of the new Local Plan for Epsom & Ewell Borough and continue to discuss cross-boundary planning issues

including meeting housing need.

- **Guildford Borough Council** - Adopted their Local Plan in April 2019. The housing target is 10,678 homes to be provided up to 2034 (562 dpa). Through various revisions to the SHMA, the level of need has been amended however, the conclusion is that it can be met. In addition, the headroom is likely to address a level of unmet need arising from Woking Borough. Need is being met through a combination of urban sites, urban extensions and new towns / garden villages.

Based on the above, it is not considered that there is unmet housing need arising from Guildford Borough.

Furthermore, the authority is undertaking work to re-look at the basis for the local housing need figure and the inclusion of student population data and how this has potentially over-estimated their housing need against levels of development currently being planned for.

- **Woking Borough Council** - Adopted their Core Strategy in 2012. The Site Allocations Plan was adopted in October 2021. The uplift in housing need as identified in the Core Strategy is being provided through the allocation of additional sites (including those in the Green Belt) as well as Waverley Borough Council being allocated an additional 83 dwellings per annum to help with the shortfall. Guildford Borough Council is also likely to accommodate an element of Woking's unmet need though headroom in their housing target. Both Guildford's and Waverley's Local Plans have been adopted.

Based on the above, it is not considered that there is unmet housing need arising from Woking Borough.

- **Runnymede Borough Council** - Adopted their Local Plan in July 2020. The Council reduced their plan period to 10-years (2020 – 2030) to ensure that it could meet its identified housing need but is to commence an immediate review to establish how future development needs can be met. Need for the first 10-years is being met through the redevelopment of brownfield sites and Green Belt releases including a new garden village.

Based on the above, it is not considered that there is any immediate unmet housing need arising from Runnymede Borough however, their position may change as the local plan review evolves.

- **London Borough of Richmond upon Thames** - The Local Plan was adopted on 3 July 2018 and 3 March 2020 in relation to two legal

challenges. Work is now underway to prepare a new Local Plan for Richmond borough. In February 2020 the council consulted on a Direction of Travel document which sought comments on what the vision for growth and future development should be. The council will be working to meet the London Plan housing target set for the borough of 4,110 dwellings across a 10-year period (2019/20 – 2028/29) (411 dwelling per annum). The Standard Method figure for the borough is 595 dwellings per annum.

It is currently unknown whether there is unmet housing need however, historically the borough has delivered new dwellings at a rate of circ. 400 per annum.

Officers are engaged in the preparation of the new Local Plan for the London Borough and continue to discuss cross-boundary planning issues including meeting housing need.

- **Mole Valley District Council** - The Regulation 19 stage of the process setting out the proposed development strategy for the borough took place towards the end of 2021. Mole Valley District Council (MVDC) is not planning to meet its development needs (as established by the Standard Methodology) in full. Rather, there is a shortfall of 94 dwellings per annum. MVDC has twice formally written to Elmbridge Borough Council requesting that as part of the duty-to-cooperate, it can help assist in providing for its unmet housing need. The two Councils have an agreed Statement of Common Ground (August 2021) covering our respective positions on housing need and delivery.
- **Royal Borough of Kingston upon Thames** - The council is preparing a new Local Plan which seeks to meet the housing target for the borough as set out in the London Plan (9,640 dwellings across a 10-year period (2019/20 – 2028/29) (964 dwelling per annum). The Standard Method required is 2,038 dwellings per annum.

In May 2019 the council undertook an Early Engagement Consultation (Regulation 18) which considered several options for meeting the development needs of the borough. This was followed by the Shaping the Future Together: Our Vision for Kingston 2021 – 2041 consultation (Summer 2021). Again, various options were presented for meeting development needs.

It is currently unknown whether there is unmet housing need however, last year borough delivered circ. 600 new dwellings. On this basis it is considered likely that there will be unmet needs.

Officers are engaged in the preparation of the new Local Plan for the Royal Borough and continue to discuss cross-boundary planning issues including meeting housing need.

- **Spelthorne Borough Council** - The Council consulted on their preferred options Local Plan in November 2019. Covering a 15-year period up to 2035 and through a series of urban and Green Belt sites, the plan sought to meet the Standard Method figure of 603 dwellings per annum. The consultation document identified a shortfall of meeting need in the urban area of circ. 1650 dwellings across the plan-period.

Officers are engaged in the preparation of the new Local Plan for the Spelthorne Borough and continue to discuss cross-boundary planning issues including meeting housing need.

- 6.30 These authorities have reached varying stages in the Local Plan preparation process, but a best estimate is that there will be an unmet need of approximately 11,500 dwellings arising from neighbouring authorities, and those in the Housing Market Area (HMA), over a fifteen-year period. In considering the spatial strategy set out within the draft plan, regard must be had as to whether any or all of this unmet need could be accommodated within Elmbridge and the weight applied to this point in considering whether exceptional circumstances are evidenced and justified.
- 6.31 Whilst the council may not agree to meet the unmet needs of other neighbouring authorities, officers' do consider that the level of need arising from the borough and its neighbouring authorities in combination with the potential unmet need from both Elmbridge Borough and neighbouring areas, adds to the evidence and justification for exceptional circumstances to amend the Green Belt boundary.

Waste & other compatible uses

- 6.32 As the waste planning authority (WPA) Surrey County Council (SCC) is required to produce a local plan for waste development, known as the Surrey Waste Local Plan, to show how and where waste will be managed in Surrey in the future in accordance with both the NPPF and [National planning policy for waste](#) (2014).
- 6.33 The latest [Surrey Local Waste Plan 2019 – 2033](#) (SWLP) was adopted by SCC in December 2020. The Plan sets out the planning framework for the development of waste management facilities and is used in determining planning applications for waste management facilities. This includes the identification / allocation of sites for waste useage to meet the current and

anticipated need for waste sites as a form of infrastructure required to meet the acute housing needs of individual boroughs as well as the County as a whole.

- 6.34 As part of the preparation of the SWLP, SCC undertook an assessment of demand, capacity, and the gap between these i.e. the future need. The Plan summarises that whilst, overall, there will be a surplus of waste management capacity, there are key areas of need that should be addressed. In particular, the analysis has identified a need for facilities which fall under the definition of 'other recovery'. A capacity gap has also been identified for the disposal of waste to land (landfill), for CD&E recycling facilities and for the recovery of waste to land in the long term, as well as the potential need for additional composting facilities.
- 6.35 These are all waste uses that are required as supporting infrastructure to mitigate and help accommodate growth within the borough and across the wider-County. The County considers that the need is acute and could impact on the delivery of a sustainable waste strategy for the County if not provided for.
- 6.36 The SWLP sets out that there will be a negative capacity gap of:
- 148,000 tonnes per annum for 'other recovery' by 2035. This negative capacity gap is identified from the period 2017 onwards.
 - -255,000 tonnes for deposit of no-inert waste to land (including landfill) across the plan-period. The deficit first being seen in 2030.
 - 1,159,000 tonnes for C,D&E Recycling (including soil recycling) across the plan-period. The deficit first being seen in 2020.
 - 4,738,000 tonnes for recovery of inert waste to land (including landfill). The deficit first being seen in 2030.
- 6.37 To address the deficit, as well as seeking to increase recycling rates etc., the plan allocates a number of sites for waste development i.e. the provision of facilities. This includes the identification of the Former Weylands Sewage Treatment Works, Walton on Thames (Policy 11a – Strategic Waste Site Allocations).
- 6.38 The Former Weylands Sewage Treat Works is located in the Green Belt. Nevertheless, the paragraph 5.3.3.9 of SWLP states that sites allocated for waste management use in the Green Belt have been through a process of alternative site assessment at the plan making stage and that, having

demonstrated exceptional circumstances to justify their allocation in the Green Belt, the county council will encourage local planning authorities to consider making appropriate alterations to the Green Belt's boundaries as their local plans are reviewed.

ii) The inherent constraints on supply / availability of land prima facie suitable for sustainable development

Local housing need

- 6.39 As summarised in this paper, the evidence base prepared to inform the emerging draft Local Plan has shown that the supply of suitable, available and achievable sites in the existing urban areas may be insufficient to meet identified development needs. This is due to several factors including the inherent lack of a large supply of brownfield land, development economics and other environmental / policy constraints.
- 6.40 The following sub-section provides further details about the constraints which exist in the borough.

1. The availability of large brownfield site

- 6.41 Section 5 of this paper summarises the amount of new homes that could be provided for on brownfield sites in the existing urban areas of the basis of sites which have been identified and assessed as being suitable, available and achievable. Whilst 200 sites have been identified / proposed for allocation, this may not result in sufficient land-supply, depending on the preferred spatial strategy.
- 6.42 Whilst officers have sought to optimise densities across all sites (Options 4a and 5a), one of the key challenges for meeting housing need, is the type of land supply available within the borough. As set out in Section 5, the borough does not contain large sways of vacant / under utilised land or numerous large-scale areas in need of regeneration. As such, the key source of land supply is the redevelopment of single / stand-alone office accommodation and of existing residential properties and building within their curtilage.
- 6.43 Information taken from the [LAA \(2021\)](#) shows that the average site size of those sites in the existing urban areas which the council is seeking to allocate is 0.38 hectares. The smallest site is 0.04 hectares (63 Queens Road, Hersham (ref. US441)) and the largest is 2.8 hectares (Esher Place, Esher Place Avenue, Esher (ref. US279)).
- 6.44 The size of sites available within the borough is not only a challenge when

seeking to meet the development needs of the borough overall, but also the type of housing need. For example, if the council is no longer able to seek affordable housing contributions on smaller sites (sites of 9 units or less) this could significantly impact the council's ability to deliver such units. In addition, the dominance of schemes on land within the existing residential areas has historically seen the delivery of larger units (4+ bedrooms) with smaller units being considered as 'out of character'. Whilst this trend has changed in recent years, land supply dominated by existing residential properties does present a level of difficulty in providing the right type of homes needed.

6.45 Information contained within the council's Housing Monitoring Database highlights the dominance of small sites forming the principal source of land supply within the existing urban areas of the borough.

- At 1 April 2021, there were 296 extant permissions for residential development in the existing urban areas.
- Of the 296 permissions, 98 schemes **(33%) related to the replacement and / or net loss of a dwelling(s)**.
- Of the 198 schemes where a net increase was proposed, 1,925 gross dwellings were proposed (1,790 net units). The average number of dwellings proposed is 9.7 dwellings gross (9.0 dwellings net).
- For 184 of the 198 schemes, the site size is given. The average site size being 0.22 hectares.
- Of the 198 schemes, 122 (62%) related to the development of 1-4 dwellings (gross) on sites of less than 0.5 hectares. In total, the 122 schemes could provide 228 dwellings (gross) (1.87 dwellings on average).
- Of the 198 schemes, 37 (19%) related to the development of 5-9 dwellings (gross) on sites of less than 0.5 hectares. In total, the 34 schemes could provide 240 dwellings (gross) (6.5 dwellings on average).
- This shows that of the 198 schemes, **159 (80%) related to minor developments – sites of 1-9 dwellings (gross) on sites of less than 0.5 hectares**. In total, the 159 schemes could provide 468 dwellings (gross) (2.94 dwellings on average).
- Of the 198 schemes, only **39 (20%) related to major developments – sites of 10 dwellings or more (gross) and / or on sites of more than 0.6 hectares**. Of these however, 8 schemes were on sites of 0.5 hectares

of more but providing 9 dwellings or less.

- Of the 39 major schemes providing more than 10 dwellings (31 schemes), these could provide 1,440 dwellings (47 dwellings on average).
- Of the 31 schemes, 4 were providing C2 accommodation and only 2 schemes (Walton Court & Stompond Lane, Walton on Thames) were providing more than 100 dwellings (gross).

2. Development economics

6.46 Financial viability has become an increasingly important consideration in the planning system; both in the formation of Local Plans and in the determination of planning application. The NPPF emphasises deliverability and the provision of competitive returns to willing landowners and developers to enable sustainable development to come forward.

6.47 Through the preparation of the evidence base officers have considered the type of development that would be delivered if a development strategy was pursued that sought to deliver its housing need entirely within the existing urban areas. Such an approach would consist of development of significant densities and dominated by the delivery of flatted units.

6.48 Whilst the overall need in the borough is for small units, there is still a need to provide some larger units (4+ bedrooms) and to provide sustainable mixed communities. In addition, there is a fine viability balance when providing flatted development.

- The need for common spaces such as hallways, stairs, lifts, communal storage space e.g. the collection of waste, increases costs but reduces saleable floor area.
- Unlike estate housing, a block of flats is difficult to phase. Usually, full payment is not received until people move in and this normally follows completion of the construction of the whole block. People are reluctant to buy 'off plan' if they can avoid it and it is difficult to convince people to live on a construction site. From a developers' point of view this makes the cash flow from blocks of flats much less attractive than from a conventional scheme where homes can be sold earlier and can have a negative impact on the annual return on their capital invested.
- Buildings of three stories or under can be built relatively inexpensively with load bearing brickwork or simple timber frames. However, once you start building much higher than that the structure gets more complicated.

In addition, tall and slender buildings suffer from a relatively low ratio of saleable floor space and a high ratio of external building envelope in relation to the total area of the building.

- Higher densities complicate parking provision. Good surface car parking only costs around £1,500 per space but providing it undermines the point of higher density development. Undercroft parking can cost £5,000 a space or more and underground parking can easily cost more than four times that, especially if it needs to be mechanically ventilated.
- Finally, there are issues with mixing affordable housing into blocks of flats. Different size standards can complicate floor plans and mixed tenure also makes it more difficult to create the kind of cachet that allows the developer to add value to a development through exclusivity.

6.49 In summary, very high densities only translate directly into higher land values where the flats can be sold for relatively high prices. In addition, if viability is impacted, this could see the delivery of reduced levels of affordable housing when other financial contributions e.g. Community Infrastructure Levy (CIL), is non-negotiable.

3. Environmental / policy constraints

6.50 In the Government's '[Planning for the right homes in the right places](#)' [consultation](#) (September 2017), Elmbridge was identified in the top 25% of Local Authorities in England with the highest amount of constraints covering the Local Authority's land area (including Green Belt, National Parks, Areas of Outstanding Natural Beauty, Sites of Specific Scientific Interest).

6.51 As set out in Figure 2 of this paper, the borough is embedded in the Metropolitan Green Belt and permeates 57% of the borough. Green Belt has the highest policy protection and is identified as a constraint for development in the NPPF. Generally speaking, Green Belt policy operates to prevent built development in the Green Belt unless it falls into one of a small number of accepted categories or is justified (in a development management context) by "very special circumstances".

6.52 The Green Belt boundary is tightly drawn; with no land currently safeguarded for future development. Also, the borough does not contain any land designated as Countryside.

6.53 In addition to Green Belt, the land in the borough has a high nature conservation value and some has international importance too. There are three Sites of Special Scientific Interest (SSSI) located within the borough.

The borough is characterised by extensive green areas including woodland, ancient woodland, common land, farmland, rivers, reservoirs and parkland. It includes the Thames Valley with the River Thames and its floodplain (including Flood Zone 3b (functional floodplain), 3a (High Risk) and Flood Zone 2 (Medium Risk)), the Thames Basin Heath and the Thames Basin Lowlands. There are historic landscapes at Claremont, Painshill and Oatlands Park. Together this means the borough has a high quality, distinctive landscape with significant landmarks and strategic views. The presence of these landscape characteristics results in limited development opportunities for delivering new housing on a large scale.

Waste & other compatible uses

- 6.54 As part of the preparation of the SWLP, SCC prepared a Site Identification and Evaluation Report (April 2019). The site identification process found that due to the extent of the Green Belt in Surrey and lack of available alternatives, that it would not be possible to avoid the allocation of land within the Green Belt. Consequently, several the allocated sites, which were otherwise assessed as being consistent with the spatial strategy, are located within the Green Belt.
- 6.55 The SWLP acknowledges that while the development of waste uses on land identified for employment and storage purposes by local planning authorities is encouraged under Policy 10 (of the SWLP), it is recognised that, due to commercial and practical considerations and competition from other land uses, such land cannot be wholly relied on to deliver the required waste management capacity over the Plan period.
- 6.56 It was therefore concluded by SCC and agreed by the Planning Inspectorate that, the allocation of sites under Policy 11a increases the potential for development to come forward that will contribute to the objectively assessed needs for waste management capacity in Surrey.

Promoting sustainable development

- 6.57 The options for how the development needs of the borough can be provided for have been assessed by officers through the Sustainability Assessment (SA) / Strategic Environmental Assessment (SEA), the details of which are summarised in the officers' consideration of point iii) of the Calverton case below. At a site-specific level, officers have also assessed development opportunities against the SA / SEA framework.
- 6.58 In addition, each option has been considered in terms of how it would 'fit' with the vision and principles for the borough as set out in the emerging draft Local Plan.

6.59 In exploring the option of releasing land from the Green Belt (Option 5a as set out in Section 4 of this Paper), officers have, in accordance with paragraph 142 of the NPPF, given first consideration to land which has been previously developed and / or is well-served by public transport. As set out in the [Accessibility Assessment](#) (June 2021) each potential development opportunity was considered in regard to its proximity to a:

- major service centres / employment locations;
- significant employment sites;
- bus stop with a good, very good or excellent service;
- railway station and the quality of the service;
- primary school;
- secondary school;
- health centre / GP;
- dentist; and
- retail centre.

6.60 Officers' approach has been to prioritise those opportunity sites which are previously developed and / or have fair, good or excellent access to the facilities and services listed above. In particular to public transport node such as a bus service and / or railway station. For the Green Belt areas proposed for release and allocation for development, Table 5 summarises their accessibility score in relation to public transport nodes and their overall score.

Table 5: Summary of the accessibility score of proposed development sites (Green Belt) to public transport nodes

Local / Sub-Area Ref.	Site	Distance to a bus stop with a good, very good or excellent service (km)	Distance to a Railway Station	Overall score	PDF (Yes / No)	Status
LA-58 (part)	Land north of A309, Long Ditton	0.9	2.35	Fair	Yes	Allocate
LA-70	Imber Court (part release), Molesey	1.85	1.1	Fair	Yes	Allocate
SA-41	Loseberry Farm, Claygate	0.3	0.7	Good	No	Allocate
SA-45	Land south of 77 Pleasant Place, Hersham	0.65	1.95	Good	No	Allocate
SA-47	Land at and south of Burhill School, Hersham	0.5	1.8	Fair	Yes	Allocate
SA-50	Land at Moore Place Golf Club, Esher	0.35	2.35	Fair	Yes	Allocate
SA-53	Land West of Slough Farm, Claygate	0.4	0.95	Good	No	Allocate
SA-54	Land south of Lammas Lane, Esher	0.2	2.4	Fair	Yes	Allocate
SA-58	Land East of Telegraph Lane, Claygate	0.6	1.6	Fair	No	Allocate
SA-59	Land east of Claygate House, Claygate	0.35	0.75	Good	Yes	Allocate
SA-68 (part)	Weylands Old Treatment works, Hersham	1.2	0.6	Fair	Yes	Allocate
SA-69	Land north of Café Rouge, Esher	0.2	0.25	Good	No	Allocate
GB51 / SA-66	Hersham Golf Club, Hersham	0.15	0.9	Fair	Yes	Allocate
LA-20	Chippings Farm & The Fairmile, Cobham	0.36	4.05	Fair	Yes	Safeguard
LA-58 (part)	Land north of A309, Long Ditton	0.9	2.35	Fair	Yes	Safeguard

- 6.61 As stated above, officers have also used the vision and principles for the borough as set out in the emerging draft Local Plan, to assess the 'strategic fit' of development opportunities. As set out in the emerging draft Local Plan, it is important that new development builds on the success of our existing communities and places and responds to their individual identities and development needs. The development needs of our communities have been identified through our evidence base including, the Settlement Assessment (2020).
- 6.62 The Settlement Assessment (2020) examines the economic, social and environment role of each of the eight settlement areas (see Table 2 for the list of settlements) in Elmbridge and provides an understanding of each settlements' current sustainability and potential for future development.
- 6.63 The conclusion of the Settlement Assessment is that each of the eight settlements has comparable content, with common strengths, weaknesses, opportunities and threats. For example, despite different population sizes and areas in hectares, Elmbridge's settlements are very similar in their role and function. They are mainly residential in use and have some form of shopping facility whether this is the town centre in Walton; district centres in Weybridge, Esher, Molesey and Hersham; or local centres in the Dittons, Cobham and Claygate.
- 6.64 In addition, each settlement provides / has access to facilities and services required for any community to thrive. These include:
- Primary and secondary schooling;
 - A GP surgery;
 - Shops providing for day to day needs;
 - A community centre;
 - One or more train stations with services to London and Guildford;
 - Bus services;
 - Employment opportunities; and
 - Green spaces, parks, sports fields and open spaces.
- 6.65 The Assessment also shows that due to the borough's strategic location and transport links to London, allowing many people to live in Elmbridge whilst accessing higher paid jobs in the city of London, affordability is an issue across all settlement areas. Furthermore, every settlement area has land use constraints and environmental designations that are not too similar. For example, each settlement boundary is tightly draw with the surrounding land being designated as Green Belt. In addition, there are areas liable to flooding from multiple sources as well as Conservation Areas and other heritage

assets that require protecting.

6.66 From the Settlement Assessment the conclusion has been drawn that future development can be located in any of the settlements of Elmbridge as they are all considered sustainable. As such, the emerging draft Local Plan highlights that the location of development in the borough has been driven by the principles of sustainable development, as set out in national policy, and that with this in mind, planning for our housing needs builds on the existing pattern of development in the borough, taking a 'brownfield first' approach across all settlement areas.

6.67 Based on the Settlement Assessment, the consideration of Option 5a (optimising sites in the urban areas and small scale Green Belt release) by officers has taken into account other factors such as environmental and policy constraints i.e. the assessment of Green Belt land by officers has not been restricted to one geographical area e.g. only around the edge of certain settlements. Rather, in assessing whether land is to be released from the Green Belt, the development opportunities have been assessed as to whether they positively contribute to the individual identities of our places and our established communities within the borough as well as the extent to which they aligned with the emerging vision and principles as set out in the draft Local Plan. These are:

- meeting the Borough's housing need;
- meeting specific identified needs, such as affordable housing, older persons' accommodation and pitches for Gypsies/Travelling Showpeople;
- the delivery of development at higher densities;
- opportunities to improve / provide the for economic development of the borough;
- opportunities for mixed-use development;
- opportunities for infrastructure delivery;
- opportunities to mitigate the effects of, and adapt to, climate change; and
- added benefits, such as public access to land, opportunities for outdoor sport/recreation, enhancement of landscape and biodiversity net gain.

(iii) (On the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt

Local housing need

6.68 At each appropriate stage of the preparation of the emerging draft Local Plan, officers have prepared a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) to inform and assess the development

options being considered. The purpose of the SA / SEA process is to appraise the social, environmental and economic effects of a plan from the outset. In doing so, it will help ensure that decisions are made that contribute to achieving sustainable development.

6.69 As part of the Local Plan Strategic Options consultation (2016/17) officers prepared a SA Scoping Report (December 2016) and for the Local Plan Options consultation (2019) a SA Report (August 2019). For the emerging draft Local Plan (Regulation 19) a further SA Report (January 2022) has been prepared. The SA Report (January 2022) is available in the Members' Library via Mod.Gov.

6.70 Focusing on the council's Options Consultation (2019), five options for seeking to meet housing need were considered. These are set out in detail in Section 4 of this paper and are summarised below.

- Option 1 - Intensity the Urban Area
- Option 2 - Optimise Urban Area and 3 Areas of Green Belt Release
- Option 3 - Optimise Urban Area and Large Green Belt Release
- Option 4 - Optimise Urban Area
- Option 5 - Optimise Urban Area and Small Areas of Green Belt Release

6.71 The conclusion of the SA process undertaken for the Options Consultation in 2019, highlighted that although Option 1 has positive impacts in terms of making best use of previously developed land, reducing land contamination and supporting sustainable economic growth, it has a number of major and minor negative impacts in relation to the environment. This is particularly applicable when considering its impacts on historic and cultural assets, flooding and pollution.

6.72 Option 3 was assessed to have the most significant negative impacts of all the options presented. This is largely due to the impact of distributing development widely across the Borough. In addition, although Option 2 was assessed to have several minor negative impacts in terms of the environment, it has positive social and economic impacts which was why this Option was considered the most sustainable for the Strategic Options consultation undertaken in 2016/17.

6.73 Option 4 was assessed to have a significant positive impact on protecting and enhancing the landscape character of the borough and other minor positive impacts on the environment in terms of reducing the need to travel, making best use of previously developed land, reducing land contamination and conserving biodiversity. However, it does have a significant negative impact on flood risk and minor negative impacts on reducing greenhouse gases,

using natural resources, improving water quality and adapting to climate change.

- 6.74 Option 5 scored significant positive impacts in terms of meeting the local housing need in full, which in turn facilitates the improved health and well-being of the whole population. It scores minor positive results across six environmental objectives and all economic objectives. However, it receives significant negative impacts in terms of energy use and scores minor negative results for the use of natural resources, reducing flood risk, air quality / pollution and conserving biodiversity.
- 6.75 The SA (2019) highlights that not impinging on the Green Belt (Options 1 and 4) would be at significant detriment to the character of the existing urban areas and environment (relocation of green spaces) (Option 1) or have a significant negative impact on flood risk and minor negative impacts on reducing greenhouse gases, using natural resources, improving water quality and adapting to climate change (Option 4). Furthermore, Option 4 would not meet our development needs having an impact on sustainability regarding the social and economic pillars.

Reasonable alternatives

- 6.76 As set out in Section 4 of this paper, following additional evidence base work including discussions through the duty-to-cooperate and the steer from Local Plan Working Group (LPWG) in June 2021, the options considered and consulted upon in 2019 have evolved. Officers consider there to be three 'reasonable alternatives' remaining. These are set out in detail in the Section 4 of this paper and summarised below:
- Option 4a – Optimisation (meeting 73% of housing need)
 - Option 5a – Optimisation and small Green Belt release
 - Option 6 – Optimisation and intensification in more sustainable locations
- 6.77 A summary of the SA assessment of these three options is set out in Table 6 below.
- 6.78 As set out in the SA Report, Option 4a meets 73% of the housing need and will deliver housing on smaller sites in the urban area. Officers consider this will result in a significant negative impact for the homes SA objective as this option will not meet the housing need or the mix required. Although development in the urban area will facilitate flexible working practices and encourage mixed use development, the demand for land will also impact employment uses which could impact employment opportunities. There are several minor negative impacts expected for the environmental SA objectives

that relate to the increase in growth however focusing development in the urban area will protect and enhance landscape character and biodiversity.

Table 6: SA of Options 4a, 5a and 6

SA Objective	Option 4a: Urban area only Using sites from LAA 2021 with non- implementatio n discount applied 6988 Homes	Option 5a: Urban area and 12 small parcels of G/B Using sites from LAA 2021 with non- implementation discount applied and 12 sites from the Green Belt. 9328 Homes	Option 6: Urban area and intensify development around town and village centres and train stations. 9689 homes
1. Homes	--	+	-
2. Health	+	+	+
3. Heritage	?	?	?
4. Accessibility	+	+	++
5. Previously developed land	+	+	++
6. Economic growth	?	?	?
7. Employment	-	-	-
8. Energy Use	-	-	-
9. Natural Resources	-	-	-
10. Climate Change	-	+	-
11. Flooding	-	-	-
12. Water	-	-	-
13. Land	+	-	+
14. Pollution	-	-	-
15. Landscape	++	-	++
16. Biodiversity	+	-	+

6.79 Option 5a is 19 dwellings short per annum of meeting the housing need but the allocation of Green Belt sites would allow for a mix of housing to be delivered and, most importantly, the affordable housing needed (the need for larger units as opposed to flatted developments providing 1 & 2 bedroom units). As set out in Section 5 of this report, it is estimated that the 12 Green Belt sites could provide 50% of the total affordable housing provision across the 15-year plan-period. This results in a minor positive score for the homes SA objective. It scores a minor negative result for employment opportunities

as no land is being allocated to provide employment opportunities. Minor negative impacts are expected for many other environmental SA objectives as development on greenfield sites would impact land quantity, landscape and biodiversity. However, the size of sites released from the Green Belt would allow for larger climate change alleviation schemes, biodiversity net gains and green infrastructure provision. These are priorities for the Council and sit at the heart of the vision for the borough and principles for development as set out in the emerging draft Local Plan.

- 6.80 As Option 6 contains the same urban sites as Option 4a, the results of the SA are similar. However, major positive impacts are expected for the accessibility SA objective as development will be intensified in the most sustainable urban areas, which would reduce future occupants' need to travel, encourage sustainable transport options and improve accessibility to key services and facilities. Even though this option would meet housing need in full, the size of urban sites means that flats will dominate, and this would not provide the mix of housing required in regard to the provision of the size of affordable homes required e.g. 3 & 4-bedrooms, as evidenced through the Housing Needs Assessment 2020. The provision of affordable homes is a priority for the Council. Therefore, a minor negative impact for the homes SA objective is expected for this option.
- 6.81 All three options score an unknown result for the heritage SA objective as it is unknown whether any of the future development proposals will enhance historic assets at this early stage. Unknown scores are also given to SA Objective 6: Economic growth as all three-options support economic growth but do not allocate land due to the uncertainty in the market for premises.
- 6.82 With the more refined assessments of the potential impacts of each of the Options and reflecting on the SA process, officers' consider Option 5a, which includes the release of small areas of Green Belt land, is justified in regard to the consequent difficulties in achieving sustainable development without impinging on the Green Belt. Whilst Option 6 could deliver our housing needs in full without the lease of Green Belt land, officers attach great importance to the need to deliver not only the quantum of homes required but also the required type. As set out above, Option 6 will not meet our affordable housing need; a priority for the Council. This is also the case regarding Option 4a.
- 6.83 Furthermore, by being able to utilise Green Belt sites, the council will be afforded greater opportunities for larger climate change alleviation schemes, biodiversity net gains and green infrastructure provision. As set out above, these are also priorities for the Council and have been very much reflected on and used to drive the drafting of the emerging draft Local Plan. As set out above, it is not considered by officers that these benefits can be as effectively

delivered through Options 4a and 6.

Waste & other compatible uses

- 6.84 For the purposes of the SEA and SA process, a number of strategy options were defined by SCC and subjected to assessment, one of which (Option A) is reflected in the vision of the adopted SWLP. The process undertaken is set out in the [County Council's Environmental & Sustainability Report \(ESR\)](#), which combined the SA and Strategic Environmental Assessment requirements.
- 6.85 The three options considered through the ESR were:
- Option A: Planning for net self-sufficiency for Surrey.
 - Option B: Planning for net imports of waste to the county.
 - Option C: Planning for net exports of waste from the county.
- 6.86 Through the ESR, the County Council concluded that Option A was likely to have the least significant impacts on the environment and communities when compared with the alternatives, and such an approach is also consistent with Article 16 of the Waste Framework Directive regarding self-sufficiency.
- 6.87 Option B was considered to be more likely to give rise to adverse impacts on a range of environmental and community receptors. In regard to Option C it was concluded that this would present fewer risks to environmental and community receptors within Surrey when compared to the alternatives, but would export any adverse impacts of waste management to other areas and communities.
- 6.88 In addition to an assessment of the Options, sites were also assessed in regard to the environmental and sustainability framework.
- 6.89 In the [Inspectors' Report](#) it was stated that the evolution of the Plan's preferred approach involved the consideration of several reasonable alternative approaches as part of the SA process. Concluding that, the analysis within the SA is sufficiently robust, and the reasoned explanations it contains provide clear justification for the approach proposed within the Plan.
- 6.90 As set out in paragraph 5.46 above, the identification process found that due to the extent of Green Belt in Surrey and the lack of available alternatives, this would not be possible to avoid the allocation of land within the Green Belt. If not pursued, Option A could not be delivered in accordance with Article 16 Waste Framework Directive regarding self-sufficiency. Nor would it be consistent with paragraph 3 of the National Planning Policy for Waste

(NPPW), which states that Waste Planning Authorities should prepare Local Plans which identify sufficient opportunities to meet the identified needs for their area for the management of waste streams.

(iv) The nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed

Local housing need and waste

- 6.91 The [Green Belt Boundary Review 2016 \(GBBR\)](#) considered how the Green Belt in Elmbridge performs (strongly, moderately, weakly or fails) against the relevant purposes set out within the NPPF at two scales:
- Strategic Green Belt Area Assessment, which focussed on the role of the Green Belt in Elmbridge Borough within the wider sub-regional context of the Metropolitan Green Belt and the different functional areas of Green Belt within the Borough; and
 - Local Green Belt Area Assessment, which assessed 78 ‘Local Areas’ and two non-Green Belt Areas identified on the basis of the presence of permanent and defensible boundaries.
- 6.92 One of the outputs of this work was the identification of a series of Local Areas (LAs) that performed weakly against the NPPF purposes. This output was utilised by the council to consider areas of land that may be suitable for release from the Green Belt subject to more detailed assessment and consideration of exceptional circumstances, (if such an approach was deemed necessary to meet identified development needs).
- 6.93 In 2018 additional supplementary work to the 2016 Green Belt Boundary Review was undertaken. For Local Areas which scored strongly or moderately overall in the 2016 Review in terms of meeting the Green Belt purposes, consideration was given as to whether any Sub-Areas (SAs) within these parcels existed that may have met the purposes to a greater / lesser degree.
- 6.94 In addition, the [2018 Green Belt Boundary Review – Supplementary Work](#) provided a qualitative assessment of the role of the Sub-Area within the context of the wider, strategic Green Belt. This comprised consideration of the following:
- Summary of the findings from the 2016 GBBR of the wider Local Area within which the sub-area is located and the importance of the sub-area to the performance of this wider area.

- How potential removal of the sub-area from the Green Belt would impact on the performance of surrounding Sub-Area(s) / Local Area(s) (e.g. by isolating smaller areas of Green Belt from the wider strategic Green Belt, thus reducing their role or increasing the importance of surrounding areas).
- 6.95 As with the 2016 Review, the Supplementary Work (2018) identified Sub-Areas which, subject to further consideration, may be suitable for release from the Green Belt.
- 6.96 Utilising the information and data within the Local Plan evidence base, officers have concluded that 13 sites, should be removed from the Green Belt and allocated for housing and waste uses and an additional 2 sites removed and safeguarded for future residential development. Appendix A sets out the details of these sites and the relevant information insofar as the Green Belt. In total these, areas equate to circ. 188 hectares (3% of the Green Belt in Elmbridge although it is anticipated that only half of this would be developed). A Map of these areas is provided in Appendix B.
- 6.97 Appendix A shows that three Local Areas (LA-20, 58 and 70 (part)) proposed for release and allocation and / or safeguarding, meet the purposes of Green Belt weakly. This is not to say that they do not perform any Green Belt functions but, they are deemed to be weak Green Belt.
- 6.98 In terms of balancing the need to protect the Green Belt alongside seeking opportunities to meet the development needs of the borough (both short and long-term), the removal of these three Local Areas, is considered to present the least harm to the nature and extent of the Green Belt in the borough.
- 6.99 In addition to the three Local Areas, officers also proposes the removal from the Green Belt and allocation of 11 Sub-Areas in whole, in part or, in the case of SA-66 with an extension to the northern boundary,
- 6.100 As set out in an Appendix A:
- 4 Sub-Areas (47, 50, 59 and 69) meet the Purposes weakly and make a less important contribution to the wider strategic Green Belt.
 - 5 Sub-Areas (41, 51, 53, 54 and 58) meet the Purposes moderately but make a less important contribution to the wider strategic Green Belt.
 - 2 Sub-Areas (45 and 68 (part)) meet the Purposes strongly but make a less important contribution to the wider strategic Green Belt.
- 6.101 As with the proposed allocation and / or safeguarding of the three Local

Areas, in terms of balancing the need to protect the Green Belt alongside seeking opportunities to meet the development needs of the borough, the removal of these 11 Sub-Areas, is considered to present the least harm to the nature and extent of the Green Belt particularly when looking at the wider strategic Green Belt.

6.102 In addition, as set out in the above, officers have followed paragraph 142 of the NPPF and given first consideration to land which has been previously-developed and / or is well-served by public transport. Consideration has also been given to other important environmental and policy designations such as flood zones.

(v) The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent

6.103 Paragraph 142 of NPPF states that ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land should be set out. PPG expands on this and provides a number of suggestions on how this may be achieved. For example, through the provision of new or enhanced green infrastructure, woodland planting, new or enhanced walking and cycling routes and so on.

6.104 In a similar vein, paragraph 145 of the NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

6.105 Appendix C sets out information taken from the assessment of Green Belt sites setting out for each site proposed for removal from the Green Belt and allocation for development, the added beneficial uses.

6.106 For the majority of sites, added beneficial uses as identified in the NPPF and PPG involve creating access to areas of land that is currently private / non-accessible and / or improving pedestrian linkages between sites, communities and wider facilities and services. As set out in Appendix C, one development site will also include a Suitable Accessible Natural Greenspace (SANG) required to mitigate the impact of new development across the borough on the Thames Basin Heaths Special Protection Area (SPA).

6.107 In addition, the general development management policies as set out in the

emerging draft Local Plan will apply. For example, the requirement for children's play areas / formal recreation space to be provide and Biodiversity Net Gain.

6.108 The [Green Belt Reviews \(2016 & 2018\)](#) and [Landscape Sensitivity Study \(2019\)](#) have also identified a number of mitigation measures which could be implemented, particularly for those. This involves avoiding certain parts of the site, retention of existing woodland and landscape features and increased planting to screen and soften the visual impact of development as well as strengthening new boundaries.

6.109 Where necessary, these recommendations would be incorporated into additional site-specific policies / allocation in the draft Local Plan.

7. Exceptional Circumstances: Additions to the Green Belt

National Policy

- 7.1 The draft Local Plan is not only concerned with removing land from the Green Belt. In drawing new boundaries, consideration has also been given as to whether there is justification to incorporate land into the Green Belt.
- 7.2 National Policy is clear (NPPF paragraph 140) that boundaries should only be altered in “exceptional circumstances”, which covers alterations to add or remove land from the Green Belt.
- 7.3 Paragraph 139 of the NPPF states that:

“The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions. Any proposals for new Green Belts should be set out in strategic policies, which should:

demonstrate why normal planning and development management policies would not be adequate;

set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary;

show what the consequences of the proposal would be for sustainable development;

Case Law

- 7.4 The aforementioned Gallagher Homes Ltd vs. Solihull Borough Council [2014] case law is of importance to the question of adding land into the Green Belt (see Section 3).
- 7.5 The ruling stated that simply because a land use, in this case housing, was not suitable on the site was not in itself exceptional circumstances for including land within the Green Belt. There must be a higher test for adding land into the Green Belt than it simply not being suitable for a certain use.

Greenfield Sites

- 7.6 As set out in Section 5, there are two greenfield sites within the borough: Land at Merrileas, Leatherhead Road, Oxshott and Land at the former Molesey Former Sewage Works, Approach Road, Molesey. These sites were allocated by Policy HSG4 of the Replacement Elmbridge Local Plan (2000) as Major Development Sites for future residential development. Whilst the allocation was deleted upon the adoption of the Development Management Plan (2015), the two sites remain outside of the Green Belt.
- 7.7 Both of these sites were considered as part of the [Green Belt Boundary Review \(2016\)](#) and their development potential assessed in regard to their suitability, availability and achievability.
- 7.8 Since the Green Belt Boundary Review was complete, the site Land at Merrileas, Leatherhead Road, Oxshott has been granted planning permission for 67 residential units. This number of units has been included in Table 1.

Land at the former Molesey Former Sewage Works, Approach Road, Molesey

- 7.9 In regard to the Molesey site, this is owned by the council and has not been promoted for development. As indicated in the Replacement Elmbridge Local Plan (2000) there are issues with contamination which would require remediation. There are also issues relating to access to the site which is currently via a single-way small bridge across the Dead River. As such, the site is not considered to be viable (achievable).
- 7.10 As set out in Case Law this is not however, sufficient to justify the exceptional circumstances to return the land to the Green Belt. Consideration has therefore been given to other factors.
- 7.11 In the Green Belt Boundary Review (2016) it was assessed that this site displayed similar characteristics to the Green Belt further south and that there was no readily recognisable boundary feature currently separating these two areas. Overall, the parcel was assessed as performing moderately in regard to Green Belt Purposes 1-3.
- 7.12 In terms of Purpose 1 it was identified that the parcel is on the edge of the large built-up area of Molesey preventing its outward sprawl into open land. The boundary between the parcel and Molesey was considered to be largely durable and permanent consisting of a row of dense tree and in part a road.

- 7.13 For Purpose 2 it was considered that the parcel forms part of the wider gap between the non-Green Belt settlements of Molesey and Field Common and Molesey and Walton-on-Thames. Although the scale of gap is important to restricting the merging of these settlements, it was judged that there could be scope for development in the parcel without causing coalescence.
- 7.14 As part of the Purpose 3 assessment, it was identified that less than 2% of the land parcel is covered by built form and it largely rural in character with open fields and vistas connecting to the wider Green Belt. The assessment identified that the boundary to the south of the land parcel (LA59a) consists of weak field boundaries and that if LA59a were to extend to cover this parcel, the dense row of trees and road would form a strong defensible barrier.
- 7.15 The conclusion of the Review was that whilst the parcel is very small in scale and not deemed integral to maintaining the openness and permanence of the Green Belt, if designated Green Belt, this parcel would strengthen the ability of the Green Belt to check the outward sprawl of Greater London (Molesey) by providing a more robust boundary, and prevent encroachment into open countryside.
- 7.16 On the basis of the above, officers consider that there is justification and the exceptional circumstances to return this area to the Green Belt. The boundary between the existing built-up area and Green Belt to follow the Dead River.

8. Conclusion

- 8.1 The NPPF is designed to significantly boost the supply of homes, placing a requirement on local planning authorities to maintain a five-year housing land supply and to identify opportunities to meet their development needs across a 15-year plan-period through the preparation of an up to date Local Plan.
- 8.2 The local housing need for Elmbridge is currently 641 homes per year (9,615 homes across the plan-period) (as set using the Government's Standard Method) which, is significantly higher than historical annual completions seen since 2010/11; never exceeding circ. 400 dwellings and, on average, are around 300 dwellings per annum.
- 8.3 As part of the preparation of the emerging draft Local Plan, officers have explored several options regarding the spatial strategy for the borough / how development needs could be addressed. The options have evolved over time in response to several factors including the wider planning context; the Local Plan evidence base as it is prepared / reviewed; consultation responses (received during the three Regulation 18 consultations); and from collaborative working between Councillors and officers throughout the preparation of the emerging draft Local Plan.
- 8.4 In accordance with the National Planning Policy Framework (NPPF, 2021) the principal focus of all options is to seek to make as much use of brownfield land. However, some options have considered the possibility of releasing land from the Green Belt in order to assist in meeting any potential unmet need arising from both within the borough and, from neighbouring authorities.
- 8.5 As part of the preparation of the emerging draft Local Plan, officers have considered whether exceptional circumstances can be fully evidenced and justified. This includes the consideration of the NPPF (in particular paragraph 141), and relevant case law.
- 8.6 In accordance with the NPPF officers have, as part of their consideration as to whether exceptional circumstances can be demonstrated, and in assessing development options for the borough, considered whether local housing need can be met through:
- making as much use as possible of suitable brownfield sites and under-utilised land;
 - optimised the density of development in line with policies in chapter 11

of the Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

- explored, through the duty to cooperate, whether neighbouring authorities could accommodate some of the potential unmet needs of the borough.

8.7 As set out in Section 5 of this paper, the supply of potential development sites in the existing urban areas is limited. They are generally small in scale and there are no large swaths of vacant / under utilised land or numerous large-scale areas in need of regeneration.

8.8 Based on the optimisation (Option 4a) of those sites identified in the LAA (2021), this option would only be able to deliver 6,988 new homes. This equates to a shortfall of 27% when considered against the need to provide 9,615 new homes across the plan-period (a shortfall of 2,627 homes). This is despite officers, in accordance with the NPPF, optimising development opportunities, making efficient use of land and exploring numerous sources of potential housing land supply within the borough. Furthermore, this shortfall cannot be met by neighbouring authorities as demonstrated through on-going discussions as part of the duty-to-cooperate.

8.9 Whilst Option 6 – intensification, could provide for our housing need in the urban area without impinging on the Green Belt, this is considered to have consequences for achieving sustainable development which, officers have attached great importance. As set out in Section 6 of this paper, this option will not deliver the type of homes required e.g. 3 & 4-bedroom affordable homes, which is a significant issue for the borough and a priority for the Council. Furthermore, this option would not be able to deliver other sustainability benefits such as larger scale climate change alleviation schemes, green infrastructure improvements and biodiversity net gain benefits.

8.10 In considering the points of the Calverton case, officers have taken into account:

- the acuteness / intensity of the objectively assessed need (matters of degree may be important);
- the inherent constraints on supply / availability of land prima facie suitable for sustainable development;
- (on the facts of this case) the consequent difficulties in achieving

sustainable development without impinging on the Green Belt;

- the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed; and
- the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.”

8.11 In determining that exceptional circumstances can be fully evidenced and justified, officers have considered all the above points. Officers have attached great importance to the acuteness of the housing need in the area and potential shortfall of pursuing Option 4a. In considering this option, officers have also attached great importance to the council priority of providing more affordable homes and consider that this can best be achieved through Option 5a.

8.12 In assessing Option 5a (optimisation and small scale Green Belt release) officers also consider a merit of this approach, to be providing a balance between meeting our development need, with the need to ensure that the overall integrity of the wider-strategic Green Belt is maintained. Overall, officers consider that the benefits of releasing land from the Green Belt outweigh the harm.

8.13 In considering the requirements of the NPPF, officers have sought to identify for potential allocation / development, those Green Belt areas which are accessible and / or contain previously developed land. In addition, the officers have looked at and considered carefully how each Green Belt site could build on the success of our existing communities and places, taking into account their identities and their ability to accommodate new growth.

8.14 Regarding the waste site, using the evidence base that sits behind the Surrey Waste Local Plan and its own evidence base documents, officers have paid the same consideration to the NPPF and have also explored if an allocated waste site could be removed from the Green Belt to meet the shortfall in waste facilities as identified in the Surrey Waste Local Plan 2019 – 2033. Again, officers consider that exceptional circumstances can be evidenced and justified.

8.15 In quantitative terms, the loss of Green Belt land in the borough proposed through Option 5a is 188 hectares. This is 3% of the total area of land currently designated as Green Belt although only half of this is identified for development. The remainder is protected by other designations e.g. Local Nature Reserves and sports facilities that, whilst removed from the Green

Belt, would not be developed.

- 8.16 As set out in Section 7 however, the officers would recommend to return one site currently designated 'greenfield' to the Green Belt. This is considered appropriate as the site is not proposed for allocation and its return to the Green Belt would create a stronger, more recognisable boundary in accordance with the NPPF.

Councillors consideration

- 8.17 In making a recommendation as to their preferred spatial strategy, Councillors of the Local Plan Working Group (LPWG) need to consider the evidence presented in Sections 5, 6 and 7 of this paper and the judgements made by officers and, address the above five points of the Calverton case and ultimately, reach a conclusion as to whether or not they consider there are exceptional circumstances which would justify the release of land from the Green Belt.
- 8.18 In addition to considering whether there are exceptional circumstances which would justify Green Belt release (in accordance with paragraph 140 – 142 of the Framework), Councillors will also need to consider whether the application of those policies provides a strong reason for restricting the overall scale, type and distribution of development in the plan area (in accordance with paragraph 11(b)(i) of the Framework); or whether any adverse impacts associated with meeting housing need in full would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (in accordance with paragraph 11(b)(ii)).
- 8.19 For ease of reference for Councillors, paragraph 11 of the NPPF states:
- “plans and decisions should apply a presumption in favour of sustainable development.
- “For plan-making this means that:
- a) Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
 - b) Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the

overall scale, type and distribution of development in the plan area [footnote 6 sets out the national constraints which include Green Belt]; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Footnote 7- The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

Appendix A – Sites to be removed from the Green Belt and allocated for development – Green Belt information

Local / Sub-Area Ref. & Status	Site	Settlement Area	GB Purpose 1 Score	GB Purpose 2 Score	GB Purpose 3 Score	Overall Score (Local Areas only)	Categorisation (Sub-Areas only)	Other comments (Sub-Areas only)
LA-58 (part allocate)	Land north of A309	Long Ditton	Weak	Weak	Weak	Weak	N/A	N/A
LA-70 (allocate)	Imber Court (part release)	Molesey	Weak	Weak	Weak	Weak	N/A	N/A
SA-41 (allocate)	Loseberry Farm	Claygate	Fails	Moderate	Moderate	N/A	Meets Purpose assessment criteria moderately, but the northern part makes a less important contribution to the wider strategic Green Belt. The northern part is recommended for further consideration.	Recommended that the majority of SA-41 is considered further for release, incorporating the identified revision to the southern boundary.
SA-45 (allocate)	Land south of 77 Pleasant Place	Hersham	Strong	Weak	Weak	N/A	Meets Purpose assessment criteria strongly, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-45 and SA-47 (in their entirety) are considered further for release in combination.
SA-47 (allocate)	Land at and south of Burhill School	Hersham	Weak	Weak	Very Weak	N/A	Meets Purpose assessment criteria moderately, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-45 and SA-47 (in their entirety) are considered further for release in combination.
SA-50 (allocate)	Land at Moore Place Golf Club	Esher	Fails	No discernible contribution	Weak	N/A	Meets Purpose assessment criteria weakly, and makes a less important contribution to	Recommended that SA-50 is considered further

Local / Sub-Area Ref. & Status	Site	Settlement Area	GB Purpose 1 Score	GB Purpose 2 Score	GB Purpose 3 Score	Overall Score (Local Areas only)	Categorisation (Sub-Areas only)	Other comments (Sub-Areas only)
							the wider strategic Green Belt. Recommended for further consideration	for release in its entirety.
SA-53 (allocate)	Land West of Slough Farm	Claygate	Fails	Weak	Moderate	N/A	Meets Purpose assessment criteria moderately, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-53 is considered further for release in its entirety.
SA-54 (allocate)	Land south of Lammas Lane	Esher	Fails	Moderate	Weak	N/A	Meets Purpose assessment criteria moderately, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-54 is considered further for release in its entirety.
SA-58 (allocate)	Land East of Telegraph Lane	Claygate	Fails	Weak	Moderate	N/A	Meets Purpose assessment criteria moderately, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-58 is considered further for release in its entirety.
SA-59 (allocate)	Land east of Claygate House	Claygate	Fails	Weak	Very Weak	N/A	Meets Purpose assessment criteria weakly, and makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration	Recommended that SA-59 is considered further for release in its entirety.
SA-68 (part)	Weylands Old	Walton on Thames	Moderate	Strong	No discernible	N/A	Meets the Purpose assessment criteria strongly,	Recommended that the western

Local / Sub-Area Ref. & Status	Site	Settlement Area	GB Purpose 1 Score	GB Purpose 2 Score	GB Purpose 3 Score	Overall Score (Local Areas only)	Categorisation (Sub-Areas only)	Other comments (Sub-Areas only)
(allocate)	Treatment works				contribution		but part of sub-area makes a less important contribution to the wider Strategic Green Belt.	part of SA-68 is considered for further release.
SA-69 (allocate)	Land north of Café Rouge	Esher	Fails	Weak	Weak	N/A	Meets Purpose assessment criteria weakly, and makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration	Recommended that SA-69 is considered further for release in its entirety.
GB51* (allocate)	Hersham Golf Club	Hersham	Weak	Weak	Moderate	N/A	Meets Purpose assessment criteria moderately, but makes a less important contribution to the wider strategic Green Belt. Recommended for further consideration.	Recommended that SA-66 is considered further for release in its entirety.
LA-20 (safeguard)	Chippings Farm & The Fairmile	Cobham	Fails	Weak	Weak	Weak	N/A	N/A
LA-58 (part safeguard)	Land north of A309	Long Ditton	Weak	Weak	Weak	Weak	N/A	N/A

* Incorporates all of SA-66 but the northern boundary is extended north.

Appendix B – The location of sites to be removed / added to the Green Belt through the emerging draft Local Plan

To follow.

Members can see the Borough-wide map in the Members Library (Mod.Gov) for reference.

Appendix C - Sites to be removed from the Green Belt and allocated for development: compensatory improvements

Local / Sub-Area Ref.	Site	Settlement Area	Compensatory improvements
LA-58 (part) (allocate)	Land north of A309	Long Ditton	<p>The landowner of the promoted site indicates that access to the Local Nature Reserve in the northern part of the sub-area could be improved, and a car park provided.</p> <p>The landowner of the promoted site has suggested that development would include new play space and a nature trail.</p> <p>The site is largely greenfield land at present and therefore any form of development would have an urbanising effect. However, the majority of the peripheral trees could be retained, and additional trees and soft landscaping provided as part of a development scheme.</p> <p>The urbanising effect of any development on site could have an impact on the site's existing biodiversity value. Mitigation for such an impact could potentially be provided, and an overall net gain achieved.</p>
LA-70 (allocate)	Imber Court (part release)	Molesey	<p>The Local Area is a weakly performing GB, the removal of which would not affect the performance of the wider strategic GB. Furthermore, the land parcel benefits from defensible boundaries.</p> <p>Draft Local Plan Policy ENV6 expects all new development to contribute to biodiversity net gain within a minimum gain of 10% on all sites and that where it is achievable, a higher net gain will be encouraged.</p>
SA-41 (allocate)	Loseberry Farm	Claygate	<p>The removal of the sub-area would result in a weaker Green Belt boundary; however, an alternative stronger southern boundary has been identified to the north of the stream, comprising an established hedgerow. This alternative boundary defines the northern part of the parcel that makes a less important contribution to the wider strategic Green Belt.</p> <p>Due to the anticipated scale of the development, open public space should be included in the proposals with the opportunity of providing increased access to the countryside beyond including improving connections with the existing public footpath network.</p> <p>Draft Local Plan Policy ENV6 expects all new development to contribute to biodiversity net gain within a minimum gain of 10% on all sites and that where it is achievable, a higher net gain will be</p>

Local / Sub-Area Ref.	Site	Settlement Area	Compensatory improvements
			encouraged.
SA-45 (allocate)	Land south of 77 Pleasant Place	Hersham	<p>The landscape may have relatively greater ability to absorb change although care is still needed in locating and designing such developments within the landscape.</p> <p>The site currently comprises some temporary structures. The development would have the opportunity to tidy up the site and to improve its visual amenities. The development could enhance the adjacent land designated as priority habitat.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>Draft Local Plan Policy ENV6 expects all new development to contribute to biodiversity net gain within a minimum gain of 10% on all sites and that where it is achievable, a higher net gain will be encouraged.</p>
SA-47 (allocate)	Land at and south of Burhill School	Hersham	<p>Although the sub-area meets the purposes criteria weakly and makes less important contribution to the wider strategic GB, its release would result in a weaker Green Belt boundary. However, if considered for release together with the neighbouring sub-area (SA-45) it would strengthen the Green Belt boundary. In conclusion therefore, the consideration of the identified combined areas, the release would strengthen the Green Belt boundary without the impact on the wider strategic GB.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>Draft Local Plan Policy ENV6 expects all new development to contribute to biodiversity net gain within a minimum gain of 10% on all sites and that where it is achievable, a higher net gain will be encouraged.</p>
SA-50 (allocate)	Land at Moore Place Golf Club	Esher	<p>The parcel meets purpose assessment criteria weakly and makes a less important contribution to the wider strategic Green Belt. The sub-area plays a minimal role with respect to the wider Green Belt Local Area and its release would result in a stronger Green Belt boundary.</p> <p>The site will have the opportunity to provide public access through utilisation of the public right of way for both future residents and existing residents of neighbouring residential areas. Particularly if linked to SA-54.</p>

Local / Sub-Area Ref.	Site	Settlement Area	Compensatory improvements
			<p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>In regard to the landscape, the site has been assessed as being subject to moderate-low impact in association with a residential or a mixed-use scheme. As such, there is the opportunity to improve the existing landscape through a well-designed soft landscaping scheme/masterplan.</p> <p>The land is currently in a private ownership and therefore there is limited benefit arising from visual amenities of the area. However, by opening the site for public access, the amenities of the area could be appreciated. The future development would give opportunity to enhance the existing biodiversity in accordance with emerging policies in the draft Local Plan.</p>
SA-53 (allocate)	Land West of Slough Farm	Claygate	<p>Strengthening of the Green Belt boundary to the north would be required to ensure it is readily recognisable and permanent.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>Draft Local Plan Policy ENV6 expects all new development to contribute to biodiversity net gain within a minimum gain of 10% on all sites and that where it is achievable, a higher net gain will be encouraged.</p>
SA-54 (allocate)	Land south of Lammas Lane	Esher	<p>If the land parcel was considered for a release together with SA-50, it would not result in the fragmentation of the strategic Green Belt, but in a stronger Green Belt boundary.</p> <p>The land is currently in a private ownership and therefore there is limited benefit arising from visual amenities of the area. However, by opening the site for public access, the amenities of the area could be appreciated.</p> <p>The site will have the opportunity to provide public access for both future residents and existing residents of neighbouring residential areas. Particularly if linked to SA-50.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p>

Local / Sub-Area Ref.	Site	Settlement Area	Compensatory improvements
			The future development would give opportunity to enhance the existing biodiversity in accordance with emerging policies in the draft Local Plan.
SA-58 (allocate)	Land East of Telegraph Lane	Claygate	<p>The sub-area plays a lesser role in the context of the wider Green Belt. It meets purpose assessment criteria moderately but makes a less important contribution to the wider strategic Green Belt. Sub-area's release would result in a Green Belt boundary of similar strength and permanence to the south; however, this new northern boundary could feasibly be subject to strengthening.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>The future development would give opportunity to enhance the existing biodiversity in accordance with emerging policies in the draft Local Plan.</p>
SA-59 (allocate)	Land east of Claygate House	Claygate	<p>The sub-area meets purpose assessment criteria weakly and makes a less important contribution to the wider strategic Green Belt. Sub-area's release would result in a stronger and more readily recognisable boundary for the Green Belt.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>The future development would give opportunity to enhance the existing biodiversity in accordance with emerging policies in the draft Local Plan.</p>
SA-68 (part) (allocate)	Weylands Old Treatment works	Walton on Thames	The landscape has a moderate-low sensitivity to change arising from residential and mixed-use development. The landscape may have relatively greater ability to absorb change although care is still needed in locating and designing such developments within the landscape. There may be opportunity for mitigation, enhancement and restoration given that operations on the site are currently informally laid out: comprehensive re-development of the western part and restoration of the eastern part of the site could improve the visual amenities of the area.
SA-69 (allocate)	Land north of Café Rouge	Esher	The sub-area is of a semi-urban character. Meets purpose assessment criteria weakly and makes a less important contribution to the wider strategic Green Belt and its removal would not affect the performance of other Green Belt sub-areas or the wider Local Area. Sub-area would result in a weaker Green Belt boundary, however strengthening of the northern boundary could feasibly be carried out.

Local / Sub-Area Ref.	Site	Settlement Area	Compensatory improvements
GB51* (allocate)	Hersham Golf Club	Hersham	<p>As part of a wider development area, the site will provide the opportunity for public access through the provision of a Suitable Alternative Natural Greenspace (SANG).</p> <p>The site has been assessed as being subject to moderate-high impact in association with residential or a mixed use scheme. As such, there is the opportunity to improve the existing landscape through a well-designed soft landscaping scheme/masterplan.</p> <p>The land is currently in a private ownership and therefore there is limited benefit arising from visual amenities of the area. However, by opening the site for public access, the amenities of the area could be appreciated.</p> <p>The future development would give opportunity to enhance the existing biodiversity and the provision of local green space and / or childrens' playspace in accordance with emerging policies in the draft Local Plan.</p>
LA-20 (safeguard)	Chippings Farm & The Fairmile	Cobham	<p>The site will have the opportunity to provide public access through utilisation of the network of public right of way for both future residents and existing residents of neighbouring residential areas.</p> <p>Due to the scale of the proposed development and in accordance with emerging policies in the draft Local Plan, the site would be required to provide local green space and / or children play space.</p> <p>The future development would give opportunity to enhance the existing biodiversity in accordance with emerging policies in the draft Local Plan.</p>
LA-58 (part) (safeguard)	Land north of A309	Long Ditton	<p>The site is largely greenfield land at present and therefore any form of development would have an urbanising effect. However, the majority of the peripheral trees could be retained, and additional trees and soft landscaping provided as part of a development scheme.</p> <p>The development of the remainder of LA-58 can be linked with any development that has taken place previously including creating a network of accessible walking / cycling routes up to the Local Nature Reserve.</p> <p>The urbanising effect of any development on site could have an impact on the site's existing biodiversity value. Mitigation for such an impact could potentially be provided, and an overall net gain achieved.</p>

