

Woodcote (Epsom) Residents Society response to the Regulation 19 public consultation

Chapter 4 relating to the Site Allocations policies approach

Do you consider the document is Legally Compliant?

Yes

Do you consider the document is Sound?

No

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as concise as possible.

Woodcote (Epsom) Residents' Society considers that the approach to site allocations is not an appropriate strategy and accordingly is not justified and unsound. This is because the guidance for some of the individual site allocations is too prescriptive and overly influenced by recent planning permissions or applications submitted for some of these sites. The purpose of site allocation guidance is to provide clarity to developers but not a straightjacket. There needs to be sufficient flexibility to accommodate changes in market conditions or site ownership with alternative developer preferences.

An example of the over prescriptive approach is with SA30 where the guidelines merely repeat the details of a permission granted on appeal in 2021 but which is almost certainly not proceeding with an alternative developer for the site being sought.

Please set out the modification (s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identifies above (please note that non-compliance with duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification (s).

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Woodcote (Epsom) Residents' Society suggest that paragraph 4.3 should be amended or a new paragraph inserted to emphasise that the Site Allocations broadly prescribes the development that will be permitted on a particular site. Indicative residential capacities should be given and sites allocated for 'residential C3 or C2' not, for example, just for 'extra care accommodation C2'. Relevant planning history can be separately listed but this should not dictate precisely what the site is allocated for.

With sites such as SA30 rather than the prescribed use as described this should state 'an indicative capacity of 300 residential units of C2 or C3 and a Class E community facility'.

Regulation 19 Built and Natural Environment Policy S11 -

Policy S11

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Woodcote (Epsom) Residents Society considers that the Policy S11 fails to provide a clear design vision and maximum clarity about design expectations reflecting local characteristics, styling and local aspirations. Accordingly, it is considered that the policy, especially in the absence of or commitment to any local design codes, is inadequate to meet the requirements set out in Chapter 12 of the NPPF (2024) for achieving well-designed places. The policy is an inadequate strategy, not justified and unsound.

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The policy needs to be much more explicit about what constitutes high quality and appropriate design. This requires explicit criteria about:

Making a positive contribution to local character and distinctiveness;

Respecting existing townscape and landscape;

Spacing between buildings, building lines and heights of buildings;

Materials and architectural detailing;

Minimising the visual impact of parking, bin storage and utilities;

Safe and attractive access points.

Regulation 19 Infrastructure Policy DM19 - Open Space, Sport and Recreation

Policy DM19 (6) relating to Local Green Space

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No

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Woodcote (Epsom) Residents' Society [W(E)RS] considers that the designation of certain sites as Local Green Spaces on the Policies Map has failed to either include or consider additional sites that meet the criteria set out in paragraph 107 of the NPPF (2024). Moreover, there has been no public consultation on the Local Green Space Study document (2024) that has informed the selection of the designated Local Green Space sites on the Policies Map thereby undermining the determination of sites under criterion (b) of paragraph 107 of the NPPF that such sites are 'demonstrably special to a local community'.

W(E)RS accordingly considers the designation of Local Green Spaces is an incomplete strategy, not justified and unsound.

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W(E)RS represents the local community within the Woodcote & Langley Vale ward of the Borough. Our committee has carefully reviewed and assessed open spaces within the ward against the Local Green Space designation criteria and considers that the following sites should also be included:

The natural and semi natural copse between Hambledon Hill and Hambledon Vale. The LGS Study claims that it does not meet any particular criteria. That is incorrect. It is very special to residents on the Woodcote estate as this high-quality greenspace within the centre of the estate provides an important green corridor between the Millenium Green and the RAC Country Golf club and is rich in bio-diversity providing habitat for deer, badgers, birds and other wildlife. It provides a tranquil space at the heart of the estate, and is visually attractive with a range of different mature tree species, shrubs and glades on the slope between the two streets. The LGS study claims that the area TPO provides sufficient

protection but again that is incorrect. The site owners have failed to engage with the Society or the Epsom and Ewell Tree Advisory Board in replacing trees that have decayed and the area is regrettably subject to benign neglect. LGS status will help protect this area of special importance to the local community.

The woodland and pond area to the west side of Woodcote End, also known as Upper Woodcote Green. This area, an important green corridor, was not even included in the Open Space Audit or LGS Study and yet it is of particular importance to the local community because of its beauty, tranquillity and historic importance. Similar to 1 above this area is subject to a TPO but again trees have decayed and not been replaced through management neglect. This area needs effective protection through LGS designation. It lies on the edge of the Chalk Lane Conservation Area and as the Conservation Area Appraisal emphasises it helps reinforce the special rural quality of the Conservation Area next to the historic Durdans estate.

Epsom Sports Club, Woodcote Road otherwise known as the Francis Schnadhorst Memorial Ground. Again, this area was not included in the Open Space Audit or LGS Study notwithstanding its significance to the local community both as a recreational facility, historic significance, tranquillity and contribution to the local townscape with views in and around the site. Epsom Sports Club is a registered charity that has been running for over 100 years at Woodcote Road. It's objectives are to: promote community participation in healthy recreation by providing sporting facilities; provide recreational facilities for disadvantaged people in the local community; and improve awareness of the benefits of participation in recreational activities and provide appropriate coaching and training. The sporting facilities and grass pitches are used by Epsom cricket club for men, women and juniors, a thriving croquet group, hockey, frisbee and a tennis section including sessions for individuals with special needs. The Sports Facilities Assessment study recommends that protecting existing tennis courts through the Local Plan will be key both to securing local provision by ensuring that planning policy supports the retention of existing facilities. LGS designation will help secure this.

Epsom and Ewell Local Plan - Regulation 19 Built and Natural Environment Policy S12

Paragraphs 7.5-7.9 and Policy S12.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as concise as possible.

Woodcote (Epsom) Residents Society considers that Paragraphs 7.5- 7.9 and Policy S12 fail to ensure the provision of well-designed and functional external amenity space for future occupants of developments in accordance with the provisions and advice in paragraphs 130-132 of the National Design Guide and paragraph 135(f) of the NPPF 2024. Accordingly, it is considered that Policy S12 is adequate to meet the requirements set out in Chapters 8

and 12 of the NPPF (2024) for achieving well-designed places. The policy is an inadequate strategy for delivering acceptable levels of external amenity space, not justified and unsound.

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There should be an additional criterion under Policy S12 to ensure the provision of adequate and appropriate external private or communal amenity space. It needs to be functional, safe, orientated to take account of the need for sunlight or shading and of a sufficient size to meet the needs of the likely number of occupiers especially where family housing with young children is involved. The need for adequate external amenity space is enhanced through more people working from home and the inevitably of future covid related epidemics. It is suggested that this either requires specifying minimum private garden lengths of 10m in all relevant layouts ((not just an expectation of this between facing rear elevations as specified in paragraph 7.7) or minimum areas for private external amenity space related to the size of dwellings.

Another criterion under Policy S12 is the need to ensure a sense of enclosure whilst also providing an adequate outlook.