



Elmbridge
Borough Council

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**Elmbridge Local Plan:
Duty to Cooperate Scoping Statement**

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(minor amendments Sept. 2016)**

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1. Introduction

- 1.1 As part of a local authority's plan preparation the Government requires constructive and active engagement with relevant bodies, as part of an on-going process, to maximise effective working on the preparation of Local Plans in relation to strategic matters.
- 1.2 As strategic matters are driven by larger than local issues and the actions of people, businesses and services extend beyond administrative boundaries, the Government's '*duty to cooperate*' is considered to be the mechanism by which strategic issues are planned for at local level in the absence of Regional Spatial Strategies.
- 1.3 The publication of the Government's National Planning Policy Framework (NPPF) (March 2012); National Planning Practice Guidance (NPPG) (March 2014)¹ and the examination of other local planning authority's Local Plans emphasise the importance of the duty. In particular, the following key messages are emerging:

Key Duty to Cooperate Messages:

- the duty is not a process driven '*tick box*' exercise. Instead, local planning authorities should focus on the outcomes and maximising the effectiveness of their plans.
- the duty extends to the preparation of all evidence base documents that feed into the Local Plan – not just the plan itself.
- consultation alone is not sufficient and a lack of response to a statutory consultation should not automatically be taken as another local authority or prescribed body agreeing that there are no strategic matters or that they have been sufficiently addressed.
- the duty is a legal requirement throughout the Local Plan preparation process. Once submitted the preparation of the plan formally stops. It cannot be retrospectively applied.
- the requirement for constructive and effective engagement also applies beyond the process of preparing a Local Plan e.g. the requirement for monitoring and continued joint working should be identified and implemented.
- having an adopted Local Plan is not sufficient justification for a local authority to refuse to work with and engage constructively with another local authority². Particularly, where there is evidence to suggest that a strategic matter exists.

¹ National Planning Policy Framework & National Planning Practice Guidance - <http://planningguidance.planningportal.gov.uk/blog/policy>
<http://planningguidance.planningportal.gov.uk/blog/guidance/>

² Local planning authorities are required under section 13 of the 2004 Planning Act to keep under review the matters that may be expected to affect the development of their area or the planning of its

- 1.4 In complying with the duty to cooperate, Government Guidance recommends that local planning authorities ‘scope’ the strategic matters of the Local Plan document at the beginning of the preparation process taking account of each matters ‘*functional geography*’ and identify those local authorities and prescribed bodies that need to be constructively and actively engaged. Guidance also recommends that consideration is giving to preparing joint-evidence base documents, Local Development Documents and aligning the examination of Local Plan documents.

The Purpose of this Statement

- 1.5 As recommended by Government Guidance, the Council has prepared this Scoping Statement as part of the background work required to prepare the Elmbridge Local Plan. It has been produced to assist the Council in meeting its duty to cooperate and ensure that the effectiveness of its planning policies are maximised.
- 1.6 Assisting the Council in meeting the duty, the Scoping Statement serves four key functions:

The functions of this Scoping Statement:

- it ensures that the Council, from the outset of its plan preparation, has formally established what it considers to be the strategic matters and issues that could have a significant impact on two or more planning areas. This includes the identification of those authorities and prescribed bodies that the Council will need to engage and work with to seek to address the issues and how and when it intends to do this.
- it provides the opportunity for other local authorities and prescribed bodies to highlight strategic matters that they consider relevant to the preparation of the Elmbridge Local Plan, which have not been identified. This includes whether amendments need to be made to the list of local authorities and prescribed bodies that the Council intends to engage with on each strategic matter, and how and when it intends to do this.
- it forms the basis of an agreed approach and commitment from Elmbridge Borough Council in how it will discharge its duty to cooperate on strategic matters and issues as far as they relate to the preparation of Local Plan documents.
- it provides a framework for future engagement whereby the Council will limit its consultation on duty to cooperate matters to the identified and agreed strategic issues and relevant local authorities and prescribed bodies. The Council will also specifically identify the issues that each local authority and/or prescribed body needs to consider and respond to when consulting on Local Plan documents. This should reduce and help future resource requirements for all local authorities and prescribed bodies throughout the preparation of the Elmbridge Local Plan³.

development. These matters include physical, economic, social and environmental characteristics, size, composition and distribution of the population, and communications, transport and traffic.

³ Whilst the Council will seek to reduce the need to proactively work with and engage other local authorities, prescribed bodies, and other interested parties to only those issues where there is a cross-boundary strategic matter, during the formal consultation stages of the Plans e.g. Preferred Approaches and Pre-Submission, the Council is still required to notify

1.7 Divided into a number of sections, this Scoping Statement:

- summarises the legislative framework and national guidance in relation to the duty to cooperate;
- identifies the development plan documents being prepared as part of the Elmbridge Local Plan;
- provides an overview of the strategic planning context for Elmbridge Borough including adjoining local authorities and prescribed bodies that the Council may need to constructively engage with; and
- sets out the scope of the Elmbridge Local Plan and the strategic matters that the Council has identified, who it considers needs to be constructively engaged with and how and when it is proposes to do so.

Consultation & Amendments

1.8 To ensure that the Council is taking the correct approach to meeting its duty to cooperate throughout the preparation of the Elmbridge Local Plan, we invited comments on this Scoping Statement between **24th November 2014 and 22nd December 2014**.

1.9 As part of the consultation the Council sent a covering letter and electronic / hard copy of the Scoping Statement to all:

- prescribed 'duty to cooperate' bodies as defined in the Town & Country Planning (Local Planning) (England) (Regulations) 2012; and
- public bodies and local authorities who the Borough Council considered that it will need to work with to address potentially significant cross-boundary and strategic matters.

1.10 The Council also shared the Scoping Statement with a number of infrastructure providers and other interested parties e.g. Defence Estates, who whilst are not prescribed 'duty to cooperate' bodies, will play an instrumental part in ensuring that there is sufficient infrastructure capacity to accommodate new development or that mitigation measures are identified in order for the Council to deliver its planning strategy.

1.11 When responding to the consultation, respondents were asked to focus on the following questions:

all those listed that the Plans are available to comment on. This requirement is set out in the Town and Country Planning (Local Planning) (England) (Amended) Regulations 2012.

Consultation Questions:

1. Has the Council correctly identified the strategic matters and those which could have a significant impact on at least two planning areas as part of the preparation of its Local Plan documents?
2. Has the Council correctly identified the relevant authorities, prescribed bodies and other consultees that it needs to proactively engage and work with to maximise the effectiveness of its planning policies in regards to each strategic matter?
3. Where there are existing processes in place to consider/address strategic matters and those which could have a significant impact, are these sufficient?
4. Do you support the Council's intended approach and timetable for engaging with the identified local authorities, prescribed bodies, and other consultees?

1.12 Details of the comments and how they have been taken into account in the preparation of this Scoping Report can be found in Appendix A.

1.13 Comments made on the draft Scoping Statement for Settlement ID Plans in February / March 2014 have been taken into account in preparing this Statement e.g. the addition of other duty to cooperate bodies. Full details of the previous consultation can be viewed on the Council's website – www.elmbridge.gov.uk/planning/policy

2 Legislative Framework & National Guidance

- 2.1 Section 110 of the Localism Act 2011 makes a number of amendments to the Planning and Compulsory Purchase Act 2004. The principal change is the placing of a legal duty on local planning authorities to co-operate with one another; county councils and other prescribed bodies to maximise the effectiveness within which certain activities are undertaken as far as they relate to a *'strategic matter'*.
- 2.2 Paragraph 33A of the Planning and Compulsory Purchase Act (as amended) states that **'certain activities'** include:
- the preparation of development plan documents;
 - the preparation of other local development documents; and
 - activities that can reasonably be considered to prepare the way for the preparation of the above two points.
- 2.3 For the purpose of the Government's duty to cooperate, **'strategic matters'** relate to **sustainable development or the use of land that has or would have a significant impact on at least two planning areas**, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas. Strategic matters also include sustainable development or use of land in a two-tier area if the development or use is a county matter e.g. minerals, waste, education, or has or would have a significant impact on a county matter.
- 2.4 The duty imposed on local planning authorities requires the Council to engage constructively, actively and on an on-going basis in any process by means of which the activities listed above are undertaken. The engagement required by local authorities will vary depending on the nature of the issues being addressed. These can range from consulting on an issue through to the development of a joint local development document.
- 2.5 Further Government guidance on the duty to cooperate is set out in paragraphs 178 to 181 of the National Planning Policy Framework (NPPF) (March 2012) and the NPPG. Paragraph 178 of the NPPG states:
- "Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the **strategic priorities** set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities".*
- 2.6 Strategic priorities which local planning authorities should seek to deliver as part of the Local Plan are:
- homes and jobs needed in the area;
 - the provision of retail, leisure and other commercial development;

- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.

2.7 As part of the examination process of a plan, local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

2.8 Failure to meet the duty to cooperate will:

- lead to less sustainable development and/or plans being found '*unsound*';
- reduce the ability to deliver infrastructure and inward investment; and
- undermine confidence in the ability of councils to deliver growth and development.

2.9 The duty to cooperate is the first thing that the Planning Inspectorate (PINS) will look at during the examination of the Local Plans. They will need to see sufficient evidence to demonstrate that the duty has been undertaken appropriately for the plan being examined. The evidence presented should be:

- succinct;
- flow from the issues that have been addressed jointly; and
- highlight the practical policy outcomes that have resulted.

2.10 A '*tick box*' approach or a collection of correspondence will not be sufficient. Local authorities will need to show how the duty is being taken forward on an on-going basis through the Authorities Monitoring Report (AMR).



3 The Planning Policy Context

The Borough of Elmbridge

- 3.1 Elmbridge is a Surrey borough located in the prosperous South East region, approximately 17 miles south west of Central London. Located almost entirely within the bounds of the M25 motorway, the River Thames forms the northern boundary of the borough separating Elmbridge from the London Borough of Richmond-upon-Thames. To the east is the Royal Borough of Kingston-upon-Thames. The remainder of the Borough's boundary is shared with the Surrey boroughs of Guildford, Runnymede, Spelthorne and Woking and the district of Mole Valley.
- 3.2 Covering just over 9,634 hectares (37.2 square miles), Elmbridge is home to approximately 130,000 residents living across the vibrant towns of Walton-on-Thames and Weybridge; the suburban settlements of Esher, Hersham, East and West Molesey, Hinchley Wood and the Dittons; the rural fringe area of Cobham, Oxshott, Stoke D'Abernon and Downside; and the suburban village of Claygate.



- 3.3 Elbridge's settlements are surrounded by the Metropolitan Green Belt which covers 57% of the land in the Borough and, in part, contributes to the area's high quality environment alongside land designated as public open space. The Green Belt straddles the boundaries of several adjoining boroughs, which are all committed to its continued protection and enhancement. Within the Green Belt lies the Thames Basin Heaths Special Protection Area (SPA), which all host boroughs have committed to protect and deliver a strategic package of measures to mitigate the potential adverse effects of new development on the SPA in order to protect its ecological integrity.
- 3.4 Elbridge benefits from good road and rail accessibility to Central London via the M25 and A3, and is situated within easy reach of both Heathrow and Gatwick airports. The M3 is located to the north west of the Borough. Coupled with good passenger rail links to central London, the Borough's transportation network has proved attractive to a wide variety of individuals and businesses. Thus, the local economy is comparatively strong and unemployment is low. Commuting still plays a significant part for much of the workforce, with both radial and orbital journeys into London and around the region.
- 3.5 The average median gross weekly pay for Elbridge residents is higher than for those who work in Elbridge, indicating that a considerable number of residents commute to highly-paid jobs within Greater London. The population of the area is relatively affluent and highly skilled and this, alongside the quality of the environment and ease of access to London, has resulted in property prices that reflect those of London to the north rather than those of the rest of Surrey. Excluding the Greater London region, Elbridge has the highest average house prices in the country by Local Authority⁴ and is noted for its very high quality of life⁵.
- 3.6 Beneficial features of Elbridge do however, bring disadvantages such as a strong demand for housing and some of the highest house prices outside of London; high levels of commuting particularly towards London; and high land values.
- 3.7 Elbridge is within a two-tier area, with Surrey County Council providing public services such as education, highways and social services.

The Elbridge Local Plan

- 3.8 Elbridge Borough Council is in the process of replacing the current Replacement Borough Local Plan 2000 with a new Local Plan which will take the form of an individual portfolio of documents.
- 3.9 In July 2011, the Council adopted its Core Strategy, the key document of the Elbridge Local Plan. The Core Strategy sets out the overarching spatial strategy for the Borough, ensuring the coordination of planning for development and infrastructure during the period 2011 and 2026.

⁴ Source: http://news.bbc.co.uk/1/shared/spl/hi/in_depth/uk_house_prices/html/43ub.stm

⁵ Source: http://www.lloydsbankinggroup.com/media/pdfs/halifax/2012/2212_QualityofLife.pdf

- 3.10 Following the adoption of the Core Strategy, the Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule and a number of SPDs which provide more details on the implementation of some of the policies contained within the Core Strategy. This includes the:
- Developer Contributions SPD; and
 - Design and Character SPD.
- 3.11 The Council's main focus has however, been on the preparation of the Development Management Plan and its Settlement Investment and Development (ID) Plans. Submitted for independent examination in June 2014, the Development Management Plan is going through the final stages of the planning process. It includes detailed day-to-day policies against which planning applications and enforcement action will be assessed. Once adopted it will form part of the Elmbridge Local Plan, replacing a number of policies contained within the previous Elmbridge Borough Replacement Local Plan 2000.
- 3.12 The purpose of the Settlement ID Plans is to support the delivery and management of development that provides for the required level of growth, as set out in the Core Strategy, and that can be supported by improved infrastructure and services. Prepared for each of the Borough's eight settlement areas, each plan would identify where appropriate:
- sites to be **designated** – protecting sites in their current use so that they are not lost to alternative forms of development/redevelopment.
 - sites to be **allocated** – identifying sites for future development/redevelopment for uses such as housing and mixed use facilities.
- 3.13 Infrastructure needs would also be identified in the ID Plans and be prioritised in line with the delivery of new development in an area, together with an assessment of its impact and the aspirations of the local community.
- 3.14 In April 2013, the Council published the ID Plans for an initial 'issues and options' consultation. Following the close of the consultation, the Council considered the responses received, proposing amendments where appropriate to be incorporated into the next iteration of the Plans i.e. the 'preferred approaches' plans. Additional evidence base documents were also being prepared to ensure that the policies contained within the Plans were robust, credible and justified in accordance with national policy.

The Changing Direction of Planning Policy

- 3.15 A draft Local Development Scheme (LDS) was prepared at the beginning of 2014 setting out a revised timetable for the publication of the preferred approaches version of the ID Plans for public consultation. However, prior to its publication a number of local authorities' plans were challenged in light of the NPPF and how it was being implemented. Concern was expressed that Plans, such as Settlement ID Plans, that sought to deliver the housing targets

within Core Strategies adopted prior to the publication of the NPPF in March 2012, were out of date.

- 3.16 This caused many local authorities, including Elmbridge Borough Council, to reconsider their position as to whether their Core Strategies still represented the most appropriate planning framework for their local authority area on which to base any future plans. The key concern was that such plans face considerable risk of being found 'unsound' at examination purely on the basis that they seek to deliver a housing target that is based on a pre-NPPF plan and evidence base. In particular, that the housing target is not based on an up-to-date assessment of housing need.
- 3.17 Whilst the Council was in a unique position of having consulted on a local housing target, the evidence and assumptions used in setting that target were all pre NPPF and prior to the duty to co-operate. The Council also assumed at the time that the Green Belt was 'off limits' but had no detailed work supporting why this should be the case.
- 3.18 On the basis of these recent decisions it was considered by the Council that it would become increasingly difficult to argue that our housing target conforms to the NPPF. It was considered likely that both developers and neighbouring authorities would challenge our plans on the fact that they are based on pre-NPPF housing targets and evidence, and therefore do not seek to meet objectively assessed needs within the wider area.
- 3.19 A decision was therefore taken at the Council meeting on 1st October 2014, to stop the preparation of Settlement ID Plans and start to review the evidence base supporting the housing targets set within the Core Strategy. The review of the evidence base will lead to one of two possibilities:
- the Council is able to confirm that the housing targets set within the Core Strategy remain appropriate having considered the latest evidence on housing needs; constraints limiting development within the Borough; and working with neighbouring authorities; or
 - the Council will need to amend its housing targets in light of the most up to date evidence which will require a partial/full review of the Core Strategy and potential new Local Plan.
- 3.20 The decision to review the evidence base effectively brings forward work that is inevitable but avoids the costs of preparing the Settlement ID Plans that are likely to be found unsound unless the evidence is reviewed and supports their continued preparation. The option to review enables the Council to begin preparing the necessary evidence to ensure conformity with the NPPF and provides greater certainty to local decision makers.
- 3.21 The LDS 2014-2017 therefore represents a significant shift away from the preparation of the documents identified in the previously adopted LDS for the period 2011 – 2014. Work on the Settlement ID Plans has been put on hold in order to take forward a review of the evidence base. A decision is expected to be made towards the end of 2015 as to how the Council intends

to move forwards with its Local Plan preparation i.e. the continuation of the ID Plans or a partial/full review of the Core Strategy and the preparation of a new Local Plan. Following a decision, a revised LDS will be published setting out the next steps in the process. Until then the LDS 2014-17 sets out an interim timetable up to 2015/2016 focussed on the review of the evidence base.

- 3.22 This Scoping Statement seeks to identify those strategic issues and challenges of relevance to the preparation of the Local Plan with a particular focus on the review of the evidence base in the short term (until October 2015). The Statement will be updated following this work and once a decision has been made as to how the Council intends to move forward with its Local Plan.
- 3.23 The Council still remains committed to giving local people much more control over the way in which their local areas develop. Elmbridge remains committed to 'rolling out' localism, and will continue to take steps to engage local people and enable them to have a greater influence on local decisions.

Evidence Base Review Update – September 2016

- 3.24 The outcomes of the evidence base are now available and it is evident from the review that a new local plan setting out the strategic direction for development in the Borough, including allocations and designations, should be produced. In particular, the new plan will set out the Council's approach to meeting its Objectively Assessed Need for housing as far as possible and establishing a housing target for the Borough up to 2035 that seeks to meet needs whilst also taking account of the significant constraints that are present within the Borough.
- 3.25 On 14th September 2016, the Council adopted a new Local Development Scheme that sets out the work programme up to 2019⁶. This sets out the timetable for the preparation of a new Local Plan.
- 3.26 It is proposed that a Strategic Options Consultation commence in December 2016. This consultation will seek views on the options for meeting development needs and in particular, will identify the Council's preferred option for a new spatial strategy against which new development targets will be established. Once this consultation is complete, it is proposed that this Scoping Statement be updated to reflect the strategic issues that need to be addressed as part of the preparation of a new Local Plan. This will take account the evidence base documents but also the responses from the consultation and in particularly those from our neighbouring authorities and other prescribed bodies.

⁶ Local Development Scheme 2016 – 2019: <http://www.elmbridge.gov.uk/planning/local-plan/>



4 Elbridge's Duty to Cooperate

Strategic Matters & Cross Boundary Implications

- 4.1 Satisfying the duty-to-cooperate when preparing the Elbridge Local Plan requires the identification of strategic matters with possible cross-boundary implications that may arise during their preparation. This includes issues which may occur during 'associated activities' such as the preparation of evidence base documents.
- 4.2 Set out below are the strategic matters (challenges and issues) with possible cross-boundary implications which will need to be addressed as part of the preparation of the Elbridge Local Plan. These have been summarised below under the strategic priorities identified in paragraph 156 of the NPPF. They are then examined individually in Section 5 of this Scoping Statement insofar as how the Council intends to address each issue in regard to its duty to cooperate. This currently focuses primarily on those activities taking place between October 2014 and October 2015, following which this Statement will be reviewed and updated to reflect any decision on how the Council intends to move forward with its Local Plan.

Homes and Jobs

- seek to meet the need for new homes across our housing market area;
- the provision of new pitches for Gypsies, Travellers and Travelling Showpeople to meet identified need;
- the protection of employment land of strategic importance; and
- the identification of other existing employment sites which could be redeveloped to provide for alternative land uses such as housing and mixed use development.

Climate Change, Conservation and Enhancement of the Natural and Historic Environment

- the identification and protection of the regional network of open space and local green space; and
- review the boundaries of the Green Belt to identify whether all land continues to fulfil its fundamental aim and meet the five key purposes
- the continued protection of the Thames Basin Heaths Special Protection Area (SPA) through the agreed mitigation strategy which included the provision of Suitable Accessible Natural Greenspace (SANGs).

Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk

- ensure new development is directed to areas with the lowest probability of flooding but where development is necessary, making it safe without increasing flood risk elsewhere, through the provision of mitigation measures and flood risk management infrastructure
- ensure that the impacts on the network of infrastructure within the borough and that used by our residents located outside of the borough e.g. hospitals, has capacity to accommodate the increased demand from new development or that mitigation measures are identified where appropriate.

Provision of Social and Cultural Infrastructure

- ensure the delivery of sufficient school places to meet needs of a growing school age population which is recognised as a key barrier to growth in the area.

The provision of retail, leisure and other commercial development

- ensure the provision of retail, leisure and other commercial development to meet identified need taking account of any proposed developments in nearby commercial centres.

Defining Elmbridge's Duty to Cooperate Bodies

Local Planning Authorities

- 4.3 In order to maximise the effectiveness of its plan making, the Localism Act 2011 places a duty on the Council to co-operate with other Local Planning Authorities on cross-boundary strategic planning issues that could significantly impact on both their planning areas.
- 4.4 Examples, from other local authorities are that the duty has been interpreted to mean that all neighbouring boroughs and districts that share a border should be engaged with as part of each consultation stage. In the case of Elmbridge this would result in the Council engaging with:
- Guildford Borough Council.
 - Mole Valley District Council.
 - Richmond upon Thames (London Borough).
 - Royal Borough of Kingston upon Thames (London Borough).
 - Runnymede Borough Council.
 - Spelthorne Borough Council.
 - Surrey County Council.
 - The Greater London Authority / Mayor of London.
 - Woking Borough Council.

- 4.5 Whilst the NPPF states that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, this does not necessarily mean that only those local authorities listed above should be engaged. By only engaging with adjoining authorities the Council runs the risk of not addressing certain cross-boundary strategic issues which impact on authorities wider than those simply adjoining the borough's boundary. For example, flooding; flood risk and; housing market areas are cross-boundary issues which impact on local authorities far wider than those adjoining authorities. In addition, just because a local authority neighbours the borough boundary does not mean that they automatically share a strategic issue with Elmbridge Borough.
- 4.6 In the process of ensuring that the Council proactively engages and works with the appropriate local authorities, each of the strategic planning issues has been fully explored and it's geographically function assessed. This information has been set out in Section 5 of this Scoping Statement.

Prescribed Bodies

- 4.7 As part of its plan-making preparation and the duty to cooperate, the Council is also required to cooperate with a list of bodies which has been prescribed by the Government⁷. They comprise:

- Clinical Commissioning Groups (CCGs)⁸
- English Heritage
- Environment Agency
- Highway Authorities
- Highways Agency
- Integrated Transport Authorities
- Marine Management Organisation
- Natural England
- The Civil Aviation Authority
- The Homes and Communities Agency
- The Mayor of London / Greater London Authority
- The National Health Service Commissioning Board
- The Office of the Rail Regulator
- Transport for London

- 4.8 In addition to those planning authorities and prescribed bodies listed above, the Council is required to proactively engage with other partnerships as part of the preparation of the Elmbridge Local Plan. These include:

- Local Enterprise Partnership – M3 Enterprise / Upper M3⁹.

⁷ Regulation 4 of Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁸ Established under Section 14D of the National Health Service Act 2006.

⁹ Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty. But local planning authorities and the public bodies that are subject to the duty must cooperate with Local Enterprise Partnerships and Local Nature Partnerships and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making.

- Local Nature Partnership – Surrey (c/o Surrey Wildlife Trust).
- London Nature Partnership – London

4.9 As with the neighbouring and other local authorities, the Council only intends to proactively engage and work with those prescribed bodies and partnerships where their organisations remit covers particular strategic matters. As the Council prepares its Local Plan it may be the case that additional local authorities and/or prescribed bodies need to be engaged with as a strategic matter emerges and in response to consultations on the draft Plans. The list of local authorities will therefore be subject to regular review.

Existing Mechanisms

4.10 The Council has a strong history of engagement and partnership working with other authorities, stakeholders and public bodies. It is presently involved with several working groups and partnerships, some of which were established before the formal duty to cooperate came into existence through the Localism Act 2011.

4.11 Partnership working and co-operation on key issues is embedded in the way plans are prepared by Elmbridge and across Surrey. There are a range of strategic partnerships and working groups in operation that provide the necessary forums for discussion on strategic matters and issues of duty to cooperate. These include:

- East Surrey Local Plan Working Group (Elmbridge, Epsom & Ewell, Mole Valley, Reigate & Banstead, Tandridge).
- Lower Thames Planning Officers Group.
- Surrey Planning Working Group (PWG).
- Thames Basin Heaths Joint Strategic Partnership Board.
- The Elmbridge Community Partnership Board (ECP).
- The Enterprise M3 Local Economic Partnership (EM3).
- The Surrey Planning Officers Association (SPOA).
- Transport for Surrey.
- Strategic Spatial Planning Officer Liaison Group (London/Wider South East)

4.12 In some instances it may be acceptable to continue to discuss strategic matters through existing mechanisms. However, it is accepted that other mechanism will need to be established and new local authorities; prescribed bodied; and other organisations will need to be proactively engaged based on the functioning geography of the strategic matter. The mechanisms the Council proposed to employ are set out in Section 5 of this Scoping Statement. This will be reviewed as appropriate.

4.13 The Council also acknowledges that in discharging its duty to cooperate, it may be necessary for its Councillors and those of other local authorities to become more heavily engaged in the process. However, this will be dependent on the strategic matters being discussed and whether an officer is permitted to 'sign-

off' on behalf of the Council any commitments, agreement, or actions to be undertaken.

- 4.14 At the moment such undertakings in regards to each of the strategic matters have not been identified. However, this is a potential future mechanism under which the Council may need to partake.

Surrey Local Strategic Statement

- 4.15 Following a meeting in March 2014 attended by the Leaders, Planning Chairman/Portfolio holders, Chief Executives and Heads of Planning from all of the Surrey Districts and Boroughs and the County Council, a resolution was reached to move forward with a joint partnership and document, the Local Strategic Statement, to allow County wide priorities and opportunities to be identified as a way to assist in meeting the duty to co-operate. It was also considered essential that the opportunity was taken from this same partnership to ensure a single, collaborative voice exists within Surrey to manage the relevant relationships with our neighbours, and in particular London
- 4.16 A draft Memorandum of Understanding, Terms of Reference for a Surrey Strategic Planning and Infrastructure Partnership - which consists of the Leaders of the Surrey Councils - and a paper describing the scope, goals and timetables for the Local Strategic Statement itself, were produced. These were considered by Surrey Leaders Group at their meeting of 16th July 2014, where they were unanimously agreed in principle for individual adoption and action. The Council's Cabinet agreed these for adoption at its meeting on 19 November 2014.

5 The Elmbridge Local Plan and the Duty to Cooperate

Strategic Issues & Cross-Boundary Working

- 5.1 Building on the overview of strategic matters set out in the previous section and the generic list of duty to cooperate bodies and existing mechanisms for engagement, the following section provides a detailed assessment of each of the strategic matters that are to be addressed when preparing the Local Plan. This includes:
- why the Council considers the matter to be strategic with the potential to significantly impact on two or more planning areas;
 - the planning authorities, prescribed bodies and other consultees that could be impacted by the strategic matter and who the Council needs to proactively engage and work with; and
 - how and when the Council intends to proactively engage and work with other planning authorities, prescribed bodies, and other consultees to seek to address the strategic matter.
- 5.2 This information is presented in a series of tables under each of the Government's strategic priorities from page 28 onwards.
- 5.3 A summary table (Table 1) has also been provided identifying the strategic matters and which local authorities and prescribed bodies the Council considers that it needs to proactively engage and work with. It should be noted that the Council does not intend to engage with all prescribed bodies listed by the Government as in some cases it is not considered that their remit covers a particular strategic issue which is relevant to Elmbridge e.g. Marine Management Organisation.
- 5.4 Table 2 summarises those other consultees who are not local authorities or prescribed bodies but which have a role to play in assisting the Council in addressing relevant strategic matters.

Table 1: Strategic Matters & Duty to Cooperate Bodies

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk	Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development	
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Bracknell Forest Borough Council							✓				
Civil Aviation Authority											
English Heritage											
Enterprise M3 (Local Economic Partnership)	✓		✓			✓	✓	✓	✓		✓
Environment Agency								✓	✓		
Epsom & Ewell Borough Council	✓	✓				✓					
Guildford Borough Council	✓	✓		✓		✓	✓	✓	✓	✓	✓
Hampshire County Council							✓				
Hart District Council							✓				

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk		Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Highway Authorities – Surrey County Council	✓	✓	✓			✓		✓	✓		
Highways Agency	✓	✓	✓			✓		✓		✓	
Homes and Communities Agency	✓					✓					
Integrated Transport Authorities											
<i>Local Nature Partnership – London</i>				✓	✓		✓		✓		
Local Nature Partnership – Surrey				✓	✓		✓		✓		
London Borough of Merton	✓	✓				✓					
London Borough of Richmond Upon Thames	✓	✓		✓	✓	✓		✓	✓		
Marine Management Organisation											

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk	Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development	
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Mayor of London (Greater London Authority)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mole Valley District Council	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Natural England							✓				
North West Surrey Clinical Commissioning Group								✓			
Office of Rail Regulation								✓			
Reigate & Banstead Borough Council	✓	✓				✓		✓			
Royal Borough of Kingston upon Thames	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
Royal Borough of Windsor and Maidenhead							✓		✓		
Runnymede Borough Council	✓	✓	✓	✓		✓	✓	✓	✓		

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk		Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Rushmoor Borough Council							✓				
Spelthorne Borough Council	✓	✓	✓	✓		✓		✓	✓		
Surrey & Sussex Healthcare NHS Trust								✓			
Surrey County Council	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓
Surrey Downs Clinical Commissioning Group								✓			
Surrey Heath Borough Council	✓	✓				✓	✓				
Tandridge District Council	✓	✓				✓					
Transport for London								✓			
Waverley Borough Council	✓	✓				✓	✓				

Strategic Matter \ Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk		Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Woking Borough Council	✓	✓	✓	✓		✓	✓	✓	✓		✓
Wokingham Borough Council							✓				

Table 2: Other Consultees the Council intends to engage on each Strategic Matter

Strategic Matter \ Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk		Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Crown Estate							✓				
Defence Infrastructure Organisation							✓				

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk		Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
Emergency Services								✓			
Energy Providers								✓			
Federation of Master Builders							✓				
Forestry Commission							✓				
Hampshire, Surrey, Berkshire Wildlife Trusts							✓				
Joint Strategic Partnership Board – Advisors							✓				
<i>London Borough of Croydon*</i>		✓									
Open Spaces Society				✓	✓		✓				
<i>River Mole Catchment Partnership</i>				✓	✓				✓		

Strategic Matter Organisation	Homes & Jobs			Climate Change, Conservation and Enhancement of the Natural and Historic Environment				Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk	Provision of Social and Cultural Infrastructure	Provision of Retail, Leisure and other Commercial Development	
	Housing	Gypsies & Travellers	Employment Land Provision	Open Space	Local Green Space	Green Belt	Thames Basin Heath SPA - SANG	Infrastructure Capacity	Flood Risk	Schools	Retail and Leisure
<i>River Thames Alliance</i>				✓	✓				✓		
Royal Society for the Protection of Birds				✓	✓		✓				
South London Partnership*	✓					✓					
Sport England				✓	✓						
Telecommunications								✓			
Transport Network / Operators								✓			
Water Operators								✓	✓		
West London Alliance*	✓					✓					
<i>Wey Landscape Partnership</i>				✓	✓				✓		

* As part of the Scoping Statement consultation undertaken in February & March 2014 for Settlement ID Plans, the Council engaged with a number of adjoining boroughs and districts and where known, other organisations and bodies which represent them e.g. the South London Partnership and West London Alliance. London Boroughs which form part of these partnerships are: Barnet, Brent, Ealing, Harrow, Hillingdon and Hounslow (West London Alliance) and Bromley, Croydon, Kingston, Merton, Richmond, Sutton and Wandsworth (South London Partnership).

In addition to engaging with the Partnership & Alliance, the individual London Boroughs were also notified of the consultation. Moving forwards in the preparation of the ID Plans, Table 1 and 2 clearly show however, that the Council primarily intends to directly engage with the London Boroughs of Kingston, Richmond, Merton and with the Partnership & Alliance rather than the other specific London Boroughs. The exception to this is the London Borough of Croydon who expressed a specific wish to be engaged on issues relating to Gypsies and Travellers. This request has therefore to be reflected in Table 2 above.

Homes & Jobs

Strategic Matter: Housing

What are the issues requiring co-operation?

Housing delivery is a key strategic and cross boundary issue for Elmbridge which requires on-going co-operation. As discussed in Section 3, the Council has decided to review the evidence base supporting the housing target set within the Core Strategy.

This is specifically to address paragraph 47 of the NPPF which states that in order to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the framework. Building on this strategic priority and the principle of the duty to cooperate, paragraph 179 of the NPPF states that joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the framework.

To address the requirements of the NPPF and in looking again at the evidence the Council will need to undertake the following work:

- Identify its housing market area
- Produce a Strategic Housing Market Assessment (SHMA) to identify the objectively assessed need for housing across the housing market area

In seeking to meet need across the housing market area, the Council will need to assess what land is potentially available for development. To do this the Council plans to produce a Constraints Analysis Assessment that will look at various constraints including the Green Belt (see below).

This work will enable the Council to determine whether its current housing target is fit for purpose or whether a new objectively assessed housing target and strategy for accommodating development is necessary.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following local authorities and Prescribed Bodies:

- Highways Agency
- Highways Authority – Surrey County Council
- Homes & Communities Agency
- Surrey County Council
- London Borough of Richmond upon Thames
- London Borough of Merton
- Royal Borough of Kingston upon Thames
- Mayor of London / Greater London Authority
- Guildford Borough Council
- Mole Valley District Council
- Runnymede Borough Council
- Spelthorne Borough Council

- Woking Borough Council
- Epsom and Ewell Borough Council
- Reigate and Banstead Borough Council
- Tandridge District Council
- Waverley Borough Council
- Surrey Heath Borough Council
- Enterprise M3

The local authorities listed are those that directly adjoin the borough boundary as well as those identified through initial work on defining Elmbridge's housing market area, comprising a scoping area and core area. Once this work has been finalised this list is likely to be modified to take into account the housing market area in which Elmbridge is located and will include those local authorities located in adjoining housing market areas.

The Council also intends to engage with the South London Partnership and West London Alliance as they represent the interests of groups of London Authorities that have been identified through our initial work, including Wandsworth, Sutton, Hillingdon, Croydon, Hounslow

Potential methods and timescales for engagement?

- Engage with relevant local authorities and strategic bodies on the Council's intention to identify its housing market area: October 2014-January 2015.
- On-going engagement on the preparation of a SHMA: October 2014-August 2015.

Strategic Matter: Gypsy & Traveller Accommodation

What are the issues requiring co-operation?

In accordance with the Government's planning policy for traveller sites (March 2012)¹⁰, the Council is required as part of its plan-making process, to assess and plan for the needs of the travelling community.

Government guidance states that working collaboratively with neighbouring authorities, pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople, which address the likely permanent and transit site accommodation needs in their area, should be set. Paragraph 9(b) of the Government's planning policy for traveller sites emphasises the duty to cooperate on planning issues that cross administrative boundaries.

To assess the needs of the travelling community, the Council has worked with the other boroughs and districts in Surrey and representatives of the travelling community to produce a joint methodology for the assessment of the need for new pitches/plots. Published in April 2013, the Surrey methodology ensures consistency in approach when undertaking a Traveller Accommodation Assessments (TAA) and allows each local planning authority the ability to apply agreed assumptions to identify future accommodation needs.

In January 2013, the Council published its TAA, which was informed by close

¹⁰ DCLG Planning policy for traveller sites (March 2012) - <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

partnership working with adjoining authorities in Surrey, Surrey County Council, neighbouring London authorities, as well as members of the travelling community. The assessment identified the need for a total of 36 pitches for Gypsies and Travellers over the period 2012 – 2027. No need was identified for new plots for Travelling Showpeople or for the provision of transit sites.

The Council intends to update the TAA as part of its work on reviewing the evidence base supporting the Core Strategy. This will ensure that need is identified for an extended period of time i.e. beyond the current plan period and will form the basis for setting pitch and plot targets within any future plan and work on identifying/allocating new sites.

Whilst it is acknowledged that the abolition of Regional Planning will make it harder for local authorities to share out sites over an area larger than the local authority, the provision of sites is a key issue across Surrey with movements between boroughs and districts. The Council will therefore seek to work with neighbouring authorities to address the need for new pitches across the area. The Council will therefore expect all other authorities to make similar efforts to meet needs arising from within their local authority areas including considering possible reviews of the Green Belt given that each neighbouring local authority experiences a similar level and number of constraints.

Who do they need to be discussed with?

On the basis of the issues identified above it is considered appropriate to proactively engage with the following local authorities and Prescribed Bodies:

- Epsom & Ewell Borough Council
- Guildford Borough Council
- Highways Agency
- Highways Authority – Surrey County Council
- London Borough of Richmond upon Thames
- Mole Valley District Council
- Reigate & Banstead Borough Council
- Royal Borough of Kingston upon Thames
- Runnymede Borough Council
- Spelthorne Borough Council
- Surrey County Council
- Surrey Heath Borough Council
- Tandridge District Council
- The Mayor of London / Greater London Authority
- Waverley Borough Council
- Woking Borough Council

The London Borough of Croydon will also be proactively engaged with on any proposed methodology for assessing sites.

Proposed methods and timescales for engagement?

- Circulate the proposed methodology for undertaking the Traveller Accommodation Assessment: March/April 2015.
- Engage on the preparation of a draft TAA: June/July 2015

Strategic Matter: Employment Land Provision

What are the issues requiring co-operation?

As part of the work for Settlement ID Plans the Council has already begun work on producing a new Employment Land Review. The review provides an overall assessment of the need/demand for different types of employment land within the borough to help inform decisions on future policies, the potential allocation of sites to be safeguarded for employment purposes, and identification of those appropriate for release.

The review is split into two parts. Part A aims to establish:

- the current status of the commercial property market within Elmbridge providing an assessment of loss, take up, demand for and value of different types and quality of employment floorspace.
- a market perspective of existing and long term vacancy of land that reflects economic conditions and needs of businesses
- the likely future demand for different types, and different quality of employment space taking account of commercial developments in neighbouring boroughs

The study examines areas with similarities in terms of employment markets such as values, commuting flows, skills etc and this will inform future work on identifying our Functional Economic Area.

Part B will provide an assessment of the characteristics and quality of employment sites within Elmbridge and their suitability to meet future development needs. This part of the review will specifically inform decisions on the designation of 'strategic' employment sites known as Strategic Employment Land (SEL). These sites are large enough to provide scope for businesses to expand and offer opportunities for the clustering of mutually supportive industries or sectors. In many cases they also support uses that are not considered main town centre uses i.e. B2/B8. It is for this reason that such sites require additional protection to ensure that their integrity and function is not threatened by other forms of development.

Additionally, the review will appraise the possible implementation of Article 4 directions by considering the relative values of residential development against existing commercial premises.

The overall assessment of need/demand for employment land and the designation of Strategic Employment Land is a key strategic matter that could have significant cross boundary impacts and will require engagement under the duty.

Who do they need to be discussed with?

The M3 Local Enterprise Partnership (LEP), of which Elmbridge is a member, conducted a Commercial Property Market Study to better understand the characteristics of commercial property in the wider M3 corridor. The study agreed the use of "market areas" as a means of reflecting the smaller sub markets that operate within the large geographical area covered by the M3 LEP.

Elmbridge was placed within the Upper M3 market area along with Runnymede and Spelthorne in their entirety. Therefore, it is considered appropriate to engage and cooperate with these two authorities on an on-going basis. As a number of individuals commute into the Borough from Woking and Kingston it is also considered prudent to engage and work with these Councils.

The Council also proposes to consult the LEP itself and other associated bodies who have responsibility for managing business innovation and development across the Enterprise M3 LEP area.

In summary, those local authorities and bodies that the Council will engage and work with are:

- Enterprise M3
- Highways Agency
- Highways Authority – Surrey County Council
- Mayor of London / Greater London Authority
- Royal Borough of Kingston upon Thames
- Runnymede Borough Council
- Spelthorne Borough Council
- Surrey County Council
- Woking Borough Council
- Mole Valley District Council

Working collaboratively with the above bodies will ensure the preparation of a robust evidence base, which reflects existing business and resident's needs, both within Elmbridge and further afield.

Proposed methods and timescales for engagement?

- Circulate a notice of intention & sites to be considered to relevant bodies: January 2014. [Completed]
- Arrange a meeting with relevant adjoining authorities to discuss our approach to site assessment and evidence gathering: January 2014 (no meetings requested). [Completed]
- Establish the current status of employment evidence in neighbouring authorities including functionally linkages between authorities: [Completed]
- Consult relevant bodies on ELR and functional economic area: March-June 2015

Climate Change, Conservation and Enhancement of the Natural and Historic Environment

Strategic Matter: Open Space & Local Green Space

What are the issues requiring co-operation?

As part of its Settlement ID Plans the Council has already begun work on reviewing its open spaces across the Borough and considering the designation of '*local green space*'. In relation to the duty to cooperate requirement, the Council considers that these two processes, could have a significant and/or cross-boundary impacts.

Open Spaces in the Urban Areas

The Council commissioned an Open Space and Recreation Assessment in Summer 2014 to review and assess the need for open space and recreation facilities in accordance with paragraph 73 of the NPPF. The Assessment looks specifically at identifying specific needs and quantitative or qualitative deficits or surpluses for different types of open space and recreation facilities. An assessment of playing pitches was undertaken in April 2013 and therefore did not form part of the

assessment. This work will help to inform which areas of land should be designated as open space in future planning documents and identify where qualitative or quantitative improvements to provision are required.

There are a number of open spaces close to the borough boundary where any decisions regarding their future status may impact on residents in adjoining communities and therefore may have a significant and/or cross boundary impact. These are:

- Hurst Park, Molesey;
- Cigarette Island, Molesey;
- Thames Marina, Thames Ditton; and
- Kingston Grammar School playfields / Ditton Field, Thames Ditton.

As part of the Open Space and Recreation Assessment, all open spaces within 1km of the Borough boundary have also been mapped.

Local Green Space

Paragraph 76 of the NPPF introduces this new designation for areas that are valued by local communities. These areas are to be identified via the preparation of Local Plans and are to be protected against future development other than in very special circumstances. In accordance with the NPPF areas suggested for local green space must be identified and valued by the local community (emphasis added to 'local').

Due to their 'local' nature, it is unlikely that cross-boundary issues will exist. The only exception to this is where residential properties in adjoining boroughs directly adjoin areas in Elmbridge on the Thames Ditton / Long Ditton (Elmbridge Borough) and Surbiton (Kingston upon Thames) border. Consequently there is the possibility that areas within Elmbridge could be considered as valued community '*local green spaces*' by residents in an adjoining local authority area.

As the duty to cooperate does not extend to residents in adjoining boroughs and districts, the Council is not duty-bound to proactively engage with those who could be impacted positively or negatively by the designation of local green space in Elmbridge.

In the spirit of community engagement and duty to cooperate the Council has however, considered the potential benefits, or otherwise, of consulting neighbouring residents directly or via the London Borough on this issue. However, this direct approach was ruled out due to the need to balance the additional cost associated with this exercise and the likelihood of additional areas being identified. It was considered that the community of Thames Ditton and Long Ditton were just as likely to identify areas for consideration as local green space within their community as residents in adjoining boroughs. Furthermore, a scoping assessment of this area revealed that there were no areas which would meet the assessment criteria to be designated as local green space that have not already been suggested and considered by the Council.

Who do they need to be discussed with?

Due to the issues identified above it is considered relevant to proactively engage with:

- Guildford Borough Council.
- Local Nature Partnership – London.
- Local Nature Partnership – Surrey (c/o Surrey Wildlife Trust).
- London Borough of Richmond upon Thames.
- Mayor of London / Greater London Authority.
- Mole Valley District Council.
- Royal Borough of Kingston upon Thames.
- Runnymede Borough Council.
- Spelthorne Borough Council.
- Surrey County Council.
- Woking Borough Council.

Whilst not a prescribed body the Government's National Planning Practice Guidance (first published August 2013), advises local authorities to consult Sport England in cases where development might lead to the loss of, or loss of use for sport, of any major sports facility. The Council therefore considers it appropriate to engage with Sport England as part of the Open Space, Sports and Recreation Assessment.

The Council will also engage the Open Space Society, Wey Landscape Partnership, River Mole Catchment Partnership, River Thames Alliance and the Royal Society for the Protection of Birds (RSPB).

Proposed methods and timescales for engagement?

- Engagement on the brief for the Open Space & Recreation Assessment: January 2014. [Completed]
- Seek input from adjoining boroughs and districts, where appropriate, on the cross boundary issues relating to identified open space sites and the potential impacts on their residents if not designated as open space in the urban areas: March – December 2014. [Completed]
- Engagement on the draft Open Space, Sports & Recreation Assessment: May - December 2014.

Strategic Matter: Green Belt

What are the issues requiring co-operation?

As set out in Section 3, the Council has committed to reviewing the evidence base supporting the Core Strategy. As part of this work, and in seeking to meet identified housing need across the housing market area, the Council will need to undertake an analysis of constraints to see how much development can realistically be accommodated. Whilst this work will look at a range of different constraints e.g. flood risk, biodiversity, it will include reviewing Green Belt boundaries to see if they continue to fulfil their fundamental aim in preventing urban sprawl and keeping land permanently open. The assessment will need to consider if land meets the following five key purposes (as defined in paragraph 80 of the NPPF):

- To check unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;

- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The review of Green Belt boundaries is an important strategic issue that could have significant cross boundary impacts and will require engagement under the duty. Elmbridge is located within London's Metropolitan Green Belt. This means that the review of Green Belt within one area will have implications other boroughs/districts located within it. It will not be possible to ensure that it continues to fulfil its fundamental aim without strategic, cross boundary working.

This work will be key to informing whether or not our current housing target within the Core Strategy is appropriate or if a new Local Plan is required, with a new housing target and strategy for accommodating development.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following local authorities and Prescribed Bodies:

- Enterprise M3 Local Economic Partnership
- Highways Agency
- Highways Authority – Surrey County Council
- Homes & Communities Agency
- Surrey County Council
- London Borough of Richmond upon Thames
- London Borough of Merton
- Royal Borough of Kingston upon Thames
- Mayor of London / Greater London Authority
- Guildford Borough Council
- Mole Valley District Council
- Runnymede Borough Council
- Spelthorne Borough Council
- Woking Borough Council
- Epsom and Ewell Borough Council
- Reigate and Banstead Borough Council
- Tandridge District Council
- Waverley Borough Council
- Surrey Heath Borough Council

Given the strong links, the above list reflects those local authorities and prescribed bodies identified for the strategic issue on housing. Once this work has been finalised this list is likely to be modified to take into account the housing market area in which Elmbridge is located and will include those local authorities located in adjoining housing market areas.

The Council also intends to engage with the South London Partnership and West London Alliance as they represent the interests of groups of London Authorities that have been identified through our initial work, including Wandsworth, Sutton, Hillingdon, Croydon, and Hounslow.

Potential methods and timescales for engagement?

- On-going engagement on the preparation of the Constraints Analysis

Strategic Matter: Thames Basin Heaths Special Protection Area (SPA)

What are the issues requiring co-operation?

The Thames Basin Heaths, which covers parts of Surrey, Hampshire and Berkshire, was designated as a Special Protection Area in 2005 under EU Habitats Directive in recognition of its importance for three rare species of ground nesting birds. Within Elmbridge the area covers Chatley Heath to the south of the borough, part of the Ockham and Wisley Commons Site of Special Scientific Interest.

Natural England consider that the intensification of residential development up to a distance of 5km away from the SPA would result in a range of pressures, such as a growth in the number of walkers, cats and dogs, with adverse effects on the protected habitat. As a consequence, within 400m of the SPA there is a presumption against new residential development. Between 400m to 5km of the SPA, mitigation in the form of Suitable Accessible Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) is required to accompany new residential development. Bespoke mitigation may also be required for larger developments (>50 units) between 5-7km.

SANG provision

SANG is open space, which is designed to act as an alternative to visiting the SPA, subject to enhancement works to increase its capacity for informal recreation to a minimum standard of 8ha per 1000 population.

Whilst the Council currently has enough SANG available at Brooklands Community Park and Esher Common to support future development it is considered important to identify other potential SANG that can provide ongoing certainty in the long-term or act as a shared resource with adjoining boroughs. Some work on identifying potential SANGs has already taken place as part of work on ID Plans.

SAMM project

The access management of the SPA itself focuses on 'soft' measures i.e. wardening, signage, leaflets and educational material. Contributions are collected from new development and pooled for strategic allocation across the whole SPA area. This is to ensure that implementation of measures in one area does not simply displace visitors to another part of the SPA. The Council will need to continue to work strategically with other boroughs/districts and other organisations to deliver the SAMM project. In identifying SANG and delivering the SAMM project it is essential that a consistent approach is taken across the SPA area. Therefore, the Council considers this to be a strategic matter that could have significant and/or cross boundary impacts and requires engagement under the duty.

Who do they need to be discussed with?

The Council already works closely with a Local Authorities around the SPA and other partners through the Joint Strategic Partnership Board, which was set up to plan for the long term protection of the SPA in a consistent and coordinated way. The Council plans to proactively engage with the following authorities and Prescribed Bodies who are members and advisors of the Board as well as Surrey County Council as the Minerals Planning Authority:

- Bracknell Forest Borough Council
- Guildford Borough Council
- Hampshire County Council

- Hart District Council
- Local Nature Partnership – London.
- Local Nature Partnership – Surrey (c/o Surrey Wildlife Trust)
- Natural England
- Royal Borough of Windsor and Maidenhead
- Runnymede Borough Council
- Rushmoor Borough Council
- Surrey County Council
- Surrey Heath Borough Council
- Waverley Borough Council
- Woking Borough Council
- Wokingham Borough Council
- Mole Valley District Council

The Council also intends to engage with a number of other organisations who advise the Board but are not adjoining authorities or Prescribed Bodies:

- Crown Estate
- Defence Infrastructure Organisation
- Federation of Master Builders
- Forestry Commission
- Hampshire, Surrey, Berkshire Wildlife Trusts
- Open Spaces Society
- Royal Society for the Protection of Birds
- Enterprise M3

Proposed methods and timescales for engagement?

- Discuss the general principle of identifying potential SANGs with Natural England: October – November 2013 (on-going where appropriate). [Completed]
- Contact Surrey County Council and Natural England to discuss the impact of Minerals Safeguarding Area designation on potential SANGs: November – December 2013 (on-going where appropriate). [Completed]
- Consult on draft methodology for identifying potential SANG sites: September/October 2015
- Work with relevant bodies to deliver the SAMM project: Ongoing

Provision of Infrastructure for Transport, Telecommunications, Waste Management, Water Supply, Waste Water and Flood Risk

Strategic Matter: Flooding

What are the issues requiring co-operation?

Elmbridge has a significant flood context, with the River Thames forming its northern boundary, and the Rivers Wey, Mole and Rythe all running through it. There are also areas of the Borough at risk from surface water and reservoir flooding with further localised issues occurring when rivers are high or drainage and sewer systems are under capacity.

By its very nature, flooding is an issue that has significant and/or cross boundary impacts. The causes and impacts of flooding do not respect administrative

boundaries and a wide range of organisations have responsibilities for managing flood risk either due to land ownership or statutory duties. It is essential that these organisations work together in order to reduce flood risk overall and manage its impacts. In relation to the Duty to Cooperate requirement, the Council therefore considers flood risk to be a strategic matter that could have significant and/or cross boundary impacts and requires engagement under the duty.

The Council intends to work strategically on a number of matters relating to flood risk, including:

Strategic Flood Risk Assessment / Flood Risk Supplementary Planning Document (SPD)

In January 2014, as part of work on Settlement ID Plans, the Council commissioned consultants to produce a new Strategic Flood Risk Assessment (SFRA). This will help to ensure that development is directed to areas at lowest risk of flooding but where development is necessary making it safe without increasing flood risk elsewhere. It will support future work on the Local Plan including the allocation of sites as well as the production of a Flood Risk SPD.

River Thames Scheme

The Environment Agency is currently working on the development of the River Thames Scheme between Datchet and Teddington. The scheme will reduce flood risk in communities close to the River Thames between Datchet and Shepperton, including Wraysbury, Egham, Staines and Chertsey. It consists of large scale engineering work to construct a flood channel in three sections, between 30 and 60 metres wide, to a total length of 17 kilometres; improvements to three of the existing weirs and the widening of the Desborough Cut. The scheme also includes the installation of property level products for up to 1,600 homes and improved flood incident response plans. The Council is represented on a number of groups tasked with working to deliver the scheme and has committed to preparing a Memorandum of Understanding on how the scheme should be addressed within Local Plans.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following adjoining local authorities and Prescribed Bodies:

- Environment Agency (EA)
- Guildford Borough Council
- Highways Authority – Surrey County Council
- Lead Local Flood Authority – Surrey County Council (LLFA)
- Local Nature Partnership – London
- Local Nature Partnership – Surrey (c/o Surrey Wildlife Trust)
- London Borough of Richmond upon Thames
- Mayor of London / Greater London Authority
- Mole Valley District Council
- Royal Borough of Kingston upon Thames
- Runnymede Borough Council
- Spelthorne Borough Council
- Woking Borough Council
- Royal Borough of Windsor and Maidenhead

These organisations are considered to represent those who fall within the same river catchment areas i.e. for the Rivers Mole, Rythe and Thames or have statutory

duties in relation to flood risk i.e. LLFA, EA. The Council already works in partnership with many of these organisations through groups such as the Lower Thames Planning Officer Group.

In addition, the Council also proposes to consult with the following organisations who are not a 'Prescribed Bodies' for the purposes of the Duty to Cooperate, but who have responsibilities in terms of managing flood risk/the impact of flooding e.g. water companies, sewerage and reservoir undertakers:

- River Mole Catchment Partnership
- River Thames Alliance
- Royal Society for the Protection of Birds (RSPB)
- Thames Water
- Wey Landscape Partnership
- Enterprise M3

Proposed methods and timescales for engagement?

- Contact adjoining authorities to determine if a joint SFRA could be undertaken: July – September 2013. [Completed].
- Work with the EA to commission consultants to undertake the SFRA: September 2013 – January 2014. [Completed]
- Work with the EA, LLFA and water companies to prepare a draft SFRA: March - September 2014. [Completed]
- Consult all organisations outlined above on a draft report: November/December 2014.
- Engagement on the production of a draft SPD: July 2015 onwards
- Joint working to address how the River Thames Scheme should be dealt with in Local Plans: November 2014-February 2015
- Work to deliver the River Thames Scheme: Ongoing

Strategic Matter: Infrastructure Capacity

What are the issues requiring co-operation?

One of the key strategic matters that the Council needs to resolve when preparing a Local Plan is whether the additional demand on the infrastructure network, as a result of new development, can be accommodated and/or mitigated. This is a key strategic issue as infrastructure capacity and delivery is addressed by many different public and private organisations and the issues surrounding it seldom lay within a single local authority area.

Establishing the likely new demand on the infrastructure network as a result of additional development was undertaken at a strategic level when preparing the Core Strategy. As part of the preparation of the plan, the Council produced an Infrastructure Delivery Plan (IDP) setting out the details of the infrastructure identified by the Council and other service providers as being needed to support the delivery of new development across the Borough up to 2026. Two critical pieces of infrastructure were identified as being essential to support new development -

additional education provision and Suitable Accessible Natural Greenspace (SANG). Due to the significance of these two strategic matters they have been addressed as individual Strategic Matters within this section of the Scoping Statement.

The provision of other types of infrastructure, services and facilities was considered less critical to the implementation of the Core Strategy however; these issues may need to be reconsidered depending on the outcome of the review of the evidence base and a decision on the way forward for the Local Plan. For example, if a higher housing target is being considered then further work on the IDP will be necessary to establish whether this can be supported by the infrastructure network and/or identify what mitigation will be required.

By working with neighbouring authorities and other prescribed bodies, the Council will therefore considered the impact of new development on the following infrastructure:

- transport:
 - strategic / non-strategic road network;
 - rail services;
 - bus services;
 - walking & cycling;
 - community transport; and
 - parking.
- health care:
 - local hospitals;
 - GPs; and
 - dentists.
- emergency services:
 - fire & rescue;
 - ambulance service; and
 - police.
- utilities:
 - water - supply, foul, surface & sewerage;
 - energy - gas/electricity; and
 - telecommunications.
- waste management:
 - disposal;
 - collection; and
 - recycling.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following adjoining local authorities and Prescribed Bodies:

- Enterprise M3
- Guildford Borough Council
- Highways Agency
- Highways Authority – Surrey County Council
- London Borough of Richmond upon Thames
- Mayor of London / Greater London Authority
- Mole Valley District Council
- North West Clinical Commissioning Group

- Office of Rail Regulation
- Royal Borough of Kingston upon Thames
- Runnymede Borough Council
- Spelthorne Borough Council
- Surrey & Sussex Health Care NHS Trust
- Surrey County Council
- Surrey Downs Clinical Commissioning Group
- Transport for London
- Woking Borough Council
- Reigate and Banstead Borough Council
- Environment Agency

In addition, the Council also proposes to consult with the following organisations who are not a 'Prescribed Bodies' for the purposes of the Duty to Cooperate, but who have responsibilities in terms of managing infrastructure capacity and delivery:

- Affinity Water
- British Gas
- British Telecommunications Plc
- Cable and Wireless
- EDF Energy
- Hutchinson 3G UK Ltd
- London Buses Network Operations
- Mobile Operators Association
- National Grid
- Network Rail Infrastructure Ltd
- NTL
- O2 (UK) Ltd - Telefonica Europe Plc
- Orange PCS Ltd
- Scotia Gas Networks (SGN, also known as Southern Gas Networks)
- South West Trains
- Surrey Ambulance Service
- Surrey Fire & Rescue Service
- Surrey Police / Office of the Police and Crime Commissioner for Surrey
- Sutton and East Surrey Water Plc
- T Mobile UK Ltd
- Thames Water Property Services Ltd
- UK Power Networks
- Virgin Media Limited
- Virgin Mobile Holdings Plc
- Vodafone Group Plc
- Waldon Telecom Ltd

Proposed methods and timescales for engagement?

- Work with adjoining authorities, prescribed bodies and other consultees to address any infrastructure and capacity issues to support the delivery of strategic projects through the Community Infrastructure Levy: November 2014-October 2015.
- Work with stakeholders to review and update the Council's IDP: October 2015 – February 2016

Provision of Social and Cultural Infrastructure

Strategic Matter: Schools (Education Provision)

What are the issues requiring co-operation?

Surrey County Council has a statutory duty to ensure there are sufficient school places in the county to meet present and future demand. Each year they produce a 10 year School Organisation Plan which sets out the current pattern of education provision across the county, forecasts of pupil numbers in future years and policy, guidance and legislation with respect to school organisation in Surrey. The County works in partnership with Diocese, governing bodies of schools, head teachers, local communities and other key stakeholders in order to plan for education provision across the County.

In Elmbridge, the most recent School Organisation Plan (2012-2021) forecasts a requirement for 5 forms of entry by 2014 with an additional 6 forms of entry by 2015 at primary level. For secondary provision, it projects a need for one additional form of entry by 2015 with the potential for a further 5 forms of entry by 2021. The Plan recognises that it may not be necessary to act upon all of the identified requirements due to pupil flows to adjacent boroughs e.g. Mole Valley, Guildford, Kingston. Due to the high level of need for additional education facilities across the borough, the Council, in partnership with the Surrey County Council, produced an Education Provision Assessment in 2011 to support the Core Strategy. The Council will continue to work in partnership with the County and local schools to ensure that needs are met through the intensification of existing sites, the identification of new sites and through financial contributions from new development.

In relation to the Duty to Cooperate requirement, the Council considers education provision to be a strategic matter that could have significant and/or cross boundary impacts and requires engagement under the duty.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following adjoining local authorities and Prescribed Bodies:

- Guildford Borough Council
- Mole Valley District Council
- Royal Borough of Kingston-upon-Thames
- Surrey County Council (Education Authority)
- Highways Agency

These organisations reflect the known flows of pupils across borough boundaries and the coordinating role of the County Council in ensuring sufficient provision overall.

Proposed methods and timescales for engagement?

- Work with the County Council in preparing and agreeing an updated School Organisation Plan and Education Provision Assessment for Elmbridge: On-going.
- Review and update of the IDP and updates to the Community Infrastructure Levy Regulation 123 list: October 2015- February 2016

Provision of Retail, Leisure and other Commercial Development

Strategic Matter: Retail and Leisure

What are the issues requiring co-operation?

Elmbridge is characterised by a number of smaller retail centres that mainly meet the day-to-day shopping needs of their local communities. Each centre fulfils a different role and function, and each forms part of a wider network of centres both within and outside of the Borough.

Walton is the borough's largest shopping centre and following the development of 'The Heart', a major mixed use town centre development, shopping and leisure provision have significantly improved. This has changed the relative roles of larger town centres within the Borough and improved the draw of Walton as an attractive alternative to larger centres outside of the Borough.

There is no regional centre in Elmbridge and many people travel outside of the Borough to larger centres in Kingston, Guildford, Woking and Central London for their main shopping needs, in particular for comparison goods. As a result there is significant leakage of spending to areas outside of the Borough. Expansion of retail and leisure floorspace in other centres is likely to increase the trade draw from Elmbridge. Opportunities to significantly increase floorspace in the Borough's town centres to increase market share and reduce leakage is very limited. Future strategies are therefore likely to focus on enhancing their existing roles by providing a more unique and local shopping environment for local people.

In considering the future of the borough's town centres it will be important to have regard to their relative role and potential impacts on other centres within the wider area and vice versa. The Council will be preparing a new Retail Study to support work on the Local Plan and the development of associated policies.

In relation to the Duty to Cooperate requirement, the Council considers retail and leisure provision to be a strategic matter that could have significant and/or cross boundary impacts and requires engagement under the duty.

Who do they need to be discussed with?

Due to the issues identified above it is considered appropriate to proactively engage with the following adjoining local authorities and Prescribed Bodies:

- Guildford Borough Council
- Royal Borough of Kingston-upon-Thames
- Surrey County Council
- Greater London Authority
- Enterprise M3
- Woking Borough Council

These organisations reflect the known patterns of expenditure leakage from the Borough to centres in the wider area and those organisations with a particular interest in economic development.

Proposed methods and timescales for engagement?

- Prepare a draft Retail Study: September/October 2015
- Prepare a final Retail Study: December 2015

6 Elbridge Local Plan and Discharging the Duty to Cooperate

This Scoping Statement

6.1 As set out in Section 1, the purpose of this Scoping Statement is to:

- it ensures that the Council, from the outset of its plan preparation, has formally established what it considers to be the strategic matters and issues that could have a significant impact on two or more planning areas. This includes the identification of those authorities and prescribed bodies that the Council will need to engage and work with to seek to address the issues and how and when it intends to do this.
- it provides the opportunity for other local authorities and prescribed bodies to highlight strategic matters that they consider relevant to the preparation of the Local Plan which have not been identified. This includes whether amendments need to be made to the list of local authorities and prescribed bodies that the Council intends to engage with on each strategic matter, and how and when it intends to do this.
- it forms the basis of an agreed approach and commitment from Elbridge Borough Council in how it will discharge its duty to cooperate on strategic matters and issues as far as they relate to the preparation of Local Plan documents.
- it provides a framework for future engagement whereby the Council will limit its consultation on duty to cooperate matters to the identified and agreed strategic issues and relevant local authorities and prescribed bodies. The Council will also specifically identify the issues that each local authority and/or prescribed body needs to consider and respond to when consulting on Local Plan documents. This should reduce and help future resource requirements for all local authorities and prescribed bodies throughout the preparation of the Elbridge Local Plan.

6.2 It is not the purpose of this Statement to set out the exact details of how the Council has discharged its duty to cooperate with other local authorities and prescribed bodies when preparing the Elbridge Local Plan. Rather, the Council acknowledges this requirement in Section 2 of this Statement and sets out how, as part of the examination process of a plan, a local planning authority will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts.

6.3 Examples, are given that this could be the way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Each of these options and their appropriateness will be considered as the plans are developed.

6.4 As set out in Section 2 of this Scoping Statement, the Council understands that the duty to cooperate is the first thing that the Planning Inspectorate (PINS) will look at during an examination and that the Inspector will need to see sufficient evidence to demonstrate that the duty has been undertaken appropriately for the plan being examined. The evidence presented should be:

- succinct;
- flow from the issues that have been addressed jointly; and
- highlight the practical policy outcomes that have resulted.

Future Reporting

6.5 In evidencing that the Council has met its duty, it is currently envisaged that this information will be clearly set out in:

- the Plans themselves with a section on the Duty to Cooperate and an overview of the engagement undertaken;
- a supporting duty to cooperate document that will be prepared/updated at each stage of the consultation process; and
- the Authority's Monitoring Report (AMR) published annually.

Appendix A – Consultation Responses & Amendments to the Draft Scoping Report (January 2015)

For a 4-week period ending Monday 22 December 2014, Elmbridge Borough Council undertook a focused consultation on its Local Plan: Duty to Cooperate Scoping Statement (November 2014).

The aim of the consultation was to ‘scope’ from an early stage the potential cross-boundary and strategic planning matters that may arise during the preparation of the Local Plan. By scoping the issues the Council would be able to identify who it needs to work constructively and actively with, as part of an on-going process, which will see the Council and other neighbouring authorities producing the most effective Plans for their areas.

As part of the consultation the Council sent a covering letter and electronic/hard copy of the Scoping Statement to all:

- prescribed ‘duty to cooperate’ bodies as defined in the Town & Country Planning (Local Planning) (England) (Regulations) 2012; and
- public bodies/local authorities who the Borough Council considered that it will need to work with to address a potentially significant cross-boundary and strategic matter.

The Council also shared the Scoping Statement with a number of infrastructure providers and other interested parties e.g. Defence Estates, who whilst are not prescribed ‘duty to cooperate’ bodies, will play an instrumental part in ensuring that there is sufficient infrastructure capacity to accommodate new development or that mitigation measures are identified in order for the Council to deliver its planning strategy.

Responses to the Consultation

In total 92 prescribed bodies, local authorities and infrastructure providers were consulted (see Table 1 of this Appendix for the complete list) and asked to respond to the following questions:

1. Has the Council correctly identified the strategic matters and those which could have a significant impact on at least two planning areas as part of the preparation of its Local Plan documents?
2. Has the Council correctly identified the relevant authorities, prescribed bodies and other consultees that it needs to proactively engage and work with to maximise the effectiveness of its planning policies in regards to each strategic matter?
3. Where there are existing processes in place to consider/address strategic matters and those which could have a significant impact, are these sufficient?
4. Do you support the Council’s intended approach and timetable for engaging with the identified local authorities, prescribed bodies, and other consultees?

In total, the Council received 19 responses. These were from:

- Berkshire Local Nature Partnership
- London Borough of Richmond
- Marine Management Organisation
- Surrey Wildlife Trust
- Reigate and Banstead Borough Council
- Runnymede Borough Council
- Spelthorne Borough Council
- Surrey County Council – Archaeology
- Surrey Heath Borough Council
- Environment Agency
- Guildford Borough Council
- Enterprise M3
- English Heritage
- RSPB
- Natural England
- Greater London Authority
- Highways Agency
- Thames Water
- Mole Valley District Council

The comments received via the consultation, the Council's response to each of the comments and the amendments made to this Scoping Statement are set out in Table 2 of this Appendix¹¹.

¹¹ This Scoping Statement builds on the previous version prepared to support the production of Settlement ID Plans. All comments made on this previous statement have been considered and reflected as appropriate within this new Scoping Statement. Details of the previous statement can be found on the Council's website – www.elmbridge.gov.uk/planning/policy

Table 1: Those Consulted

Civil Aviation Authority	RSPB
Defence Estates	Surrey Wildlife Trust
Federation of Master Builders	Surrey Wildlife Trust
The Crown Estate	NW Surrey Clinical Commissioning Group
Open Spaces Society	Surrey Downs Clinical Commissioning Group
Surrey Wildlife Trust	Enterprise M3
South East Coast Ambulance Service	Bracknell Forest Borough Council
Surrey and Sussex Healthcare	Epsom and Ewell Borough Council
Virgin Media Business Limited	GLA Greater London Authority
London Buses Network Operations	Guildford Borough Council
Office of Rail Regulation	Hart District Council
South West Trains	LB Richmond upon Thames
Cable and Wireless	London Borough of Barnet
Hutchinson 3G UK Ltd	London Borough of Brent
NTL	London Borough of Croydon
O2 (UK) Ltd - Telefonica Europe plc	London Borough of Hounslow
T-Mobile UK Ltd	London Borough of Merton
Virgin Mobile Holdings plc	London Borough of Richmond
Vodafone Group Plc	London Borough of Sutton
Affinity Water	Mole Valley District Council
British Gas	Reigate and Banstead Borough Council
EDF Energy	Royal Borough of Kingston
National Grid (Land & Development Team)	Runnymede Borough Council
Orange PCS Ltd	Rushmoor Borough Council
Scotia Gas Networks	South London Partnership
Sutton and East Surrey Water Plc	Spelthorne Borough Council
UK Power Networks	Surrey County Council
Environment Agency	Surrey Heath Borough Council
Spelthorne Borough Council	Tandridge District Council
English Heritage (South East Region)	Wandsworth Council
Environment Agency	Waverley Borough Council
Forestry Commission	West London Alliance
Highways Agency	Woking Borough Council
Homes and Communities Agency	Wokingham Borough Council
Marine Management Organisation	Network Rail
Natural England	Transport for London
Sport England	Mobile Operators Association (MOA)
Office of the Police and Crime Commissioner for Surrey	Thames Water Property Services Ltd
Surrey Fire & Rescue Service	London Borough of Ealing

Hampshire County Council	London Borough of Harrow
Surrey County Council - Strategy, Transport and Planning	London Borough of Hillingdon
Berkshire Local Nature Partnership	London Local Nature Partnership
Environment Agency	Royal Borough of Windsor & Maidenhead
Hampshire and Isle of Wight Trust	
River Thames Alliance	

Table 2 – Responses to the Consultation

Question 1 - Has the Council correctly identified the strategic matters and those which could have a significant impact on at least two planning areas as part of the preparation of its Local Plan documents?

Organisation	Contact	Comments	Actions / Response
London Borough of Richmond (LBRUT)	Yvette Ralston	<p>The London Borough of Richmond upon Thames (LBRUT) agrees that Elmbridge has correctly identified the strategic matters and those which could have a significant impact on planning areas as part of the preparation of its Local Plan. LBRUT welcomes the opportunity to work with Elmbridge Borough Council (BC) on strategic matters around housing, gypsies and travellers, open spaces, green belt, infrastructure capacity and flood risk.</p> <p>With reference to the Thames Basin Heath SPA, LBRuT does not consider this a key area for cooperation as LBRuT is located approximately 11km from the SPA at its closest point and is not one of the local authorities that has been required to implement mitigation measures under the Thames Basin Heaths Delivery Plan originally developed by Natural England. It is considered unlikely that development arising within LBRuT would have a significant effect on the Thames Basin Heath SPA. This view is supported by the Habitats Regulations Assessment undertaken by LUC on behalf of LBRuT in</p>	<p>Noted.</p> <p>Agree. Remove London Borough of Richmond as a consultee for Thames Basin Heaths SPA.</p>

Organisation	Contact	Comments	Actions / Response
		July 2014 in respect of LBRuT's Site Allocations DPD.	
Reigate and Banstead Borough Council	Cath Rose	Yes, the strategic matters that you have identified appear appropriate. In general terms, they correspond well with the strategic issues that we have identified, that is, housing provision, economic growth and jobs, natural environment and climate change, infrastructure provision and town centres and retail.	Noted.
Spelthorne Borough Council	John Devonshire	<p>It is considered that Elmbridge Borough Council have correctly identified the majority of strategic matters which could have a significant impact on at least two or more planning areas in so far as they relate to the short term period to 2015.</p> <p>However, although employment land provision is set out in the DtC Scoping Statement there is no mention of identifying the Elmbridge Functional Economic Area (FEA). This is something Elmbridge will need to consider as part of their Core Strategy review/partial review.</p>	<p>Noted.</p> <p>Agreed. Amend Employment section to reflect the need to identify a functional economic area.</p>
Surrey County Council – Heritage	Tony Howe	As a Historic Environment consultee, I do not believe that the Council has correctly identified the strategic matters. There is a section relating to " <i>Climate Change, Conservation and Enhancement of the Natural and Historic Environment</i> ", with three strategic matters identified. However, these strategic matters are <u>all</u> related to the	<p>Whilst the historic environment is an important issue in the preparation of a Local Plan it is not considered to be a 'strategic matter' in its own right that requires cooperation.</p> <p>English Heritage's response to the previous Scoping Statement consultation</p>

Organisation	Contact	Comments	Actions / Response
		<p>natural environment. There is no identification of any Historic Environment issues, which is disappointing as the Historic Environment is a cross-cutting thematic consideration, the management of which can have wide-ranging implications not just for external bodies or areas, but also to other issues internally to the Borough - not only with the natural environment as outlined here, but also local economy, tourism, housing, regeneration and transport. As a consequence of the omission of Historic Environment receptors in this section, in Table 1 I also note that there is no duty to cooperate with English Heritage on any issues as a result.</p> <p>I would strongly recommend that there should be strategic consideration of adding the "management, enhancement and extension of Conservation Areas and other Heritage Assets" within this section of the document as a historic environment consideration, to ensure the constructive management and enhancement of Elmbridge's heritage assets and resources. In addition, the inclusion of Conservation Areas as a strategic issue will support current and future measures regarding the management of the Brooklands Conservation Area, and hopefully it's ultimate removal from the national Heritage At Risk Register.</p>	<p>for Settlement ID Plans confirmed that whilst it is identified as a prescribed body it agreed that there are no strategic matters for the historic environment in terms of the duty to cooperate and that it would apply where a strategic matter involves or otherwise affects a heritage asset.</p> <p>Both the County Council and English Heritage will continue to be important consultees in developing evidence base documents, policies and selecting sites for allocation within the Council's Local Plan.</p>

Organisation	Contact	Comments	Actions / Response
Surrey Heath Borough Council	Kate Baughan	<p>Housing – We note that once work on defining Elmbridge’s Housing Market Area has been finalised, the list of authorities identified for strategic engagement in respect of housing and green belt matters is likely to be modified to take into account the housing market area in which Elmbridge is located. In defining its housing market area Elmbridge will need to take a pragmatic approach and should be aware that the HMA’s for some areas have already been defined and established through consultation.</p> <p>Gypsy and Traveller Accommodation – It is noted that Elmbridge proposed to work with neighbouring authorities to address the need for new pitches across the area and that the Council will expect all other authorities to make similar efforts to meet the needs arising from within their local authority area, including considering possible reviews of the Green Belt. Surrey Heath would recommend that the latter part of this statement is revised to read “the Council will therefore expect all other local authorities to make similar efforts to meet needs arising from within their local authority areas having regard to advice in the NPPF and Planning Policy Guidance.”</p>	<p>Noted.</p> <p>Whilst it is recognised that this is a sensitive issue the NPPF is clear that as part of the plan making process Green Belt boundaries should be reviewed to ensure that the designation remains appropriate. As such the Council does not intend to amend the statement as proposed.</p>

Organisation	Contact	Comments	Actions / Response
Environment Agency	Veronica James	<p>In section 4 of your Scoping Statement you identify the strategic issues with cross boundary implications for your borough. You identify flood risk within the bullet points under paragraph 4.2, and the need to steer development to areas of lower flood risk, with which we do agree. However, there is no mention of the need for flood mitigation measures and flood risk management infrastructure, which are strategic issues that are not constrained by administrative boundaries. We suggest, for completeness, that you add this as a bullet point within this section of your statement.</p> <p>Pages 28 to 43 of your scoping statement set out the Strategic Matters in more detail, identifies the issues, who they should be discussed with and the methods and timescales for engagement. Pages 38 and 39 deal with the Strategic Matter: Flooding and provides an outline of the River Thames Scheme. We support the inclusion of this within the Scoping Statement and wish to continue to work in partnership with you on this scheme.</p>	<p>Agreed. Amend section 4.2 to include reference to flood mitigation measures and flood risk management infrastructure.</p> <p>Noted.</p>
Guildford Borough Council	Laura Howard	Yes	Noted.

Organisation	Contact	Comments	Actions / Response
RSPB	Alison Giacomelli	The RSPB's view is that the correct strategic matters have been identified in the scoping statement. We consider that Suitable Alternative Natural Greenspace (SANG) provision is a key strategic issue for the Duty to Co-operate. We welcome the commitment to identify potential SANG that can provide ongoing certainty in the long term or act as a shared resource with adjoining boroughs.	Noted.
Mole Valley District Council		<p>In general, it is agreed that the Council has correctly identified strategic matters and those which could have a significant impact on at least two planning areas. However, Elmbridge BC is asked to note the following comments and information on specific strategic matters:</p> <p>Housing – the intention to continue existing and on-going engagement with neighbouring authorities across the Strategic Housing Market Area, including Mole Valley DC, is noted and welcomed.</p> <p>Gypsy and Traveller Accommodation – The Borough Council's intention to work with neighbouring authorities to address the need for new pitches across the area is welcomed, as is expectation that other authorities will make similar efforts to meet needs within their local authority areas.</p> <p>MVDC has published a Travellers</p>	<p>Noted.</p> <p>Noted</p> <p>Noted.</p>

Organisation	Contact	Comments	Actions / Response												
		<p>Accommodation Assessment dated November 2013, using the Surrey methodology also followed by Elmbridge BC. For information, the identified required in Mole Valley is as follows:</p> <table border="1" data-bbox="887 411 1456 821"> <thead> <tr> <th data-bbox="887 411 1077 512"></th> <th data-bbox="1077 411 1267 512">Gypsy and Traveller pitches</th> <th data-bbox="1267 411 1456 512">Travelling Showpeople plots</th> </tr> </thead> <tbody> <tr> <td data-bbox="887 512 1077 612">Identified need 2012-2017</td> <td data-bbox="1077 512 1267 612">28</td> <td data-bbox="1267 512 1456 612">5</td> </tr> <tr> <td data-bbox="887 612 1077 713">Additional need 2017-2027</td> <td data-bbox="1077 612 1267 713">16</td> <td data-bbox="1267 612 1456 713">2</td> </tr> <tr> <td data-bbox="887 713 1077 821">Total demand 2012-2027</td> <td data-bbox="1077 713 1267 821">44</td> <td data-bbox="1267 713 1456 821">7</td> </tr> </tbody> </table> <p>Until December 2014, MVDC was preparing a Housing and Traveller Sites Plan (HTSP), with the intention of including proposals for provision of traveller sites. However, preparation of the HTSP has been terminated.</p> <p>At an Executive meeting of 9 December 2014, MVDC agreed that 'in order to fulfil our wider planning responsibilities, including the protection of our Green Belt, the Council takes the preliminary steps necessary to prepare a new Local Plan in line with the</p>		Gypsy and Traveller pitches	Travelling Showpeople plots	Identified need 2012-2017	28	5	Additional need 2017-2027	16	2	Total demand 2012-2027	44	7	
	Gypsy and Traveller pitches	Travelling Showpeople plots													
Identified need 2012-2017	28	5													
Additional need 2017-2027	16	2													
Total demand 2012-2027	44	7													

Organisation	Contact	Comments	Actions / Response
		<p>requirements of the NPPF.’</p> <p>The timetable for production of the new Local Plan has not yet been agreed. Therefore, although the Local Plan will need to include proposals to meet MVDC’s identified need for Gypsy and Traveller sites, there is no certainty as to the timetable within which this will occur.</p> <p>Employment Land Provision – Enclosed with this letter is a table summarising in and out commuting flows from MVDC. This demonstrates that there is a relationship between Elmbridge and Mole Valley in terms of travel to work in both directions between the two Local Authority areas. Furthermore, the numbers commuting in both directions have grown between the 2001 and 2011 Censuses.</p> <p>Since MVDC is within the Coast to Capital LEP, cross boundary employment issues would not necessarily be picked up through discussions with Enterprise M3 LEP or any of the other bodies listed in the statement.</p> <p>It is therefore requested that MVDC is added to the list of local authorities to be engaged with under this heading, in order that the boundary implications of any major employment proposals can be properly considered.</p>	<p>Noted and agreed. Amend Table 1 and relevant schedule to include MVDC as a consultee for the Strategic Matter: Employment Land Provision</p>

Organisation	Contact	Comments	Actions / Response
		Flooding – Parts of Mole Valley were seriously affected by flooding from the River Mole, during the December 2013/January 2014 period. MVDC is currently engaged in joint working with the Environment Agency, Thames Water, Surrey County Council and other relevant bodies with reference to proposals for flood alleviation in the Middle Mole region. Further information can be provided on request.	Noted. Parts of the Middle Mole area also cover Elmbridge (Cobham) and the Council recently attended a workshop at MVDC with the Environment Agency and other stakeholders to look at defence options for this stretch of the River Mole.
Greater London Authority	Stewart Murray	For the Mayor, 'homes and jobs' and 'provision of infrastructure' are the most important.	Noted.

Question 2 - Has the Council correctly identified the relevant authorities, prescribed bodies and other consultees that it needs to proactively engage and work with to maximise the effectiveness of its planning policies in regards to each strategic matter?

Organisation	Contact	Comments	Actions / Response
London Borough of Richmond	Yvette Ralston	<p>LBRUT believes that Elmbridge has correctly identified the relevant authorities, bodies and other consultees that it needs to engage with for each strategic matter.</p> <p>Please note the point above regarding the Thames Basin Heath SPA. LBRuT is listed as a prescribed body in the summary table (pg. 22) but not in the descriptive section below (pg. 36). LBRuT does not consider that this is a key strategic issue requiring cooperation between LBRuT and Elmbridge BC.</p>	<p>Noted</p> <p>Agreed. Remove London Borough of Richmond as a consultee for Thames Basin Heaths SPA in Table 1.</p>

Organisation	Contact	Comments	Actions / Response
Reigate and Banstead Borough Council	Cath Rose	<p>Your Scoping Statement identifies a need for Elmbridge Borough Council to cooperate with Reigate & Banstead Borough Council in relation to Housing and Gypsy and Traveller Accommodation, and on Green Belt issues.</p> <ul style="list-style-type: none"> • Housing: We note that your approach to cooperation on housing issues will be kept under review as your evidence base is developed. This is a pragmatic approach which we support. We welcome the opportunities you have provided to date for RBBC to input into the work you are undertaking on the strategic housing market. • Gypsy and Traveller Accommodation: We support your proposed approach. Whilst RBBC are committed to meeting our identified needs as far as possible, we have not yet been able to conclude whether sites can be allocated to meet the full need identified within our Traveller Accommodation Assessment without compromising the purposes or integrity of the Green Belt. We will keep you informed of our ongoing work on this matter through our existing joint working arrangements. • Green Belt issues: We note your approach to cooperating on Green Belt issues, and the relationship you identify 	Noted.

Organisation	Contact	Comments	Actions / Response
		<p>between this issue and strategic housing issues. Again this seems a pragmatic approach, and we suggest that – across Surrey – existing groups such as the Planning Working Group and the East Surrey Local Plans Group are used to share emerging evidence in relation to this issue.</p> <p>We confirm that we do not consider that there is a need to cooperate on the other strategic issues that you have identified given the specific functional geographies of each, however note that we have a shared strategic interest in the M25.</p>	<p>Noted. Add Reigate and Banstead Borough Council as a consultee for Infrastructure Capacity (Table 1) and within Infrastructure Capacity schedule due to shared strategic interest in the M25.</p>
Spelthorne Borough Council	John Devonshire	<p>It is considered that Elmbridge Borough Council has identified all relevant authorities and prescribed bodies for the majority of strategic matters. Recognition of Spelthorne Borough Council as a duty to cooperate partner is welcomed and we look forward to engaging with Elmbridge on the issues highlighted as being of mutual interest. One of these issues is identified as housing needs and Elmbridge will be aware that Spelthorne and Runnymede Borough Councils have been working together on a stage 1 SHMA study. The Stage 1 study considered the extent of the local and wider Housing Market Area (HMA) and concluded that Spelthorne and Runnymede are within the same local HMA but that the edges of</p>	<p>Noted.</p>

Organisation	Contact	Comments	Actions / Response
		<p>this blur into other authority areas. These included southern areas of Hounslow, northern areas of Woking and western areas of Elmbridge. As such, there is a need for continued engagement between Elmbridge/Spelthorne/Runnymede which has been recognised in the Scoping Statement. The process for engagement will need to be considered further.</p> <p>In terms of flooding it is considered that Elmbridge should be engaging with all partners involved with the Lower Thames Scheme which also includes the Royal Borough of Windsor & Maidenhead.</p>	<p>Agreed. Add Royal Borough of Windsor and Maidenhead to Table 1 and 'Flooding' schedule.</p>
Surrey County Council – Heritage	Tony Howe	<p>See discussion above. Should this recommendation be adopted, I would also recommend that both English Heritage and Surrey County Council be added as strategic cooperation bodies on table 1. With regards to Brooklands, Woking Borough Council and perhaps Runnymede BC also could also be included as a consulted strategic bodies.</p>	<p>See response to Question 1.</p>
Enterprise M3	Rachel Barker	<p>We have reviewed the documentation and are of the view that engaging Enterprise M3 is entirely appropriate as you develop your Local Plan. The strategic matters where Enterprise M3 is most likely to have an interest include:</p> <ul style="list-style-type: none"> • Housing • Employment Land Provision 	<p>Noted and agreed. Amend Table 1 in include Enterprise M3 as a consultee for Housing, Thames Basin Heaths SPA and Flood Risk in addition to Employment Land Provision and Infrastructure Capacity. Amend relevant schedules to reflect these changes.</p>

Organisation	Contact	Comments	Actions / Response
		<ul style="list-style-type: none"> • Thames Basin Heaths Special Protection Area • Infrastructure capacity • Flood risk 	
Environment Agency	Veronica James	<p>Under the Strategic Matter: Flooding we suggest that an addition is made to the list of local authorities to engage with on this issue to include the Royal Borough of Windsor and Maidenhead, as part of the River Thames Scheme lies within their borough.</p> <p>Page 40 of your scoping statement deals with the Strategic Matter: Infrastructure Capacity, which includes water – supply, foul surface and sewerage. We understand that these matters are considered less critical at present but may be reconsidered at a later stage depending on the way forward for the Local Plan. We have an interest in these issues because of the impact on water resources and water quality and the implications for non-compliance with the Water Framework Directive.</p> <p>We wish to be included on the list of prescribed bodies for this strategic matter and to work with you to ensure that any future water and foul drainage infrastructure provision does not cause a detrimental impact on the water environment.</p>	<p>Agreed. Amend Table 1 and relevant schedule to include Royal Borough of Windsor and Maidenhead as a consultee for the Strategic Matter: Flooding.</p> <p>Noted and agreed. Amend Table 1 and relevant schedule to include the Environment Agency as a consultee for the Strategic Matter: Infrastructure Capacity.</p>

Organisation	Contact	Comments	Actions / Response
RSPB	Alison Giacomelli	The RSPB welcomes being included in the list of organisations to be consulted on the Thames Basin Heaths strategic matter.	Noted.
Guildford Borough Council	Laura Howard	<ul style="list-style-type: none"> • Housing: we agree that this is a shared strategic issue. Whilst our West Surrey SHMA does not identify Elmbridge as falling within our core housing market area, it does nevertheless note identifiable and important functional interactions with adjoining authorities, including Elmbridge, for which future engagement under duty to cooperate will be necessary on housing related matters. • Gypsies and Travellers: we have a published TAA using the Surrey-wide methodology. Whilst meeting traveller need is a strategic issue we envisage meeting our own traveller need within our borough. • Employment Land Provision: We agree this is not a cross boundary issue as our emerging Employment Land Needs Assessment has not identified any particular linkages with Elmbridge. Our functional economic area has been identified as consisting of Woking and Waverley. • Open space: We agree that Green Infrastructure is a cross boundary issue. We are in the process of progressing work on our GI Study, this will begin with an assessment of play spaces and pitches, 	Noted.

Organisation	Contact	Comments	Actions / Response
		<p>and then move onto wider GI.</p> <ul style="list-style-type: none"> • Local Green Space: we agree that this is likely to be a local rather than cross boundary issue. • Green Belt: We have a published Green Belt and Countryside Study. We agree that this is a strategic issue and as part of any review of Green Belt boundaries through the Local Plan process it will be important to consider reviews in adjoining authorities to ensure the integrity of the Green Belt remains. • SPA/SANG: We agree that this is a strategic issue and we will need to continue to cooperate on matters such as the provision of SANG • Infrastructure and flood risk: We agree this is a strategic issue and it will be necessary for both councils to demonstrate through their local plans and IDPs the relevant infrastructure that will be required to support sustainable development, notably on those sites near the borough border. Based on our previous strategic highway assessment, we are now undertaking a Hotspots Study to identify potential highway improvements on the local road network. We will also be working with the Highways Agency to identify an A3 Guildford scheme for delivery in the Road Period 2020/21 – 2025/26. We are also currently 	

Organisation	Contact	Comments	Actions / Response
		<p>in the process of updating our Level 1 SFRA and finalising our Surface Water Management Plan</p> <ul style="list-style-type: none"> • Schools: We agree this is a strategic issue. Guildford is currently working with Surrey County Council to identify suitable sites for potential new schools to meet our planned growth. <p>We note that the table does not include a column for retail in spite of it being identified as a strategic matter earlier in your statement. On this matter, our emerging Retail Study identifies Elmbridge (Cobham) as an area to which there is some expenditure leakage from our borough.</p>	<p>This is an error within the statement. Amend Table 1 to include reference to retail and include a schedule.</p>
Highways Agency	David Bowie	<p>I am pleased to see that the Highways Agency are listed in the relevant sections as a consultee, these include Housing, G & T sites, Employment Land, Green Belt and Infrastructure Capacity. Whilst we agree with this selection we would also like to be included as a consultee on schools. As you will be aware schools can have a significant effect on travel patterns and indeed new schools adjacent to the Highways Agency's network could have a marked effect on its operation hence our request for inclusion in that consultation process.</p>	<p>Noted and agreed. Amend Table 1 and relevant schedule to include the Highways Agency as a consultee on Strategic Matter: Schools.</p>

Mole Valley District Council		It is requested that MVDC is added to the list of authorities to be engaged with under the heading of Employment Land Provision, for the reasons noted above.	Noted and agreed. Amend Table 1 and relevant schedule to include MVDC as a consultee for the Strategic Matter: Employment Land Provision
Greater London Authority		I welcome the addition of Transport for London as a Duty to Cooperate body for the provision of infrastructure in Table 1: Strategic Matters and Duty to Cooperate Bodies.	Noted.

Question 3 - Where there are existing processes in place to consider/address strategic matters and those which could have a significant impact, are these sufficient?

Organisation	Contact	Comments	Actions / Response
London Borough of Richmond	Yvette Ralston	LBRuT is working with Elmbridge Borough Council as a member of the existing Lower Thames Planning Officers Group (along with Runnymede BC, RB Windsor and Maidenhead, RB Kingston upon Thames, Spelthorne BC, Surrey CC, Bucks CC, the Environment Agency, Thames Water and Defra) to address strategic flooding issues in the Lower Thames Area. The proposal set out in the Elmbridge Duty to Cooperate Scoping Statement is to continue with this process, working towards implementation of the River Thames Scheme. LBRUT believes this existing process is sufficient and therefore supports this proposal.	Noted.
Reigate and Banstead Borough Council	Cath Rose	We consider that existing joint working mechanisms provide an appropriate mechanism for addressing the shared strategic matters identified.	Noted.
Spelthorne Borough Council	John Devonshire	Some processes are in place to consider strategic matters but these are mostly at an Officer level. More bespoke processes may be required which	Agreed. More bespoke processes for engagement and cooperation will be developed for each strategic matter

Organisation	Contact	Comments	Actions / Response
		ensures engagement can focus on single issues and can take place at Member level with a variety of different authorities/bodies depending on the strategic issue under consideration.	as work progresses. It is acknowledged that engagement solely at an officer level is unlikely to be sufficient and as such the Council will be working to implement a variety of different approaches involving both officers and members. The Council has already agreed the Surrey Local Strategic Statement which will form an important basis for member level engagement on matters across the County.
Surrey County Council – Heritage	Tony Howe	No comments on this question.	Noted
Environment Agency	Veronica James	We are content with the existing mechanisms for engagement identified in paragraph 4.11 as we are involved with the Lower Thames Planning Officer Group and also the Enterprise M3 Local Economic Partnership. We are also happy to attend and contribute to working groups specific to the strategic priorities that we are concerned with, as and when they are established.	Noted.
Guildford Borough Council	Laura Howard	Yes although a flexible approach is required as the form and nature of cooperation may vary depending on the issue. Certain issues may require more focussed and bespoke meetings to take place as and when required. There may also be instances where the cooperation needs to be done at senior officer or councillor level.	Noted.
Mole Valley District Council		MVDC agrees that the existing frameworks provided by the East Surrey Local Plan Working Group and SPOA provide appropriate mechanisms for	Noted.

Organisation	Contact	Comments	Actions / Response
		<p>cooperation between MVDC and Elmbridge BC on strategic matters. The Strategic Planning and Investment Framework/Local Strategic Statement for Surrey promises also to be an important mechanism for joint working on strategic issues. MVDC also notes that there may be cases where other mechanisms need to be established, where the geography of specific issues dictates a bespoke approach.</p>	
<p>Greater London Authority</p>	<p>Stewart Murray</p>	<p>You will be aware of the officer level Strategic Spatial Planning Officer Liaison Group, in which representatives from across the wider South East are meeting quarterly to discuss Duty to Cooperate issues. This group considers a range of high-level strategic issues to complement the Duty to Cooperate obligations of individual authorities. Further information on this group and cross-boundary strategic planning cooperation can be found at: https://www.london.gov.uk/priorities/planning/london-plan/cross-boundary-strategic-planning-co-operation</p> <p>The Mayor is also working with South East England Councils/South East Strategic Leaders, the East of England Government Association and other agencies to explore further arrangements to more effectively coordinate strategic policy and investment across the wider South East of England.</p>	<p>Noted. The Council is represented on the Spatial Planning Officer Liaison Group and regularly feeds into these meetings. Add bullet point to paragraph 4.11 to reflect this.</p> <p>The Council supports the development of further arrangements to facilitate engagement across the South East and London to more effectively coordinate strategic policy and investment matters.</p>

Question 4 - Do you support the Council's intended approach and timetable for engaging with the identified local authorities, prescribed bodies, and other consultees?

Organisation	Contact	Comments	Actions / Response
London Borough of Richmond	Yvette Ralston	LBRuT supports Elmbridge's intended approach and timetable for engaging with the identified local authorities, prescribed bodies, and other consultees.	Noted.
Reigate and Banstead Borough Council	Cath Rose	We support the suggested approach and timetable.	Noted.
Guildford Borough Council	Laura Howard	Yes. In terms of our own timetable we are continuing to update/develop key parts of our evidence base and expect to publish the next iteration of our Local Plan, likely to be a further Regulation 18, for consultation in Summer 2015.	Noted.
Runnymede Borough Council	Richard Ford	<p>Thank you for providing Runnymede Borough Council with the opportunity to comment on your DtC Scoping Statement consultation.</p> <p>The officer view at Runnymede is that Elmbridge has identified the appropriate strategic matters as they affect our Borough, and we would therefore not wish to comment further at this stage.</p> <p>We look forward to being involved at the appropriate times as the Elmbridge Local Plan is being prepared.</p>	Noted

Organisation	Contact	Comments	Actions / Response
Spelthorne Borough Council	John Devonshire	The intended approach and timetable for engaging with identified local authorities/prescribed bodies is largely agreed.	Noted.
Surrey County Council – Heritage	Tony Howe	Yes - with the caveat of the points made in response to questions 1 and 2.	See response to question 1.
Mole Valley District Council		Yes, MVDC supports the Council's general approach and timescales and welcomes the protection of this Duty to Cooperate Scoping Statement, which has helped to highlight the areas in which joint working may be appropriate.	Noted.
Greater London Authority	Stewart Murray	Yes	Noted.

General Comments

Organisation	Contact	Comments	Actions / Response
Marine Management Organisation	Angela Gemmill	I can confirm that the MMO has no comments to submit in relation to this consultation	Noted.
Surrey Wildlife Trust	Mike Waite	Thank you for this consultation. Our input to an earlier stage remains valid and has been fully incorporated into your current document. We thus have no further comments to make.	Noted. This Scoping Statement has already been amended to take account of comments following the previous consultation.
Spelthorne Borough Council	John Devonshire	Please note that the comments set out in this letter are Officer comments only. These comments supersede those submitted to Elmbridge on the original scoping statement in February/March 2014.	Noted.

Organisation	Contact	Comments	Actions / Response
Berkshire Local Nature Partnership	Annie English	<p>I assume that I have received this email because LNPs are listed in the NPPF: Duty to Cooperate section. There are 48 LNPs covering England, each responsible for a different geographic area; the LNP that overlaps with Elmbridge Borough Council is the Surrey Nature Partnership: http://surreynaturepartnership.org.uk/about-us/</p> <p>Please therefore ensure that it is Surrey Nature Partnership included in your Duty to Cooperate Statement, and not the Berkshire Local Nature Partnership as we are only resourced enough to cover the Berkshire Local Authorities.</p>	<p>Noted. Berkshire Local Nature Partnership were consulted due to the strategic matter of Thames Basin Heaths SPA which affects a number of local authorities located within Berkshire. Surrey Local Nature Partnership has also been identified as a consultee.</p> <p>Explain to Berkshire Local Nature Partnership why they had been consulted and remove as a consultee as requested.</p>
Enterprise M3	Rachel Barker	<p>We very much welcome the engagement of Enterprise M3's Land and Property Group in the work relating to the Employment Land Review but were concerned that we haven't yet heard from you on this matter and a draft report is due to be consulted on in November/December 2014. It would be helpful if you could confirm these timings and advise on when best Enterprise M3 can engage with this study.</p> <p>As you develop your Local Plan, I will be the main point of contact and will be supported by the Enterprise M3 Land and Property Group which brings together property experts from across the public and private sectors. We have used this group to assist</p>	<p>Noted. The Council does plan to consult Enterprise M3 amongst others on the draft Employment Land Review, however, this work has been delayed due to team resources. Timescales within the Scoping Statement will be adjusted to reflect this. Consultation is planned for early in 2015.</p>

Organisation	Contact	Comments	Actions / Response
		<p>other Local Authorities throughout their Local Plan process and would be more than happy to discuss how this group could work with Elmbridge Borough Council in the coming months.</p>	
English Heritage	Alan Byrne	<p>As you are aware the Historic Buildings and Monuments Commission (English Heritage) is a 'prescribed body' by virtue of the Town and Country Planning (Local Planning) Regulations 2012, and is therefore required to co-operate in relation to planning of sustainable development with local planning authorities and other prescribed bodies by Section 33A of the Part 2 of the Planning and Compulsory Purchase Act (as inserted by Section 110 of the Localism Act 2011).</p> <p>The activities on which the prescribed bodies are required to co-operate include the preparation of a development plan and other local development documents so far as they relate to a strategic matter: i.e. sustainable development or use of land that has or would have a significant impact on at least two planning areas.</p> <p>English Heritage confines its involvement in planning issues to matters that involve or otherwise affect the historic environment. English Heritage's duty to co-operate is therefore appropriate in respect of strategic matters that would involve or otherwise affect a heritage asset.</p>	Noted.

Organisation	Contact	Comments	Actions / Response
		<p>There do not appear to be any strategic matters identified within the document that would affect heritage assets that would require English Heritage to be involved.</p>	
Natural England	Natural England	<p>The Duty to Cooperate Scoping Statement should list NE as a consultee on SSSIs as well as TBH SPA, e.g. on page 23.</p> <p>It should also state that avoidance and mitigation measures are required for large residential developments (over 50 units) from TBH SPA, in accordance with Page 5 of the Strategic Delivery Framework, and not just those within 5km, Page 36.</p>	<p>It is not considered that SSSIs need to be identified separately as a strategic matter for the purpose of this statement, however, Natural England will continue to be consulted on any issues affecting these sites. In addition, part of the Ockham and Wisley SSSI falls within the Thames Basin Heaths SPA.</p> <p>Whilst the summary on page 36 is not intended to be an exact statement of the policy the Council will include the reference to large residential developments outside of the 5km zone and the need for appropriate mitigation.</p>
Highways Agency	David Bowie	<p>As you are aware, on behalf of the Secretary of State for Transport, the HA is responsible for managing and operating a safe and efficient Strategic Road Network (SRN), i.e. the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 02/2013 (Planning and The Strategic Road Network). Interest in Elmbridge Borough relates to the impact of any proposed site allocations on the M25 Motorway and A3 Trunk Road that fall within your area and adjacent to them.</p>	Noted.

Organisation	Contact	Comments	Actions / Response
Greater London Authority	Stewart Murray	Refer also to response to Settlement Investment and Development Plans Duty to Cooperate Scoping Statement. The Mayor of London is both a 'prescribed person' under the Town and Country Planning (Local Planning) Regulations 2012 and a public body with whom your authority considers it will need to work with to address potentially significant cross-boundary and strategic matters.	Noted.
Savills on behalf of Thames Water Utilities Ltd	Phil Jameson	<p>Thank you for the opportunity for Thames Water Utilities Ltd (Thames Water) to comment on the above. Thames Water's Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.</p> <p>Thames Water is the statutory sewerage undertaker for Elmbridge Borough and the statutory water undertaker for part of the Borough, the following comments are made in this respect.</p> <p>A key sustainability objective for the preparation of the Local Development Framework / Local Plan should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework</p>	Noted.

Organisation	Contact	Comments	Actions / Response
		<p>(NPPF), March 2012, states:</p> <p><i>“Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver: ... the provision of infrastructure for water supply and wastewater...”</i></p> <p>Paragraph 162 of the NPPF relates to infrastructure and states:</p> <p><i>“Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment ... take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”</i></p> <p><u>Planning Policy Consultations</u></p> <p>In liaising with Local Planning Authorities and responding to consultations on Local Plans and related documents, Thames Water’s key consideration is to ensure the inclusion of policies that require the adequate provision of water and wastewater infrastructure to serve new development and that any necessary infrastructure is in place prior to or alongside the development. Thames Water also seeks the inclusion of policies that are supportive of the provision</p>	

Organisation	Contact	Comments	Actions / Response
		<p>of new water and waste water infrastructure development.</p> <p>It will be essential to ensure that the introduction of a portfolio of Local Plan documents does not prejudice adequate planning for water and sewerage infrastructure provision as this is an essential pre-requisite for development. It is essential to ensure that adequate water and sewerage infrastructure is in place prior to development taking place, in order to avoid unacceptable impacts on the environment, such as sewage flooding of residential and commercial property, pollution of land and watercourses, or water shortages with associated low-pressure water supply problems.</p> <p>Water and sewerage undertakers have limited powers under the Water Industry Act to prevent connection to existing networks by developers, ahead of infrastructure upgrades and therefore rely heavily on the planning system to ensure infrastructure is provided ahead of development either through phasing of development or the use of planning conditions. Where the existing infrastructure is of insufficient capacity to cope with the proposed development we may require an 18-month to three-year lead in time for provision of extra capacity to drain new development sites. If any large</p>	

Organisation	Contact	Comments	Actions / Response
		<p>engineering works are needed to upgrade infrastructure the lead in time could be up to five years.</p> <p><u>Planning Applications</u></p> <p>Thames Water would expect to be consulted on most major planning applications. Thames Water published and circulated in November 2010 to all Local Planning Authorities in our area "A Water Services Infrastructure Guide for Local Planning Authorities". This will be of assistance to you when determining which planning applications to consult Thames Water on and in the preparation of LDF documents.</p> <p>The earlier Thames Water is able to be involved in the planning application process the greater the opportunity we have to make known our concerns regarding the ability of the local infrastructure to support development, and to ensure any proposed development has no detrimental impact on our assets or the service we provide to existing customers. Furthermore, early consultation allows Thames Water to work with developers and other agencies to enable the issues caused by a development to be mitigated, or a compromise to be</p>	

Organisation	Contact	Comments	Actions / Response
		<p>reached.</p> <p>In many cases Thames Water will recommend that a condition is included on the planning permission to allow a further risk assessment in the form of an impact study to be carried out. The condition would also require the appropriate infrastructure is in place ahead of the development being occupied. This will ensure that the development proposed does not increase risk of flooding / issues of no or low water pressure to existing residents.</p> <p><u>Flooding and Infrastructure Capacity</u></p> <p>Thames Water welcomes the identification of Flooding and Infrastructure Capacity as key Strategic Matters in the Duty to Cooperate Scoping Statement.</p> <p>The recognition that the capacity of sewer systems is a key consideration in relation to flooding is welcomed, as is the inclusion of Thames Water on the list of bodies that the Council intends to consult with on flooding matters. The consideration given to whether the additional demand on infrastructure networks as a result of development can be accommodated and / or mitigated is also welcomed. The inclusion of Thames Water on the list of bodies to be consulted in relation to infrastructure capacity issues is</p>	

Organisation	Contact	Comments	Actions / Response
		supported. Thames Water welcomes the opportunity to work closely with Elmbridge Borough Council as the Local Plan and related documents evolve.	