

STATEMENT OF COMMON GROUND

1. List of Parties involved:

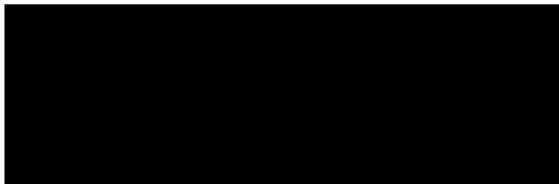
- Elmbridge Borough Council (EBC)
- Mole Valley District Council (MVDC)

2. Signatories:



18.07.2023

***Elmbridge Borough Council
Kim Tagliarini, Head of Planning & Environmental Services***



05.07.2023

***Mole Valley District Council
Councillor Margaret Cooksey, Cabinet Member for Planning***

3. Strategic Geography

The Statement of Common Ground (SoCG) is between the local authorities of Elmbridge Borough Council (EBC) and Mole Valley District Council (MVDC). This SOCG updates the SOCG signed 10th August 2021.

EBC and MVDC share a common boundary within the Surrey County Council administrative area and are both located within the Kingston and North-East Surrey Housing Market Area (HMA). There is considerable cross-migration, with a net in-migration into Mole Valley district. Both areas are similarly influenced by London in terms of the economy and overspill. In terms of planning, both authorities have extensive areas designated as Green Belt and both have areas of common land and heritage assets which constrain development.

Figure 1 identifies the strategic geography considered for cooperation on strategic matters as part of the preparation of our respective Local Plans

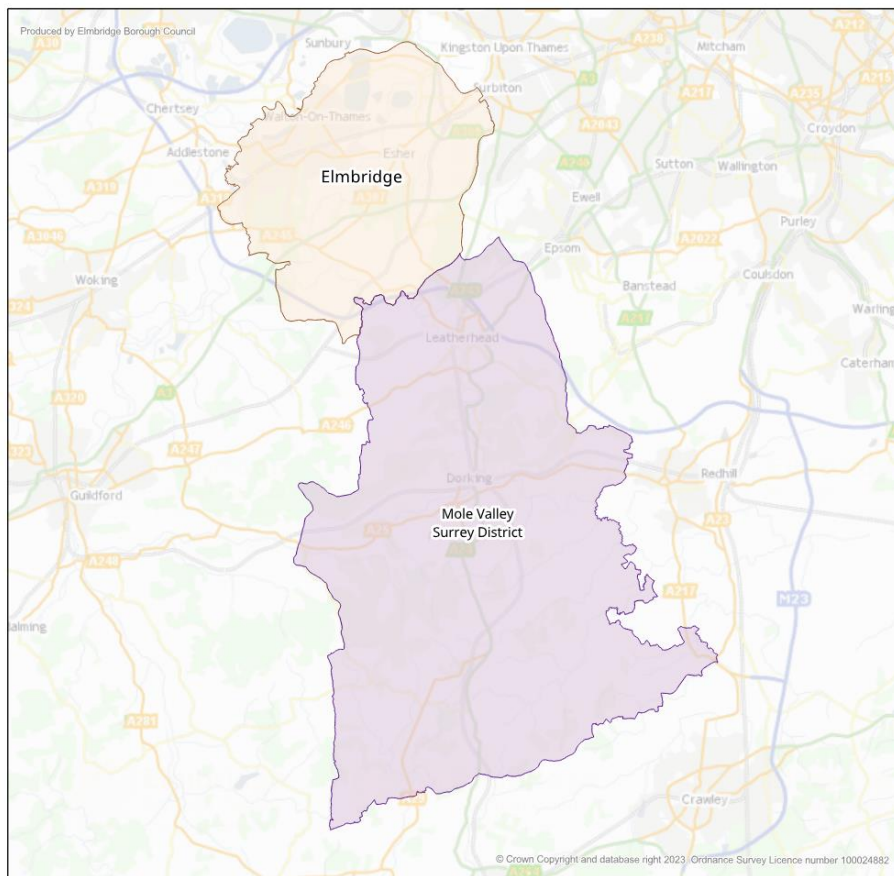


Figure 1: Elmbridge Borough Council & Mole Valley District Council

4. Strategic Matters

Duty to Cooperate

EBC and MVDC have engaged with one another to discuss duty to cooperate matters throughout the preparation of their respective draft Local Plans. This has included engagement and joint working on evidence base documents; through meetings; and at the Regulation 18 & 19 Stages.

Their duty to cooperate activities up until their respective Regulation 19 Stages, are recorded in the following documents:

- MVDC’s Regulation 19- Duty to Cooperation (August 2021)
- MVDC’s Post Publication - Statement of Cooperation Update (February 2022)
- EBC’s Duty to Cooperate Statement of Compliance (June 2022)

Both authorities agree that the above documents are an accurate record of their engagement up until EBC’s Regulation 19 consultation in June 2022.

Local Plan Positions

Elmbridge

EBC invited representations on their draft Local Plan (Regulation 19) between 17 June and 29 July 2022. It is the Council’s intention to submit its Draft Local Plan to the Secretary of State for Levelling-Up, Housing and Communities for independent examination in July 2023.

Mole Valley

On 14 February 2022, MVDC submitted its draft Local Plan to the Secretary of State for Levelling-Up, Housing and Communities for independent examination. This followed MVDC's Regulation 19 representation period between September and November 2021. Hearing Sessions took place during June, September, and October 2022. Throughout November and December 2022, correspondence between the Planning Inspector and MVDC were exchanged in regard to targeted consultations and proposed Main Modifications.

On 5 January 2023, MVDC announced a delay to the consultation on the proposed Main Modifications and on 19 January 2023, MVDC asked the Inspector for a Main Modification to delete the Green Belt sites in the Local Plan in order to make the plan consistent with imminent national policy. This follows the Secretary of State's announcements in December 2022, when he announced that the Green Belt need not be used for meeting housing needs and that the changes would be in place in Spring 2023.

Correspondence was exchanged with the Planning Inspector in February 2023. In a letter dated 28 February 2023, the Planning Inspector noted MVDC's request to pause the examination in light of uncertainty in emerging national planning policy. It was agreed that the examination be paused until 25 May 2023.

Further correspondences were exchanged with the Planning Inspector in May and June 2023. The latest letter date 23 June 2023, from the Planning Inspector noted MVDC's request to extend the pause to the examination in light of the continued uncertainty in emerging national planning policy. It was agreed that the examination be paused until revisions to the NPPF have been finalised and published and, until the Council has fully considered the implications of any revised policy. It was agreed that the timescale for the extended pause will be kept under review whilst publication of a revised NPPF is awaited so that the process does not become unduly protracted.

Key Strategic Matters:

Both authorities through their representations at the Regulation 19 stages, identified Housing and the Green Belt as outstanding strategic matters. The position of each authority in regard to these matters, is set out as follows:

Housing Need

Elmbridge

The local housing need figure, as set by the Government's Standard Method, is 9,705 (647 dwellings per annum) over 15-years.

Elmbridge's proposed growth strategy focuses on delivering development and increasing capacity in its existing urban areas (a 'brown-field' approach). This includes the reallocation and diversification of employment land, encouraging mixed use development and ensuring the potential of sites is optimised.

This approach provides for 6,785 dwellings, 70% of the local housing need figure. This leaves a local unmet housing need of circ. 2,920 dwellings over its plan period. This includes an element of unmet affordable housing need.

Mole Valley

MVDC has a local housing need figure of 456 new homes per year and has strived to meet its housing need figure in its Local Plan by (i) allocating town centre sites for housing-led redevelopment; (ii) adopting a policy of gentle densification on brownfield sites; (iii) allocating outmoded office complexes for housing-led regeneration; (iv) de-designating Green Belt for housing; (v) allocating Green Belt sites in and around Hookwood for housing; and (vi) amending village boundaries for housing development.

MVDC has calculated that it can deliver 78% of its local housing need figure. This leaves a local unmet housing need of circ. 1,700 dwellings over its plan period.

Green Belt

Elmbridge

EBC has commissioned Arup Ove to undertake two Green Belt Assessments. The first, Green Belt Boundary Review (GBBR) was published in 2016 and examined the performance of the Green Belt in and around Elmbridge against the Green Belt Purposes, as set out in the National Planning Policy Framework (NPPF). The analysis was undertaken at two scales: Strategic Areas and Local Areas.

The 2018 Supplementary Review was a more spatially focused piece of work to better understand the performance of smaller 'sub-areas' against the Green Belt purposes, as well as their context in relation to the wider Green Belt (Local Areas and Strategic Areas, as assessed through the 2016 GBBR).

In addition to the above, the Council has also undertaken further evidence base work on the Green Belt:

- Green Belt Boundary Review – Assessment of Weakly Performing Local Areas 2019: The assessment identifies the extent of development potential within each Local Areas considered to be 'weakly performing' as part of the GBBR 2016 and sets out whether there is an opportunity for large / small-scale development or no development.
- Green Belt Boundary Review – Accessibility Assessment, June 2019: This assessment looks at the sustainability of specific Green Belt areas (weakly performing and smaller sub-divisions) using a range of accessibility standards.
- Green Belt Boundary Review – Assessment of Previously Developed Land, June 2019: This assessment looks at the level of Previously Developed Land (PDL) within specific Green Belt areas (weakly performing and smaller sub-divisions).
- Green Belt Site Proforma – Utilising the information from the above documents and other evidence base documents, the pro-forma considers specific areas of land for potential release from the Green Belt.

The evidence base documents set out that alongside further assessments and evidence base documents, they will be used to inform the Council's preferred approach for the Local Plan and site selection. This includes whether exceptional circumstances exist to justify releasing land from the Green Belt.

EBC's rationale for its proposed development strategy is set out in the Topic Paper: How the Spatial Strategy was formed (June 2022). The Paper sets out the options assessed when

considering how to address the Borough's housing need and includes the Council's consideration of whether exceptional circumstances are fully evidenced and justified to release land from the Green Belt. The Paper sets the rationale for the Council's recommended spatial strategy within the draft Local Plan; promoting sustainable development and place-making ambition and responding to the Council's commitment to tackle climate change.

Mole Valley

MVDC has prepared a series of evidence base documents assessing opportunities for meeting its local housing need figure. These include:

- H3: Constraints Analysis (MVDC, 2017)
- H4: Constraints Analysis (MVDC, 2020)
- H5: Countryside Beyond the Green Belt (MVDC, 2020)
- H6: Green Belt Review (MVDC, 2020)
- H13: Settlement Hierarchy Topic Paper (MVDC, 2021)
- H14: New Settlement Topic Paper (MVDC, 2020)
- H15: Settlement Boundaries Topic Paper (MVDC, 2021)
- H16: Development Site Selection Process (MVDC, 2021)
- H17: Development Site Selection Process Appendices (MVDC, 2021)
- H18: Green Belt Exceptional Circumstances Topic Paper (MVDC, 2021)
- H19: Green Belt Exceptional Circumstances Topic Paper 2 (MVDC, 2022)

Through utilising the outcomes of the above documents as well as other planning considerations, MVDC has concluded that exceptional circumstances have been fully evidenced and justified to release some land from the Green Belt and both a strategic and local / site specific level to meet part of its local housing need.

Transport

In the SOCG dated 10 August 2021, transport was identified as an outstanding cross boundary strategic matter, specifically that MVDC was to continue to work with Surrey County Council and Highways England on mitigation to reduce the impact of new development on the local and strategic road network. The M25 Junction 9-10 has been identified as a hotspot, more specifically, M25 junctions 9a and 9b, M25 Junction 9b Roundabout (A244 with A243 and M25) and A244 Oxshott Road roundabout with Oaklawn Road.

Following the completion of EBC's Transport Assessment (2022), this assessment concluded that these hotspots were not an issue for EBC. On 1 September 2022, following additional transport studies, MVDC and Highways England concluded a SoCG (Examination Document 29) which stated: "National Highways can confirm that MVDC have demonstrated that the SRN can accommodate the cumulative impact of growth identified in the MVDC Local Plan without the need to identify additional mitigation. Outside of the Local Plan process, National Highways will continue to seek opportunities to improve the safe and efficient operation of M25 J9a and due to its interdependency with the LRN will continue to engage with the local highway authority."

Current positions:

Mole Valley's draft Local Plan – Elmbridge Borough Council's position

- Due to the fact that 76% of the district is designated as Green Belt and 45% is designated as an Area of Outstanding Natural Beauty or Area of Great Landscape Value and both its principal towns are Conservation Areas, EBC recognises the challenges MVDC has in meeting its local housing need in full.

- No objection has been raised to the proposed development strategy for Mole Valley as set out in the draft Local Plan.
- It is acknowledged that as MVDC is not meeting its own local housing need in full, it cannot be relied upon to meet any of Elmbridge's unmet housing need.
- MVDC's proposal to the Planning Inspector to remove sites from the Green Belt as a Main Modification is noted as well as the pause in the examination until 25 May 2023. EBC considers it the role of the Planning Inspector to consider the appropriateness of this proposal as a Main Modification and will respond to any future consultation on this point if necessary.

Elmbridge's draft Local Plan – Mole Valley District Council's position

- MVDC notes that EBC's Local Plan target will meet 70% of the local housing need figure of 9,705 homes.
- Due to the fact that local housing need figures do not take account of Green Belt constraints, the challenges of any local authority with significant Green Belt land able to meet its housing need figure in full are noted.
- MVDC recognises that the Elmbridge strategy looked at a reasonable alternative of Green Belt release but fared poorly through Sustainability Appraisal, mainly due to the Green Belt land availability.
- MVDC notes that Elmbridge has tested Green Belt sites through a strategic housing land availability assessment and then emerging sites through an exceptional circumstances test.
- Whilst MVDC finds it somewhat surprising that there is no parcel of land within EBC's Green Belt that can be released for an element of new housing, MVDC appreciates the sustainability issues of those sites.
- MVDC expect Elmbridge's conclusion in respect of Green Belt release will be investigated thoroughly through the Examination-in-Public process.

The parties agree:

1. Due to the fact that local housing need figures do not take account of Green Belt and other constraints, any local authority with significant Green Belt land is likely to be unable to meet its housing need figure.
2. Neither local authority can assist in meeting any of the unmet housing need arising from the other.
3. The proposed development strategies for each Local Planning Authority will be investigated through the Examination-in-Public process and it will be for the Planning Inspector to determine whether they are sound.
4. Despite the difficulties of meeting Local Housing Need, the two authorities will continue to discuss any significant development and changes in housing land supply and approach that could enable the issue of unmet housing to be resolved.

Matters not specifically addressed in this Statement of Common Ground

The parties agree:

The following matters are defined in the National Planning Policy Framework as Strategic Matters but are not specifically addressed in the context of this SoCG:

- Gypsies, Travellers, and Traveller Showpeople;
- Employment, retail and leisure;
- Transport;
- Flooding;

- Green & Blue Infrastructure;
- Climate Change; and
- Historic Environment.

The authorities agree that the engagement undertaken on these issues, as set out in their respective Duty to Cooperate: Statement of Compliance documents, has been ongoing and constructive and that there are no unresolved issues.

It is also agreed that the authorities will continue to work on these matters as appropriate.

5. Governance Arrangements

The authorities are committed to working positively together, sharing information and best practice, and continuing to procure evidence jointly, where appropriate, throughout the plan preparation phase and beyond. This co-operation and collaboration takes place at senior member, chief executive, and senior officer as well as at technical officer level.

Joint working will include the following existing governance arrangements:

- Surrey Leaders;
- Surrey Chief Executives;
- Surrey Futures;
- The Surrey Planning Officers' Association (SPOA); and
- Surrey Planning Working Group (PWG).

In terms of governance, the authorities agree:

- that in response to any new evidence / changes in circumstance, informal discussions will occur between the two authorities on the cross-boundary issues referred to in this SoCG in the form of officer level meetings with escalation of matters to Member level where necessary;
- that this SoCG will be reviewed at the above meetings or, when required by either authority e.g. for the purpose of their Examination;
- to continue to work collaboratively on plan preparation and evidence, whilst acknowledging others' timetables and timescales;
- to respect each other's right to develop their own plans that fit the specific circumstances of the local authority's communities; and
- to continue to work with the other Surrey authorities on housing, employment and other strategic issues affecting Surrey as a whole.