



Local Development Scheme 2023-2026

Elmbridge Local Plan



July 2023



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



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1.0 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004¹ introduced the requirement for councils to prepare and maintain a Local Development Scheme (LDS). The LDS specifies which local development documents are to be development plan documents and sets out the work programme for the preparation of each document. It also includes an assessment of the identified risks and contingencies as part of ongoing programme management.
- 1.2 This LDS covers the time period 2023-2026 and revises the previous LDS which covered the period 2022-2025. It provides an updated position and programme on the preparation and submission of the new Elmbridge Local Plan and sets out the timeframes of other planning policy documents to be prepared.
- 1.3 The timetable for preparing the new Elmbridge Local Plan and other documents is based on current legislation and national planning policy and guidance. However, the Government is proposing changes to planning policy and legislation through revisions to the National Planning Policy Framework and the Levelling-up and Regeneration Bill. The Council is progressing with the Local Plan and other documents under the current legislation until such time as it can no longer do so, or it is not prudent to do so having regard to any transitional arrangements.
- 1.4 There are some risks that could impact upon the delivery of the work programme. These risks, together with appropriate mitigation measures, are set out in section 4.0.

¹ [Section 15 of the Planning and Compulsory Purchase Act 2004](#)

2.0 Elmbridge Development Plan

2.1 The current development plan for the Borough is made up of the following:

- Elmbridge Core Strategy July 2011
- Elmbridge Local Plan Development Management Plan April 2015
- Saved policy NRM6 of the South East Plan which relates to development affecting the Thames Basin Heaths Special Protection Area;
- Surrey Minerals Plan (Core Strategy Development Plan Document) July 2011; and
- Surrey Waste Local Plan December 2020.

2.2 The policies map illustrates geographically how and where the policies and proposals in the Development Plan apply across the Borough and forms part of the Development Plan. They can be downloaded from the Council's [website](#)² and the interactive map is also available to view on the [website](#)³. The Policies Map will be revised following the adoption of the new Elmbridge Local Plan.

2.3 The Council is preparing a single Local Plan to cover the period to 2037. This Local Plan will set out strategic policies on issues such as housing and employment, allocation of sites for development and Development Management Policies. This Plan will, on adoption, replace all the current Elmbridge Development Plan policies.

Supplementary planning documents

2.4 The existing Development Plan is supported by a number of Supplementary Planning Documents (SPDs). These set out further information as to how policies will be implemented and the expectations from applicants in meeting policy requirements. At the present time, the Council has several adopted

² <https://www.elmbridge.gov.uk/planning/planning-policy-and-guidance>

³ https://emaps.elmbridge.gov.uk/ebc_simple.aspx?requesttype=parseTemplate&template=PlanningPolicy.tmplt

SPDs and these can be found on the [website](#)⁴. All existing SPDs will remain in force as material considerations in the determination of planning applications until individually revoked, withdrawn or replaced.

Other documents

2.5 Alongside this LDS, the Council also prepares:

- **Authority Monitoring Report (AMR)**⁵ – Published annually it reports on the effectiveness of the Development Plan, details activity relating to Duty to Co-operate and reviews milestones set out in the LDS. Monitoring reports are a requirement of Regulation 34⁶ of the Town and Country (Local Planning) (England) Regulations 2012.
- **Statement of Community Involvement (SCI)**⁷ – sets out how the Council will engage, involve and consult stakeholders and the community in the preparation of planning policy documents and in the determination of planning applications. The SCI is a requirement of the Planning and Compulsory Purchase Act 2004⁸. In line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 10A)⁹ in April 2018, the SCI will be reviewed every five years. The Council's current SCI was adopted in 2021.
- **Brownfield land register**¹⁰ – The Town and Country Planning (Brownfield Land Register) Regulations 2017¹¹ require the LPA to prepare and maintain a statutory register of brownfield land (also known as previously developed land) which the Council has assessed as being suitable for residential development. The Register comprises a standard set of data, prescribed by the Government, to help provide certainty for developers and communities and encourages the development of suitable brownfield sites. It must be kept in two parts and is subject to annual review.
- **Self and custom build register**¹² – The Self-build and Custom

4 <https://www.elmbridge.gov.uk/planning/planning-policy-and-guidance/supplementary-planning-documents>

5 <https://www.elmbridge.gov.uk/planning/planning-permission-and-applications/planning-policy-and-guidance/monitoring-reports>

6 <https://www.legislation.gov.uk/ukxi/2012/767/regulation/34/made>

7 <https://www.elmbridge.gov.uk/sites/default/files/2023-03/Statement%20of%20community%20involvement.pdf>

8 https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf

9 <https://www.legislation.gov.uk/ukxi/2017/1244/regulation/4/made>

10 <https://www.elmbridge.gov.uk/planning/brownfield-land-register>

11 <https://www.legislation.gov.uk/ukxi/2017/403/contents/made>

12 <https://www.elmbridge.gov.uk/planning/self-build-housing-register>

Housebuilding Act 2015 (as amended) requires the LPA to keep a register of people and groups of people who are seeking to purchase serviced plots of land in the authority's area and to have regard to that register when carrying out their functions. The Council currently maintains its self-build register and entry to it can be achieved through completion of an online form.

- 2.6 In preparing the Local Plan the Council must prepare a Sustainability Appraisal incorporating a Strategic Environmental Assessment (SA/SEA) and a Habitats Regulation Assessment (HRA) as well as appropriate evidence to support the content of the Local Plan.

3.0 Local plan timetable

- 3.1 The revised timetable for the preparation of the new Local Plan, including SPDs and supporting documents, is set out in table 1.

New Elmbridge Local Plan

- 3.2 The new Elmbridge Local Plan will set out the spatial strategy for the Borough for a 15-year plan period to deliver our vision for how the places and communities will grow. This will include how we want to develop and support our key employment areas, ensure our town and local centres remain vibrant retail, leisure and community hubs, provide housing, particularly affordable housing, and continue to protect and enhance our historic and natural environment.
- 3.3 It will include borough-wide strategic and detailed development management policies to deliver sustainable growth. In particular, the Plan will establish a new housing target for the Borough and allocate sites, as well as designate key areas such as Strategic Employment Land and Local Green Space.

New and revised Supplementary Planning Documents

- 3.4 Supplementary Planning Documents (SPDs) provide more detailed guidance on the implementation of policies set out in the Local Plan. The Council intends to prepare the following SPDs over the next three years:
- **Design Code SPD** - this will support the implementation of the design policies in existing Core Strategy. The Elmbridge Design Code will supersede the Design and Character SPD and Companion Guides (2012).
 - **Climate Change and renewables SPD** – this will set out detailed guidance on how new development can contribute to climate change mitigation and adaptation and support the implementation of new policies in relation to sustainability and climate change matters. The scope and detail of the SPD will depend on how the strategic and development management policies evolve in the Local Plan preparation.
 - **Affordable housing SPD** – this will set out detailed guidance on the securing of planning obligations and affordable housing from new development within

the borough.

- **Biodiversity and nature SPD** – the SPD will set out the principles we expect to ensure development proposals create space for nature. It will be a guide for working with protected and priority species and habitats which are likely to be impacted upon by proposed developments. It will include details of our requirements for applicants to build nature conservation features into developments, ensuring that a measurable net-gain to biodiversity is achieved in accordance with planning policies.
- **Thames Basin Heath SPA SPD** - The purpose of the SPD is to provide guidance to make sure that new development does not have adverse effects on the SPA. It provides an avoidance and mitigation strategy to show how the effects of new (principally) residential developments on the Thames Basin Heaths SPA should be avoided and mitigated.
- **Parking standards SPD** – to set out revised standards and guidelines for the design and amount of vehicle parking in new developments. This SPD will replace the existing Parking standards SPD (2020).
- **Flood risk SPD** - Following the adoption of the Local Plan a review of the Flood Risk SPD (2016) will be undertaken and where necessary amended to reflect any forthcoming new local policy.
- **Healthy Environment SPD** – the SPD will provide guidance and supporting information to facilitate the delivery of healthier developments in the borough and to positively influence the impact that planning decisions have on health.

Review of Community Infrastructure Levy (CIL) Charging Schedule

- 3.5 The CIL Charging Schedule sets out the rate per sqm that the Council intends to charge on all appropriate new development in the Borough. This rate can be varied on the basis of the type of development and location to reflect the different levels of viability by area and use. The Levy is collected to fund the delivery of infrastructure improvements needed to support the delivery of new development.
- 3.6 The CIL Charging Schedule is affected by the outcomes of the Local Plan consultation, examination and adoption. This will be prepared in conformity with the Planning Compulsory Purchase Act 2008 and CIL Regulations 2010 (As amended) and Planning Practice Guidance.

Table 1: Timetable for the production of the Local Plan and other planning policy documents

Item	Coverage	Status	Commenced?	Consultation/ Representation	Consultation period	Submission	Examination	Adoption
Elmbridge Local Plan	Borough wide	Local Plan	Yes	Reg.19 draft plan (Representation): Summer 2022	6 wk	Summer 2023	Winter 2023/ Spring 2024	Autumn 2024
Review of the Community Infrastructure Levy Charging Schedule	Borough wide	The charging schedule for the Community Infrastructure Levy will go through an examination and payment will be a legal requirement as set out in the Planning and Compulsory Purchase Act 2008 and CIL Regulations 2010 (as amended).	Yes	Draft Schedule: Autumn 2023	6 wk	Winter 2023	Spring 2024	Autumn 2024
Elmbridge Design Code	Borough wide	The document will provide more detailed guidance on the implementation policies	Yes	Various throughout 2022/23	4wk	N/A	N/A	Spring 2024

Item	Coverage	Status	Commenced?	Consultation/ Representation	Consultation period	Submission	Examination	Adoption
		set out in the Local Plan.						
Climate change and Renewables SPD	Borough wide	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of policies set out in the Local Plan.	Autumn 2023	Summer 2024	4wk	N/A	N/A	Spring 2025
Biodiversity and nature SPD	Borough wide	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of policies set out in the Local Plan.	Autumn 2023	Summer 2024	4wk	N/A	N/A	Spring 2025
Thames Basin Heath SPA SPD	Thames Basin Heath SPA Zone	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of	Autumn 2023	Summer 2024	4wk	N/A	N/A	Spring 2025

Item	Coverage	Status	Commenced?	Consultation/ Representation	Consultation period	Submission	Examination	Adoption
	of influence	policies set out in the Local Plan and the Thames Basin Heaths SPA delivery Framework.						
Affordable Housing SPD	Borough wide	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of policies set out in the Local Plan.	Summer 2024	Winter 2024	4wk	N/A	N/A	Summer 2025
Review of Flood Risk SPD	Borough wide	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of policies set out in the Local Plan.	Spring 2024	Autumn 2024	4wk	N/A	N/A	Summer 2025
Review of Parking SPD	Borough wide	The document is a Supplementary Planning Document	Autumn 2024	Spring 2025	4wk	N/A	N/A	Autumn 2025

Item	Coverage	Status	Commenced?	Consultation/ Representation	Consultation period	Submission	Examination	Adoption
Healthy Environment SPD	Borough wide	The document is a Supplementary Planning Document and will provide more detailed guidance on the implementation of policies set out in the Local Plan.	Autumn 2024	Spring 2025	4wk	N/A	N/A	Autumn 2025

4.0 Programme management and risks

4.1 The scope and timetable for production of the local Plan is set out in table 1. Any essential adjustments to the programme will be made as part of the next review of the LDS. The Local Plan is a key corporate project and along with other key corporate projects is monitored quarterly through the Council's internal performance monitoring system.

Risks

4.2 In preparing the LDS and the Elmbridge Local Plan, the main areas of risk relate to:

- **Financial resources** - Through prudent financial management, the Council has been able to maintain appropriate staffing levels and secured funds to support the delivery of the new Local Plan. The Council has ensured value for money in conjunction with procurement and hence the estimates take into account framework agreements and lessons learnt from prior experience and neighbouring authorities. However, the Government's commitment to deliver more for less, and the strain on local government finances following the Covid-19 pandemic, there is a potential risk that finances may not be available to support existing staffing levels in the planning policy team or additional resources required to meet peaks in workflow. One of the largest costs of preparing a new Local Plan is preparing the evidence base. Delays in preparing the Local Plan may result in completed evidence base documents being considered out of date and updates being required.
- **Changing planning context** - the Government has set out its intention to reform the planning process including changes to the way in which local plans and SPDs are prepared and the introduction of an Infrastructure Levy replacing the current Community Infrastructure Levy (CIL). There is a risk that future planning reforms will impact on the Local Plan and SPD timetable.
- **Legal challenge** - As seen with neighbouring authority's experiences, regardless of the policy position of the Local Plan, there is significant risk of legal challenge to the adoption of the Local Plan from either residents, landowners or developers. The Council will minimise the likelihood of this by the use of appropriate legal counsel at key stages of the preparation of the plan and during the examination and by ensuring that all documents are founded on a robust evidence base and Sustainability Appraisal, as well as

developing improved stakeholder and community engagement systems.

- **Capacity of other agencies/ delivery partners and the Planning Inspectorate** - This is beyond the Council's control, but it is acknowledged that many public services are being asked to produce 'more for less', and some will experience significant reductions in public funding. Some agencies are now charging for advice on evidence base documents and work outside of the statutory Local Plan consultation stages. In order to minimise the risk of non-delivery by third parties, the Council will continue to liaise with all parties involved in delivering the Local Plan to ensure plans can be put in place for co-operative working and cost recovery frameworks agreed where appropriate.

- **Duty to cooperate** - the Council is bound to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. The Government expects effective and on-going joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. This is considered integral to the production of a positively prepared and justified strategy. Compliance with the duty is a legal requirement.

Monitoring and review

- 4.3 The progress of the Local Plan work programme and the performance of subsequently adopted policies will be reviewed through the Authority Monitoring Report (AMR), which will be produced to year ending 31st March. This will set out whether the Council is meeting, or is on target to meet, the timetables for preparing planning policy documents set out in the LDS, and if not, what the reasons are. The AMR includes:
- Progress against specific milestones.
 - Information on the extent to which policies within the development plan are being achieved against key indicators and targets.
 - A recommendation as to whether any policies need reviewing
- 4.4 As a result of the monitoring of performance, the Council will consider what changes, if any, need to be made. If changes are appropriate these will be brought forward through the review of the LDS.