East Street Development gets Green Light

At the Epsom and Ewell Planning Committee meeting of 14th December the proposed demolition of 79-81 East Street and the construction of a part 5, part 6 storey building containing 31 residential units faced intense scrutiny and debate.

After a heated discussion, Councillor Neil Dallen (RA Town Ward) proposed to refuse the application, citing concerns about over development, lack of parking provision, and harm to the conservation area. The proposal was seconded by Councillor Jan Mason. However, the committee ultimately voted against his motion (2 For, 6 Against).

Following further consideration, the Acting Chair put forward the Officer's recommendation for approval, subject to conditions and a legal agreement. The committee resolved (6 For, 2 Against) to grant planning permission with conditions and informatives.

Conditions and Informatives: The approval is subject to a Section 106 Legal Agreement, including provisions for 16 affordable rented units, restrictions on parking permits, and a car-club agreement. Conditions include time limits for development commencement, approval of external materials, construction transport management plan, and various pre-occupation and post-development requirements.

The decision reflects the complex considerations surrounding the East Street Development. The approved conditions aim to address concerns raised during the meeting, particularly regarding parking, sustainable transport, and environmental impact. The development now moves forward, albeit with strict guidelines in place.

Ruxley Lane development on casting vote

Properties on Ruxley Lane in Ewell with sizeable gardens will be demolished and replaced by 14 dwellings in two blocks. A tied vote of Councillors, at the Epsom and Ewell Planning Committee meeting of 14th December, on granting permission was resolved by the casting vote in favour of acting Chair Cllr Steven McCormick (RA Woodcote and Langley).

The committee approved the application, contingent upon the execution of a Section 106 Legal Agreement. This agreement includes a viability review mechanism to be activated if the development fails to reach the first-floor slab level on both buildings within 20 months of the decision date.

A critical provision in the decision is the requirement for the Section 106 Agreement to be completed by March 18, 2024. Failure to meet this deadline empowers the Head of Place Development to refuse the application based on non-compliance with Policy CS9 of the Core Strategy 2007.

Several conditions were imposed, including a three-year time limit for the commencement of development to comply with the Town and Country Planning Act. The approved plans, covering aspects such as site location, construction details, and landscaping, must be strictly adhered to throughout the development process.

Pre-commencement conditions were also established, such as the submission and approval of a Construction Transport Management Plan, ensuring responsible construction practices and adherence to highway safety regulations.

Post-demolition and pre-above-ground conditions mandate the submission and approval of details related to external materials, access provisions, tracking details, sustainable drainage schemes, and more. These conditions aim to safeguard visual amenities, highway safety, and sustainable development principles.

Pre-occupation conditions cover various aspects, including access closure and remediation, parking and turning layouts, visibility splays, and the installation of electric vehicle charging points. These conditions align with the National Planning Policy Framework's sustainable transport objectives and local development policies.

The committee emphasized sustainability measures, requiring the provision of solar panels, drainage verification reports, and adherence to ecological and sustainable design measures.

During and post-development conditions focus on groundwater remediation strategies, tree protection, ecological considerations, and sustainable design measures. The approved development must comply with strict regulations to control significant harm from land contamination and ensure the preservation of biodiversity.

The decision also outlines specific conditions regarding construction hours, limitations on additional windows or openings, and the installation of facilities such as refuse/recycling stores and cycle storage.

Homeless child will have his day in court

The High Court has granted a judicial review into Surrey County Council's decision not to house a "child in need". In 2019, a 17-year-old who was known to Surrey's social services team was on the verge of being made homeless.

Surrey County Council caseworkers, who the judge praised, said the teen required the highest level of intervention together with a co-ordinated multi-agency approach. These are reserved for cases where children are in serious need. However, when he applied for emergency accommodation, the council's housing team said they were forced into a "snap judgement" – something the judge dismissed.

Mr Justice Calver rejected the county council's claim that their decision was made against the clock and found they had a "duty to provide him with accommodation". The judge said he was "well known to Surrey County Council with his history of children's services involvement", and that the council had already made considerable enquiries about his needs and welfare.

He added it was "clearly the case that... suitable emergency accommodation...was required, whilst his full needs, including his need for continuing accommodation and support, were further assessed."

Following the county council's decision the teenager, now 22, began to "sofa surf" between friends and family until he eventually ended up homeless and living on the streets.

Justice Calver's judgement read: "Despite this, Surrey County Council inexplicably failed to provide (him) with any accommodation and indeed failed to take any steps to assess his case at all until September 18, 2019, being five days later, which is highly regrettable." He wrote: "It is plain in my judgement that as at September, 18, 2019 it was or ought to have been clear to Surrey County Council on the facts as known to them that he could not return home, and did not otherwise have stable, suitable accommodation. Instead it merely recommended a referral to its targeted youth support."

Justice Calver also said that, given the background of the young man's situation, and how well known he was to Surrey County Council it was "extraordinary that on October 28, 2019, Surrey County Council nonetheless closed his case."

The judge said that while there was "no doubt" he had a "caring and diligent social support worker" it was "clear that Surrey County Council as an organisation seriously failed" him. He said: "I do not accept the submission of Surrey County Council that no purpose would be served now in granting the relief sought by this claim," adding "the support he receives from his supported accommodation key worker is being stepped down over time, and is accommodation-based.

"He still requires but cannot access support to return to college, access vocational training, plan his future and manage his social anxiety, all practical challenges which he struggles with owing to the lasting effects of his childhood."

The judgement, handed-down on Friday December 15th granted the man permission to bring his claim forward for review.

A spokesperson for Surrey County Council said it does not comment on active court proceedings.

Surrey social landlord downgraded by regulator

Problems with repairs, service charges, complaints, damp and mould, contributed to one of Surrey's largest social housing landlords being downgraded by regulators for failing its tenants.

The Regulator of Social Housing (RSH) found that issues at A2Dominion had "crystalised over a breadth of areas" which "resulted in poor outcomes for its tenants".

The report, published on Wednesday January 3 said A2Dominion had been working to make improvements but had not yet been able to deliver the changes required. This led to poor quality data, poor reporting, and the board not having effective oversight.

Harold Brown, senior assistant director for investigations and enforcement at RSH, said: "We found significant issues with A2Dominion's data and its business planning, risk and control framework, leading to a failure by the provider to manage key risks effectively. A2Dominion is working with us to address these issues and we will continue to monitor the provider as it works to return to compliance."

The group owns and manages more than 38,000 homes across 79 local authority areas in London, the South East and Wiltshire. The majority of its housing stock is for general needs. It also has significant levels of shared ownership housing as well as



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supported or sheltered accommodation. A2Dominion, as a charitable housing association, must meet certain regulatory standards over how it is run.

Its new board took over in September 2022 and referred itself to RSH following concerns over the quality of some services, as well as its financial position. A2Dominion was then under review for three months while it was investigated for potential noncompliance.

n a letter to stakeholders, CEO Ian Wardle said: "We know that outcomes for some customers have been poor. Earlier this year, we issued an apology to customers who had been adversely affected. While we have made some improvements, work is still underway to fully resolve issues with repairs, service charges, complaints, damp and mould, latent defects and the roles and responsibilities with managing agents. We also know that our services aren't as responsive as they could be. In some of these areas, we aren't always delivering the high standards we set ourselves and customers expect."

The regulator downgraded A2Dominion from G1, which means a provider meets governance requirements, to G3 where there are issues of serious regulatory concern which the provider is working to improve. It's financial position is unchanged. The new grading does not affect services and it will continue to deliver its day-to-day operations as normal.

Mr Wardle said: "Over the past few months, we've been in positive and constructive discussions with the regulator following our self-referrals. We've welcomed the opportunity to identify further steps that we can take to make improvements for our customers and the communities we serve. "The regulator has confirmed that it has assurance that we have an adequately funded business plan in the short term, sufficient security in place, and is forecast to continue to meet its financial covenants.

"Since I joined in September 2022, we've had a new chair of the board appointed, many new board members, and changes to our management team. All our colleagues are passionate about what we do. However, in far too many instances, colleagues haven't had the resources and processes to fully deliver outstanding customer service. It is my job to fix this, and we've made improvements throughout 2023, with more planned in 2024.

"At the same time historic decisions on development schemes, tougher trading conditions and rising costs have affected our finances, but we will weather the storm. We've already made a number of significant improvements in relation to customer complaints and have prioritised our commitment to social housing as the core of our business, including our exit from care services and fine tuning our development strategy so we can focus on getting things right first time for our customers. We also remain financially strong, with an A credit rating from Fitch, £3.6 billion of assets, and over £300 million of undrawn available facilities.

"I look forward to continuing to work closely with the regulator following their decision, and will collaborate on the steps we need to take to return to our previous rating."

Image: A2dominion Home

Underinvestment hits most vulnerable

The "most vulnerable" people in Woking will be made to find new homes after their extra care facility failed vital fire safety checks and was "all but condemned". Brockhill Extra Care Housing, in Clifton Way, has space for 48 apartments over two floors with a waiting list to get in.

In February this year **Surrey Fire and Rescue** conducted a review of the home prompting Woking Borough Council to introduce a Waking Watch - where trained people continually patrol a building and its perimeter to detect fires and raise alarms.

The facility changed its emergency procedures from Stay Put to Evacuate. The council also upgraded its fire detection systems. Many still can't evacuate the building fast enough, leaving the bankrupt council with the decision of spending £5.8 million on a complete refit, or closing the fire trap.

A meeting of its executive committee, on Thursday, December 14, concluded the home open was no longer viable, regardless of the council's finances, and residents, families and other stakeholders would be consulted over the closure of the Brockhill Extra Care Housing scheme. According to papers presented to councillors, the building appears to have had limited investment with only minor works carried – meaning it now requires "major capital works over the next two years and beyond".

Its' boiler failed a year ago causing "considerable inconvenience and discomfort to residents and staff" and is beyond repair.

Residents currently rely on a temporary heating but the entire system is "aged and in poor condition and requires upgrading and



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renewing. Since then, no new people have been allowed to move to the home, occupancy has dropped to 68 per cent and, where possible, the council has tried to moved residents to the ground floor to aid evacuation.

The anticipated total capital expenditure required on Brockhill over the next 10 years is forecast to be about £5.8 million, according to the report.

Deputy leader of the council, Cllr Will Forster, said: "The fire risk assessment has all but condemned that building. Particularly with the clients that we have in there. They are just so vulnerable, they have to leave the building so quickly in the event of a fire, because of the type of building it is. And that's just not humanly possible for them."

Any decision around Brockhill will have implications and put additional cost pressures on adult social care budgets with the council admitting that this will be difficult and upsetting for people living and working Brockhill, as well as the families of residents living there.

Leader of the Council, Cllr Ann-Marie Barker said: "Its obviously heartbreaking for me to see this.

"I know what a well loved and valued facility it is." She added: "But we have had a significant fire risk arising from a fire brigade assessment. We've known some of this work was needed we've been working in the last year we've done work on fire doors fire alarms, having a waking watching place to protect residents but the fire services have now determined that its just not safe for the most vulnerable and it's so urgent that those most vulnerable people do need to move as soon as possible."

Cllr Ellen Nicholson (LD, Mount Hermon) said: "The residents there are some of the most vulnerable in Woking and I find it incredibly sad that the chronic underprovision and the legacy of mismanagement has led to these fire risks and these safety risks for these incredibly vulnerable people."

Image Brockhill care home - Google

Green Belt off or relaxed a notch?

Excitement has been stirred by **Michael Gove**'s announcement 19th December that housing targets are advisory not mandatory. This change *may* mean a shift in **Epsom and Ewell**'s Draft Local Plan away from earmarking any Green Belt for housing developments.

The local campaign group **Epsom and Ewell Green Belt** has reacted to the news. In a press release issued today they urge **Epsom and Ewell Borough Council**: "Together with the Surrey Branch of the **Campaign to Protect Rural England** (CPRE), is calling on the Council and its Councillors to instruct the planning officers to republish its Local Plan within the next few weeks, removing all greenbelt sites, reducing the housing target to a rational approximately 3,500 homes for the Plan period, and focusing on developing all available brownfield sites. We have produced a list of the changes that would need to be made to the draft Plan so that it complies with the Government's revised National Planning Policy Framework (NPPF)."

However, accompanying the publication of the revised NPPF Secretary of State for Levelling up, Housing and Communities Michael Gove said "The new NPPF was not a route to the evasion of responsibilities. Local authorities must provide rigorous evidence justifying their departure from assessed housing needs. They must do everything to identify other lands suitable for development." He added "While the planning inspectorate will respect well-made cases, it will not accept undershooting that is not firmly rooted in environmental or other safeguards. This is about sensitive adjustment in housing targets, not their abandonment."

Related reports:

Green Belt development objections excluded

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Green-belters belted up and beltless

Green-belters seeing red on Local Plan?

and many more - search "Local Plan".

Anchored in reason on local housing need?

The Draft Local Plan lacks a proper negotiating position on future house building numbers in the Borough of Epsom and Ewell. So said an unnamed member of the public who addressed last week's Licensing, Planning and Policy Committee.

Let Epsom and Ewell Times know your view. Is he right or wrong? Here is his speech in full:

"Good evening, everyone. The first thing they teach you about negotiations at business school is the power of anchoring. Government has deployed this tactic very successfully. Government's standard method results in a target of 10,368 new dwellings over the Local Plan period. Let's be clear: this target is government's negotiation anchor. It is not our borough's actual housing need; it is simply designed to pressure you into setting a high housing target.

You might not realize that you are in a negotiation, but you are. Although the draft Local Plan recognizes that government's target is unachievable, it has still succeeded in anchoring council's thinking throughout the Local Plan. First, you note that your 3,700 from brownfield sites only meet 36% of government's anchor. Then you use that fact to declare exceptional circumstances. Afterward, you set your own housing target at just over half of government's anchor. That is the classic response of an inexperienced negotiator.

What the draft Local Plan did not discuss was our actual need for new dwellings. Strategic plans should always be based on the best available information, and yet the draft Local Plan did not even mention our actual need for new housing. It is very important for the council to prominently and clearly explain within the Local Plan why government's anchor of 10,368 is flawed and why our actual housing need is for just 2,664 new dwellings. By doing this, you will demolish government's anchor and replace it with the council's own anchor. It is absolutely critical to anchor everyone's thinking to the real needs of our borough.

The figure of 2,664 new dwellings is obtained by making just two changes to the standard method: firstly, replacing the outdated 2014 household projections with the more up-to-date 2018 data, and secondly, removing the flawed 40% affordability uplift. The theory behind this uplift is that by flooding the market with new homes, you will drive prices down. This theory is flawed for two reasons: firstly, house builders engage in land banking; they hold back most of their consented land and drip-feed new houses onto the market at a rate that matches demand and maintains prices. Secondly, the affordability uplift assumes that Epsom is a separate market for housing—it is not. If the Competition and Markets Authority were to look at this, the first thing they would do would be to define the relevant markets. They would note the existence of an unbroken chain of substitution across the whole Greater London Commuter Zone and conclude that Epsom just forms a very small part of a very large market. Flooding with new homes will not reduce house prices in the borough due to any supply-demand imbalance. Any reduction in local house prices will be as a result of the borough becoming a less serene and less attractive place to live.

According to paragraph 1.61 of the draft Local Plan, the balance between protecting our environment and enabling development is at the centre of our spatial strategy. At present, the Local Plan is unbalanced. You are planning to build more than twice the number of new dwellings that we actually need by sacrificing some of our best-performing Greenfield Green Belt sites."

Related reports:

Epsom Town Centre Masterplan Unveiled

Housing need or desire?

Can Epsom and Ewell get more dense?

Little plots of Council land for housing?

More affordable housing now. Cllr Kate Chinn

MP's housing solution for Epsom and Ewell

 $Image\ credits:\ Anchor-\ \ @\ Peter\ Facey\ licenced\ under\ cc-by-sa/2.0.\ New\ houses:\ \ @\ David\ Dixon\ licenced\ under\ cc-by-sa/2.0.$

The Plot in the thick of planning options

At a meeting of Epsom and Ewell Borough Council's Strategy and Resources Committee held on 13th July it was decided that various Council owned "brownfield" sites would not be offered up for development for housing in the long-awaited Local Plan. This followed a note from the Licensing, Planning and Policy Committee of 15th June that "Officers have written to the Council in

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its capacity as landowner to check the availability of additional sites for promotion through the call for sites process". I.e., promotion in the Local Plan for housing development.

Most of the Council portfolio on the Kiln Lane and Longmead industrial, retail and commercial areas are held on long-leases. Plot 8, in the far north-east corner of Kiln Lane was held by Wilsons, the car sale emporium, on a 10 year lease that expired in 2019. This was one plot, bordered by housing to the east, that could potentially ease pressure on other land, including green-belt, to deliver on new housing targets. Presently, it is an open area used for storing motor vehicles.

It is understood that with the lease having expired the Council could regain possession upon a redevelopment being planned. However, at the meeting of the same committee held on 21st September it was decided to authorise the grant of a new lease. Details of the new lease were excluded from public and press view at the meeting to protect the privacy of financial and commercial information of a third party, presumably Wilsons.

The length of the lease has not been disclosed but will in due course be available to public view at HM Land Registry.

Cllr **Alison Kelly** (LibDem Stamford) told Epsom and Ewell Times "I voted in favour of extending the lease, as the business wished to continue and it provides much needed income for the council. The details of the lease are part of a restricted document as is normal in these cases. However it was a well thought out contract that does not stop the local plan work. It maybe several years before both the local plan is complete and a developer comes forward with an alternative plan for plot 8."

Councillor **Chris Ames** (Labour Court) said: "Labour knows that there is a need to build homes, but also to keep people in jobs. What the council needs is a fully thought through local plan that resolves competing requirements for land. Unfortunately the hopelessly divided Residents Association administration hasn't been able to achieve this. It is also important to maintain the council's income when cash for vital services is stretched."

Epsom Civic Society maintains a watchful citizen's eye on planning matters and its Chair, **Margaret Hollins** told Epsom and Ewell Times "Epsom Civic Society supports retention and encouragement of strategic employment sites which are significant drivers of the local economy. No information is publicly available about the terms and duration of the lease so it is difficult to comment further.

"The Society considers that any attempts to cram residential dwellings along with industrial and commercial activities need to be avoided. Mixed residential and employment use could only be achieved through a carefully conceived regeneration strategy which would need to ensure proper separation between any residential areas and noise/disturbance/air pollution issues that can often occur with the type of distribution/warehousing activities prevalent on the existing industrial estates."

A spokesperson for the Council responded: "On 13 July 2023, Strategy & Resources Committee considered the land availability of several Council owned sites including the Longmead and Kiln Lane Industrial Sites. The decision was taken not to include the industrial sites and they remain part of the Council's commercial property portfolio. We are unable to provide any further comment at this time as this relates to confidential commercial matters."

Do you have a view? Feel free to write to Epsom and Ewell Times.

Noble housing intentions?

Crest Nicholson and the Vistry Group have partnered for a "sustainable development" initiative near Noble Park in Epsom. They plan to submit a comprehensive planning application to **Epsom and Ewell Borough Council** this Autumn. The proposal aims to construct around 90 new homes, with 40% allocated as affordable housing.

The project includes the creation of communal open spaces and green areas, featuring a community orchard and a children's play area. Noble Park allotments will remain untouched, highlighting a "commitment to preserving community assets". Additionally, plans include dedicated private parking facilities for allotment holders.

The developers have invited the local community to participate in shaping this initiative by providing input and ideas. Residents can offer feedback or seek more information through the 'Feedback and Contact' tab on the following unattributed website. http://nobleparkconsultation.com/

The project is located on 5.67 hectares of land to the east of the existing Noble Park development, at the intersection of West Park Road and Horton Lane, with vehicular access from West Park Road. While specific timelines depend on the planning process, construction may begin in 2025, contributing to family housing and affordable homes in the area. This initiative "aims to address housing shortages and bring positive change to the community".

Epsom and Ewell Times can confirm that Epsom and Ewell Borough Council will meet at 7.30pm on 24th October, to decide whether to "un-pause" progress on the Local Plan. The Plan that will establish the planning policy framework for where and how many houses may be built in the Borough in the future.

Related reports:

Drafting of Epsom and Ewell Local Plan "unpausing"?

Motion to pause Local Plan process

Council Grapples with Rising Cost of Homelessness

In an ongoing challenge to manage rising homelessness-related costs, **Epsom & Ewell Borough Council** (EEBC) finds itself confronted with an impending financial strain exceeding their 2023/24 budget. This report sheds light on the concerted efforts made to mitigate the budgetary overruns and identifies available funding avenues to cover these increased expenditures.

The Community and Wellbeing Committee 10th October accepted the following recommendations:

- 1. Acknowledge the measures taken over the past 6-12 months to address homelessness.
- 2. Approve the utilization of the Homelessness Prevention Grant (HPG) and homelessness grant reserves to meet the projected increase in expenses, thereby ensuring EEBC complies with its obligations under the Housing Act 1996 and Homelessness Reduction Act 2017.
- 3. Note that a comprehensive update will be presented at the Community & Wellbeing Committee in March 2024.

EEBC is bound by statutory duties outlined in the Housing Act 1996 and the Homelessness Reduction Act 2017. Non-compliance could expose the council to legal challenges.



The Committee were advised of escalating expenditure: EEBC's budget is stretched thin due to mounting expenses for temporary accommodation in fulfilling their homelessness obligations. Costs for 2023/24 are poised to surpass £1.5 million, primarily owing to an increasing number of homelessness cases, a 15% surge in rental rates from accommodation providers, and a shortage of alternative housing options.



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Officers have been operating in an increasingly demanding climate, with the cost-of-living crisis amplifying the complexity of issues presented by households in need of assistance.

The cost-of-living crisis, accompanied by rent hikes, has exacerbated housing supply issues, with heightened competition from other local authorities further straining the available housing stock.

The Homelessness Strategy & Action Plan 2022-27 was adopted in November 2022, outlining key objectives and actions. Progress has been made in early intervention and prevention.

Competition and energy cost increases have pushed up the cost of accommodating households in temporary arrangements, despite the team's adaptive procurement approach.

Officers occasionally resort to using Travelodge as accommodation due to a lack of alternatives, incurring a substantial cost of around £140 per night. The average net cost of nightly paid accommodation for small families has surged by over 18% compared to 2022/23, reaching approximately £23,500 annually.

EEBC introduced a Private Sector Leasing (PSL) scheme to lease properties from private landlords for temporary accommodation, offering significant cost savings compared to expensive options like Travelodge.

The challenges faced by the housing services teams are likely to persist in the coming year, and high numbers of households in temporary accommodation are expected to persist.

Economic uncertainties and factors such as reduced housing development and the closure of bridging accommodation for refugees will continue to exert pressure on housing services.

Monthly reporting to the Committee Chair and Vice Chair will provide ongoing updates on the situation, with a commitment to implement actions as per the Homelessness Strategy.

Promotion of the PSL scheme to landlords will be pursued, and collaboration with housing associations and partners to boost the supply of affordable housing will remain a priority.

In sum, EEBC is grappling with the burden of homelessness-related expenses, which, despite diligent efforts, continue to rise. The council faces the critical task of managing these costs to fulfill its legal obligations while seeking innovative solutions to address housing supply challenges in the community. The situation will be closely monitored, with continued engagement with stakeholders to identify viable solutions.

The recommendations were agreed by the committee.

Image: Evelyn Simak cc-by-sa/2.0