



## Gove flexing his muscle on a Local Plan?

A last-minute intervention from **Michael Gove** continued the uncertainty around the Surrey Borough Council of **Spelthorne's** plan for 9,000 new homes. The **Surrey Heath MP** ordered the council not to pause its local plan, in a letter sent by the housing and planning minister, limiting Spelthorne's options at a crucial meeting.

After what the council's chief executive described as an urgent ministerial meeting at 3pm on Thursday (September 15), a letter was sent to the council's leader setting out Mr Gove's intentions.

An extraordinary meeting of the council on the same day was set to vote on the options to continue with the plan, keep it on pause, or withdraw it altogether. The plan has been on pause since councillors asked the government inspector for a hiatus in June, after hearings had started at the end of May.

The letter from MP **Rachael Maclean** stated Mr Gove had legal powers to intervene if necessary if he thought an authority was "failing or omitting to do anything it is necessary to do" regarding preparing, revising or adopting its local plan.

While the chamber was told voting to withdraw its plan, outlining where new homes will be built in the borough up to 2037, was no longer a lawful action, councillors ultimately voted to extend the pause on the plan.

They also voted to seek further legal advice to "confirm the validity of the minister's directive".

The council voted by 20 votes to 16 to extend the pause, pending the publication of changes to national policy, due this autumn.

The council's leader, Councillor **Joanne Sexton** (Independent Spelthorne Group, Ashford East) said the council would seek further clarification from Mr Gove on the reasons behind the direction. She added: "We will endeavour, in the name of democracy, that we will produce a plan benefiting the residents of Spelthorne by the government's deadline of June 2025."

Cllr Sexton said unresolved flood issues in Staines, a plan that delivered "beautiful places" and with the "communities at the heart of it" were some of the concerns and reasons behind the plan that would be made clear to the government.

The question of the cost to the council of seeking further legal advice was also raised. Councillor **Karen Howkins** (Conservative, Laleham and Shepperton Green) asked how much money further legal advice relating to the local plan would cost. She asked: "Haven't we spent enough on legal advice regarding the local plan, haven't we wasted enough money? Isn't it time that we stopped wasting money that we haven't got?"

Officers confirmed the cost of further legal advice should be "not more" than £2,000.

While other councillors raised the "cost to the local community" both of putting through the "wrong plan" or of further delays.

The current draft plan allocates more than 5,400 of the borough's 9,270 new homes to be built in Staines.

Councillor **Howard Williams** (Independent Spelthorne Group, Staines) said of the council's plans to pause its own house building projects indefinitely that it impacted around a third of the flats planned for Staines. The current plan did not protect the green belt, he said, did "nothing" to deliver affordable or social housing and included more than 5,000 flats be built where they were "likely to flood".

He asked the meeting: "If we stick to the current targets of building 9,000 flats, where are all the flats that can't now be built in Staines going to go instead? Sunbury, Stanwell, Ashford, Shepperton? They will all have to be built in other towns in the borough. So setting unrealistic targets for Staines does not protect other people's towns or the green belt. That is a fallacy."

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## Cycle hub in Dorking development

A football academy, a 130-place children's nursery, and a cycling hub, have all been approved in Dorking as the Pixham Lane masterplan steps up a gear.

The site had been seen as an opportunity for a new Dorking Wanderers FC stadium but that was kicked into the long grass when it became clear the club's future was at Meadowbank.

Now, developers Stonegate Homes have been granted planning permission by Mole Valley councillors for three new community buildings as part of a grander vision for the site that could also feature a senior living home for about 200 people and 300 new homes.



The largest of the buildings approved last week is a 414 square metre nursery, which will be built over two floors, and have space for up to 130 children across four classrooms.

A new youth academy will be used by Dorking Wanderers Football Club and features classrooms for up to 40 students at any time.

The final building will become a cycling hub after the plans sailed through the Wednesday, September 6 meeting with only minor objections from councillors.

The council said it expected the hub to be a hit with cyclists as “a place to meet and relax, as well as a place to repair and purchase cycling equipment and accessories”.

Speaking at the meeting was Councillor **Simon Budd** who questioned the need for a nursery after two had closed within the past year, suggesting a lack of demand and that “we would be much better building and SEN school rather than a nursery school”.

The site is surrounded by Dorking railway station as well as a train line running north to London and south to Horsham.

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The application site (measuring 0.68ha) lies to the south of Pixham Lane, just east of the A24 and north of Dorking; within the Built up Area. The site, which lies at the south-western corner of the overall ‘AVIVA site’, comprises car parking which served the former office use. The ground level is generally flat. The site is bounded to the south west by Dorking Railway Station and rail line running north to London and south to Horsham and beyond. To the south east is a public footpath whilst to the north is the remaining part of the Aviva campus. The site itself is in the Built-up Area; adjoining to the east is land designated Metropolitan Green Belt. It is broadly level throughout. Access to the site can be obtained from the eastern end of Lincoln Road.

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Cllr **Rosemary Hobbs** said: “If anyone has visited this site and walked in from Lincoln Road, they’ll know this is a particularly unpleasant looking, very messy looking, area of Dorking. It will greatly enhance the appearance of that part of the town and I think it is a good use of the land. The nursery will presumably get some business from the number of residents in the properties on the site.”

Cllr **Chris Hunt** said: “The cycling hub, who can speak against that as a principle?”

The football academy, he said was also for sports, and a nursery would be used by new families moving into the area. He added – given the use of the site “I think its a good proposal”.

**Mole Valley Borough Council** is currently preparing its new long-term planning bible, the Local Plan, which sets out the types and levels of permitted development in the area.

The council said it has been submitted to the Secretary of State for Levelling Up, Housing and Communities and is currently under examination by an Inspector. The draft earmarks the site for 276 dwellings and at least three Gypsy and traveller pitches.

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## Council solve Scots Pine tree puzzle

The Planning Committee Meeting, held at Epsom Town Hall on 7 September 2023 centred around two key topics: a Tree Preservation Order (TPO) concerning a Scots Pine tree in Grafton Road and the modification of approved plans for a construction project in Boleyn Avenue. After a brief discussion, two motions were passed.

Regarding the Scots Pine tree TPO, a historical mapping error had inaccurately placed the tree. Originally, it was marked as if it were located in the front garden of No. 10, but it was listed under the address of No. 8 in the TPO schedule. To rectify this, it was recommended to issue a new TPO, providing temporary protection to the tree. The Planning Development and Enforcement officer presented the motion and explained the TPO application procedure, highlighting the historical nature of the error.

Three key recommendations emerged:

1. Confirmation of Tree Preservation Order No. 476A without modification
2. Revocation of Tree Preservation Order No. 476.
3. Modification of Tree Preservation Order No. 6 to remove the reference to Pine T17.

However, some debate ensued as both the tree owner and the neighbour raised concerns. Their primary worries included the tree’s height, branches falling during strong winds, and damage to the pavement caused by birds. Additionally, the tree owner



expressed frustration over the extended duration of their application and objection to the TPO.

During the meeting, several councillors voiced concerns about potential limitations on future actions concerning the tree if the TPO application succeeded. Councillor **Julian Freeman** (LibDem College) questioned the evaluation system and its impact on daylight where the trees were located, while Councillor **Peter O'Donovan** (RA Ewell Court) expressed concerns about the tree's size and height and its potential impact on nearby residents and properties.

On the other hand, Councillor **Neil Dallen** (RA Town) emphasised that the motion primarily aimed to correct documentation. He clarified, "As I understand, for the TPO to be corrected and put in the right place. If the tree gets too big or branches start falling off, then even though it's got a TPO, they can apply to prune the tree or do whatever's needed. It's not causing any damage to property." The motion passed with one abstention.

The second topic discussed was the modification of approved plans for a construction project at 15 Boleyn Avenue. This project involved a two-story, two-bedroom dwelling with additional garage space. After a brief presentation by the officer and clarifications by Councillor **Phil Neale** (RA Cuddington), the motion received unanimous approval.

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## Little plots of Council land for housing?

Epsom and Ewell Borough Council's Strategy and Resources Committee decided Thursday 13th July to submit two Council owned sites for housing. The Draft Local Plan sets out the framework for local development including meeting housing targets. Proposals to release green belt land for development were met with strong local opposition and a brake on the Plan's adoption.

Council officers were tasked with seeking additional brownfield sites suitable for housing, including land owned by the Council itself.

The Council owns 37% of the Longmead and 35% of the Kiln Lane industrial estates. However, the grant of long leases to various businesses means that none of its land can be made available in the Local Plan timescale within 2040.

Consideration was given to the Council owned Cox Lane Community building and car park but a doctor's surgery and nursery need medium term certainty for their future with the surgery's lease expiring just before the plan period ending 2040..

Two small plots of Council owned land were stated to be suitable to be submitted to the Local Planning Authority, (the Council itself) for consideration for inclusion in the Local Plan. They are a small 0.08 ha site (a former Scout's Hut) on Wesley Close / Scotts Farm Road and Richard's Field Car Park accessed off Chessington Road, offering approximately 35 parking spaces of which about 14 are reserved as resident permit spaces.

Cllr Graham Jones MBE (RA Cuddington Ward) noted the Wesley Close site had not been submitted before as it was too small. "What had changed?" An officer explained the proposal was "directly on the back of members request to find more brownfield sites to meet housing targets. The site had been looked at again and it could achieve 5 dwellings which is the threshold for a call for sites".

Cllr Jones asked the same question in relation to the Richards Field car park and Cllr Dallen suggested that there maybe a way of building residences while keeping parking provision.

The meeting agreed to the submission of the two sites for consideration to be included in a revised draft Local Plan.

In a lengthy explanation officers reported that the legal and cost obstacles to pursuing compulsory purchase orders to acquire land for housing development are too high. Thus, exercising such powers was not recommended.

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## Green complaints not black and white

**Epsom and Ewell Borough Council** disagrees with the claims made by Green Belt campaigners reported 1st July. **Yufan Si** of Epsom and Ewell Green Belt and **Alexander Duval** stated that their clear objections to Green Belt development were not so classified in the consultation analysis by EEBC.

**Steven McCormick** (RA Woodcote and Langley) Chair of the Licensing and Planning Policy Committee has hit back and said: "I would like to reassure all residents in the borough that, contrary to the assertions in this article, no responses to the consultation have been excluded, or 'not counted'. Every single response we have received has been logged and published on our online platform, Inovem.

"We received a significant number of responses during the Local Plan consultation. Most respondents chose to complete the online questionnaire on Inovem. We also received copies of the questionnaire by email and by post, which have since been uploaded onto Inovem. On the questionnaire, respondents were invited to tick a multiple choice box for each policy area (this shows as the 'Option' column in the published responses), and whether they want to add comments (this shows as the 'Comment' column in the published responses).

"Alongside responders that used the questionnaire, we also received a significant number of more general responses by email and post, which have also been uploaded onto Inovem. Whilst some of these responses made it clear which policy or policies they were referring to, in the majority of cases officers have used their judgement to assign the responses received to the relevant section of the Local Plan. As part of this process, officers have not completed the multiple choice 'option' questions and have left these blank, unless a response clearly stated the question number or policy reference and directly quoted one of the multiple-choice question response options.

"There is an important reason for this. Our officers cannot presume to know which option each respondent would want to use, if they want to use one at all - this would be a subjective decision by officers, and it may not be correct, particularly where responses do not state they are specifically for or against a policy, but are providing general feedback, which is common. All comments are still clearly displayed, and the comments are a vital element used by officers to ascertain what the views of respondents are regarding the different policies.

"All the comments received during the consultation period will help to inform the preparation of the next version of the plan for consultation, which will be the version of the Local Plan that the council intends to submit to the government for examination.

"We will publish a Consultation Statement alongside the next version of the Local Plan that will provide a summary of the main issues that have been raised and how they have been taken into account. Once again, we would like to assure residents that all responses have been published and are viewable on the consultation platform."

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The Green Belt campaigners did not complain that their objections had not been published. How else could they have known how their responses were classified or not? Their complaint was that their stated objections were not classified correctly. As the reader will see from Cllr McCormick's response the business is not straightforward. The Green complaint is not black and white.

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## Green Belt development objections excluded

Epsom and Ewell Borough Council's Draft Local Plan proposes housing developments on Green Belt land. Prominent local objectors to building on Green Belt land have discovered that their objections have not been counted.

The Council undertook a public consultation on the Draft Local Plan from 1 February to 19 March 2023. Residents could submit their responses using an online questionnaire or emailing or writing. If emailing or writing it would then be a matter for local government officers to judge whether the responses were for or against various proposals in the Draft Plan.

**Yufan Si**, a leading light in the local protest group **Epsom and Ewell Green Belt**, wrote to the Council and strongly objected to Green Belt development. Yet, her response has not been classified as a "No" to the questionnaire's 8th question: "Do you support Development in the Green Belt?"



**Alexander Duval** has complained that his clear online objection to building on **Horton Farm** has not been judged by EEBC to be an objection. He said: "Q.15 of the consultation questionnaire asked 'Do you support Site Allocation 6, Horton Farm?' My answer started with 'I strongly disagree with the development of this site' and was followed by the rationale for this view.

"I believe it is clear from this statement that I do not support the site allocation of Horton Farm. Notwithstanding this, my response is not classified as 'No, with suggestions detailed below'; indeed it is not classified at all."

He added "This issue occurs frequently regarding classification of my own responses, and also in many of the responses that I have looked at from other residents, all of which appeared to be against building on the Greenbelt."

Nevertheless, preliminary analysis by Ms Si of samples of the 1736 responses indicates as much as 85% of respondents objecting to development on Green Belt land.

Both Yufan Si and Alexander Duval have written to EEBC and Councillors demanding a review of the classification of responses to the consultation on the Draft Local Plan.

The responses to the consultation can be viewed on the internet on [THIS LINK](#).

The progress of the Draft Plan has been paused. At the last meeting of 15th June of the Council committee dealing with the Plan a new timetable for progressing the process of adopting a new plan for Epsom and Ewell was promised in due course.

Epsom and Ewell Borough Council counters the complaints. Read our further report:

Green complaint not black and white

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## Chris Grayling MP on new homes and biodiversity

Now that the local elections are out of the way, we all wait with interest to see what the Borough Council is planning to do about its controversial plan to build all over the green belt. I hope they will now think again.

The loss of green belt is not just about the loss of character in our area. It would also have a huge impact on local biodiversity. The loss of Horton Farm would have a knock on impact on the Common and Horton Country Park, with the loss of habitat for birds and animals which range across the whole area.

And that would come at a time when local authorities are expected to play a much more active role in the restoration of nature.

For half a century we have seen a sharp decline in native species in the UK. While a few have thrived, and nature is to blame for some of the decline - have you noticed how many more magpies there are around to empty the nests of smaller birds - the reality is that continuing development and the loss of habitat, alongside the use of pesticides, has made a huge difference.

I hope and believe that is now beginning to change. There are firm Government targets for the restoration of nature. Councils are obliged to have a Local Nature Recovery Strategy with real action plans in it. Developers will, from November, be obliged to build a plan for biodiversity net gain into their developments. That means if they take a way a habitat, they need to invest in developing another elsewhere. I hope that will narrow the cost gap between building on brownfield sites and just building on open fields.

The new system of agricultural support will also make a difference. Outside the European Union we have been free to develop an entirely different approach to supporting farmers, away from the constraints of the Common Agricultural Policy. The new UK approach will reward farmers for achieving a better balance between production and nature - for example by restoring hedgerows that were ripped out in the past, or by leaving much wider margins around fields where insects and small animals can flourish. Or by restoring the copses that so often stood in the middle of their fields, or the ponds that have so often disappeared.

In particular it will help the growing number of Nature Friendly Farmers around the country, who are taking an entirely different approach to agriculture with far fewer pesticides and by using what are called cover crops to stimulate the soil instead. Those



who have already gone down this route are finding their costs fall, and often their profitability rises while they produce the same amount or even more food. A combination of more traditional methods with modern technology is really making a difference.

But in an area like ours where farming is only present on a limited scale, the importance of the open spaces as corridors through which animals can pass is of particular importance. From the borders of London in West Ewell to the M25, and across to the far side of the Downs and beyond, there are wide areas where local wildlife can roam. Deer in particular are thriving locally. You can often see them grazing in the fields between Epsom and Ashted in the early evening.

We do need new homes. But we cannot just build at the expense of biodiversity. And in an area like ours, where there is an alternative to the Council's controversial plan, we would be crazy not to take a different route.

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## Mole Valley Plan Paused

As Epsom and Ewell's Draft Local Plan's progress awaits a new timetable we take a look at what's happening in neighbouring Mole Valley. Chris Caulfield reports.

The decision on where, and how many, houses will be built in Mole Valley has been paused, again. It means the council's local plan will almost certainly be delayed, the planning inspector said.

Mole Valley District Council was originally given permission to delay the publication of its local plan until after the May 2023 elections and to give it time to understand any Government revisions to the **National Planning Policy Framework** (NPPF) which had been due for publication in the spring.

The deadline passed and the elections are over however the Government has still to finalise and publish the NPPF.

Writing to Mole Valley District Council, the Planning Inspectorate said that "Given the council's position", that changes to the NPPF "may have implications for its plan, and that the final NPPF changes are yet unknown, it seems reasonable to agree to the council's request (to pause the local plan). The extended pause will enable the council to fully consider the implications of any revised national policy."

Councils waiting for the NPPF update have been told they will not be treated as having out-of-date local plans.

The inspectorate's decision was welcomed by the council's cabinet member for planning, Councillor **Margaret Cooksay**. She said "The Inspector has again recognised that delays in the Government adopting a revised National Planning Policy Framework (NPPF) - which may include important changes for Mole Valley's draft Local Plan - has created ongoing uncertainty for us as the local planning authority.

"In her most recent response to us, she emphasised that she does not want the examination of our draft Local Plan to become 'unduly protracted'. We could not agree more, and we urge the decision-makers in government to publish the new NPPF quickly so that clarity concerning the impact potential changes could have on our Plan is achieved as soon as possible.

"Whilst we would of course rather not delay further, we know that this is the right thing to do to get the right plan. We will bring you any future updates concerning the Plan via our normal publicity channels as soon as they are made known to us."

Related Reports:

[Mole Valley Local Plan paused: official](#)

[Lessons for Epsom in Mole Valley's "shouty" Local Plan struggle?](#)

[How Green is My Mole Valley?](#)

[Pause for thought on paused Plan \(Epsom and Ewell\)](#)

Image: Mole Valley District Council. CC Surrey Advertiser.

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## Pause for thought on paused Plan

Epsom and Ewell Borough Council's Licensing and Planning Policy Committee reviewed the state of play with the Draft Local Plan at a meeting Thursday 15th June.





The progression of the Draft Local Plan (the framework for local planning decisions of the future) was paused in March following an outcry about its Green Belt development proposals. Michael Gove MP, the Secretary of State responsible for planning matters, is yet to deliver on the clarifications sought to his pre-May local election indications that local authorities would have greater control over housing targets.

The meeting was chaired by Cllr **Steven McCormick** (RA Woodcote and Langley) who advised that EEBC was bound by the housing target of 573 houses per annum as extrapolated from 2014 data. A report to the meeting confirmed that if 2018 data was relied on that target would be reduced to 253.

Officers reported on the workstreams continuing on the Draft Local Plan. These included the vetting of the 1650 responses from individuals and organisations received during the public consultation period of the now paused Draft Local Plan. Officers are re-doubling their efforts to identify brownfield sites for development including Kiln Lane and Longmead areas of Epsom and Ewell.

Cllr **Kieran Persand** (Conservative Horton Ward) welcomed the work being done on brownfield development and called for Green Belt to simply be excluded from the Draft Local Plan.

Cllr **Julie Morris** (LibDem College Ward) drew attention to the Environment Act coming into force in November this year. Major developments require to prove a 10% gain in bio-diversity. An officer explained that this gain is measurable by a pre-development audit and post-development audit according to an established "metric". Developers can establish the gain from on-site or off-site "off-sets". Rather like carbon trading. Minor developments will be subject to the 10% bio-diversity gain requirement from April 2024. Cllr Morris argued that the new legal requirement should inhibit Green Belt development.

Cllr **Robert Leach** (RA Ewell Court), having served on the Planning Committee in the 20th century, was tired of it all and regarded the estimated half-million being spent on the process as a waste and questioned the benefit to residents. However, he acknowledged the legal requirement to have a Local Plan. He also predicted, after having read the Privileges Committee report on Boris Johnson in the morning, a change of government by the time EEBC settled its Local Plan. The councillor implied a new Labour Government would rigidly impose housing targets.

Cllr McCormick explained that a revised timetable for the progression of the Draft Local Plan will be submitted to the committee in due course. Meanwhile, all councillors will be invited to special briefings on the Draft Local Plan process and this would be especially important for the several new councillors elected in May.

Related Reports:

Motion to pause Local Plan process

Public meeting on Local Plan dominated by greenbelters.

Epsom & Ewell Borough Council Draft Local Plan.

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## Epsom less flat after more flats approved

Two new blocks of flats will be built next to **Epsom Railway Station** after planners gave the go-ahead.

Planning applications for 16 new homes on the corner of East Street and Kiln Lane and for 20 flats where West Street and Station Approach meet were approved by councillors on Thursday (June 8).

With just two affordable homes over the two developments, both will be subject to a review before completion, to determine if the schemes could provide more than are currently proposed.

Councillors at the **Epsom and Ewell Borough Council** planning committee meeting raised concerns about the "dreadful design" and "ruined" entrances to the town regarding the West Street development. But an attempt to refuse the application failed, when a motion put forward by Councillor **Neil Dallen** (Residents' Association, Town) was lost and the application was approved with six votes in favour and three against.

The development of 20 homes, over five and six storeys, is planned for the former corn and coal merchants which was previously the home of Gillespies Bakery.

The 1905 building will be demolished for a development that was put forward by the developer as a sustainable location for homes that would benefit businesses in the town centre as well as creating jobs during construction.

Councillor **Bernie Muir** (Conservative, Horton Ward), who has spoken out about previous plans for the site, said the site was



within the town centre conservation area and within view of multiple listed buildings. She said she wasn't against something going on the site but worried the conservation area was "meaningless" with no reference to the surrounding buildings in the plans.

Had the designs had "some nod" to the look of that part of the town, Cllr Muir said she would be saying something different. She added: "If we don't embrace our conservation areas and what that actually means, then we're just another urban sprawl. And if we want to be another destination high street, this is the beginning of it. This is the one entrance to the town that hasn't been ruined so far, and that matters to the economic life of the town."

She and other councillors recognised the need for more housing in the borough, with the council in March having put a pause on the process to develop its plan for homes in the area.

Councillor **Clive Woodbridge** (Residents' Association, Ewell Village Ward) pointed out that developers had responded to comments and designed a smaller building than plans that had been previously refused on the site. He said you "couldn't get more sustainable" than a block of flats built next door to the train station and within walking distance of the town centre.

The East Street application, like the one on West Street, had also had previous applications refused and been amended before being approved at Thursday's meeting.

The development of 16 flats, none of which will be affordable because the scheme would otherwise be deemed non-viable, will be allowed to go ahead after changes to previous plans.

Government inspectors had dismissed an appeal on a previous application because of concerns about pedestrians crossing the access road to the block, off Kiln Lane towards Sainsbury's.

But after four year's work on the proposal, which now includes pitched roofs and is of a lower height, plans had been changed and a new footpath had been added to give direct access to the site, avoiding blind corners that had been a concern.

With 18 parking spaces, a suggested condition put forward by Councillor **Jan Mason** (Residents' Association, Ruxley Ward) was agreed by the committee, to allocate the spaces per flat. Cllr Mason said she wanted to avoid "fisticuffs" as there were at similar developments in her area when residents did not have allocated spaces.

She questioned the "viability" claims of developers, saying houses in Epsom sold "at a premium", while Cllr **Kate Chin** (Labour, Court) called for a briefing for councillors on affordable housing and what the council could do to ensure more was built.

The scheme of eight one-bed, five two-bed and three three-bed flats was unanimously approved by the committee.

With a decision yet to be made on plans to turn the former Epsom police station into a 96-bed care home, which was due to come to a cancelled committee meeting in April, the committee's next meeting is due to be on July 20.

Image: Before and after - West Street.

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