



Elmbridge
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Elmbridge Local Plan

Proposed Submission Development Management Plan -
Statement of Compliance with the Duty to Co-Operate

February 2014

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Contents

1	Introduction	4
2	How and where Elmbridge Borough Council co-operates	7
3	The Development Management Plan	18
4	On-going Actions	27
5	Conclusions	30
	Appendix A: Sample letter sent to neighbouring Planning Authorities under the Duty to Co-operate	
	Appendix B: Example of the follow-on letter sent to all DTC bodies	

1. Introduction

1.1. Shortly after the 2010 General Election, the incoming Coalition Government unveiled proposals to reform the planning system. Among the proposals was the abolition of regional planning outside of London, which included the revocation of Regional Spatial Strategies. The South East Plan was the relevant regional strategy for Elmbridge and this was eventually annulled in early 2013 following a protracted legal challenge.

1.2. Among the new legislation and policies which local planning policies must conform to are the Localism Act 2011¹ and the National Planning Policy Framework (NPPF)². These place a binding duty on local planning authorities such as Elmbridge to “co-operate” on strategic matters with other local planning authorities and a list of prescribed public bodies when preparing development plan documents.

1.3. Section 110 of the Localism Act established the ‘duty to co-operate’. This requires local planning authorities to engage constructively, actively and in an on-going basis with other local planning authorities, County Councils and other prescribed public bodies when preparing development plan documents. However, the legislation was also clear in that the duty to co-operate did not relate to all activities or plans being development by an authority.

1.4. The legislation stated that the duty to co-operate specifically related only to the sustainable development or use of land:

- That has or would have a significant impact on at least two planning areas including (in particular) land used for, or
- In connection with strategic infrastructure.

1.5. The explanatory notes to the Localism Act also outlines that the duty will form part of the independent examination of development plans and that local authorities will have to provide evidence that they have complied with the duty to cooperate if their plans are not to be rejected by the examiner. Paragraph 178 of the NPPF reiterates the importance of the duty to co-operate.

1.6. This document demonstrates how the Council considers that it has complied with the duty to co-operate, as set out under Section 110 of the Localism Act 2011, Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), the NPPF and Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This document should also be read in conjunction with the Regulation 22 Statement, which provides detailed information about the consultation that took place with other local authorities and the various prescribed bodies throughout the preparation of the Development Management Policies Document (including how representations made were taken into account), and the Council’s Soundness self-assessment checklist.

¹ Source: <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

² Source: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

1.7. There is no formal or statutory guidance on how the duty to co-operate should be satisfied. Importantly the approach taken will vary dependent on the geographical location of the authority and the general nature of the issues affecting the area, including needs, planning constraints and socio-economic conditions within surrounding Boroughs.

About the Borough

1.8. Elmbridge is in Surrey, covers 9,634 hectares and is situated 17 miles south west of Central London. The Elmbridge area is made up of a collection of vibrant towns and pretty villages: Claygate, Cobham, Esher, Hersham, Molesey, Oxshott and Stoke D'Abernon; Long Ditton, Thames Ditton, Hinchley Wood, Walton on Thames and Weybridge; each with their own distinctive characteristics.

1.9. In the north of the Borough, the River Thames forms the boundary of the Borough with the London Borough of Richmond on Thames, with the Royal Borough of Kingston located to the north and east of Elmbridge. Elmbridge also shares its borders with the Surrey boroughs and districts of Runnymede, Spelthorne, Woking, Mole Valley and Guildford.

1.10. Excluding the Greater London region, Elmbridge has the highest average house prices in the country by Local Authority³ and is noted for its very high quality of life. Average household incomes are considerably higher than the equivalent average levels for Surrey, the South East and England, and life expectancy is also higher than national averages at 81.1 years for males and 83.2 for females. The 2011 Census shows that the Borough's population is 130,900 of which 22% of the population are aged 60 or over.

1.11. Elmbridge benefits from good road and rail accessibility to Central London via the M25 and A3, and is situated within easy reach of both Heathrow and Gatwick airports. The average median gross weekly pay for Elmbridge residents is higher than for those who work in Elmbridge, indicating that a considerable number of residents commute to highly-paid jobs within Greater London. Land values are high in the Borough and development pressures are intense.

1.12. 57% of land in the Borough is designated as Green Belt with around 10% of land being public open space. The Green Belt straddles the boundary with several adjoining boroughs, which are all committed to its continued protection and enhancement. Within this Green Belt lies the Thames Basin Heaths Special Protection Area (SPA). Each of the host boroughs have committed to protect and deliver a strategic package of measures to mitigate the potential environmental effects of new development on the SPA in order to protect its ecological integrity.

Elmbridge Local Plan preparation

1.13. The Core Strategy is the central document within the Local Plan. Elmbridge Borough Council adopted its Core Strategy in July 2011. Although the Government is now promoting the production of a Local Plan in the form of a single document dealing with all aspects of planning

³ Source: http://news.bbc.co.uk/1/shared/spl/hi/in_depth/uk_house_prices/html/43ub.stm

and development, Local Authorities retain the option of developing their Local Plan through a series of separate related documents. Given that Elmbridge's Core Strategy is up-to-date, compatible with the NPPF and has a locally assessed housing requirement, it is considered that the latter option will serve Elmbridge best as a way forward.

1.14. The subsequent documents which follow on from the Core Strategy have an important role to play in delivering the aims and objectives of this overarching spatial plan. The Council's 2013-16 Local Development Scheme sets out the timetable for the preparation of each of the key documents which, when taken together, will comprise the Local Plan.

1.15. In April 2012 the Council adopted Supplementary Planning Documents (SPD) on the Developer Contributions and Design and Character. In addition the Council started to collect the Community Infrastructure Levy in April 2013 following the adoption of a Charging Schedule in February 2013.

1.16. The draft Development Management Plan was consulted on during April and May 2013. The Consultation Statement provides detailed information on who was consulted, how they were consulted and any amendments which were made to the document as a result of consultation. The Schedule of Changes lists those responses which resulted in changes to the earlier draft and which have been incorporated in the proposed submission version.

2. How and where Elmbridge Borough Council co-operates

2.1 Although the principle of joint working on strategic matters was already well-established within the planning landscape prior to the formal introduction of the Duty to Co-operate, it is still important to understand the practical implications of the requirement for Elmbridge as a local planning authority. The Council works closely with its neighbouring planning authorities, Surrey County Council, other public bodies and infrastructure providers to identify and help to find strategic solutions to cross-boundary issues.

2.2 It is beneficial to highlight that co-operation is a two way process, and working together does not always result in agreed views on all topics. Importantly, Section 110 of the Localism Act sets out a 'duty to cooperate' not a 'duty to agree', but there must be genuine, positive and continuous dialogue between the respective bodies, with the intention of reaching agreement and producing the most effective plans.

2.3 Notably, different authorities are at various stages in preparing their Plans. A variance in timetabling can provide additional challenges in terms of collaborative working on strategic and/or cross-boundary issues. In practice, this can mean that, from time-to-time, there may be a need for an authority to decline a request for co-working or co-funding an evidence study with another authority as plan preparation can be more advanced in one district or borough than in others. Crucially, other authorities may have already made, or be in the process of making, their own arrangements for commissioning consultants to produce studies. Moreover, declining a request in such circumstances is not ruling out the possibility of closer working in the future with that authority over projects that will be mutually beneficial.

2.4 It is important to ensure that a continuous process of engagement exists with all bodies, from initial thinking through to plan implementation, monitoring and review. The Council aims to ensure that within reason, everyone is given adequate opportunity to influence the document before adoption. It is for this reason that extensive consultation, both formal and informal takes place throughout the plan-making process and beyond.

2.5 However, it is also important to ensure that, in-line with legislation that local authorities seek to co-operate only on those issues where there is a strategic impact or there are cross boundary implications. This recognises that the Council will need to co-operate with different bodies on different issues. Therefore as well as identifying those organisations we need to work with on strategic and cross boundary issues it has been important to identify and understand what those key strategic and cross boundary issues are for Elmbridge as set out below. These are based on the broad strategic priorities set out paragraph 156 of the NPPF which are:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and

- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Key strategic and cross boundary issues

2.6 In satisfying the duty-to-cooperate, the Council has identified those issues with possible strategic cross-boundary implications. This is based on the evidence of on-going engagement with relevant authorities and bodies as well as from Elmbridge's quantitative and qualitative evidence base (including the Strategic Housing and Employment Land Availability Assessment (SHELAA) and the Infrastructure Delivery Plan (IDP) used to prepare the Core Strategy (adopted July 2011). Because of this, there is an element of overlap and repetition with the Core Strategy as its role and purpose is to set out the Council's strategic planning policy direction. Although the Council's Core Strategy predates the formal introduction of the duty-to-cooperate in November 2011, it is considered that the key strategic and cross-boundary issues identified by Section 3 of that document have not changed significantly over the period since the Core Strategy was adopted.

Homes and jobs

2.7 The main type of development expected to be delivered in Elmbridge will be residential uses. The Core Strategy sets out the requirement to deliver over 3375 new homes between 2011 and 2026. At present, there is a 7 year supply of housing land available for development and the Council is currently on target to deliver the number of homes set out in the Core Strategy. However, whilst Elmbridge is able to meet its housing target it recognises that housing delivery is a key strategic and cross boundary issue for the authority, which requires on-going co-operation as neighbouring authorities will also develop plans and set their own housing targets.

2.8 Paragraph 178 and 179 of the NPPF are explicit that the Government expects joint working to be undertaken between authorities to meet development requirements where those development needs cannot be wholly met within one authority area due to a lack of physical capacity (i.e. site availability). In other words, any under provision of development within one authority's area should be counter-balanced by a higher delivery rate in an adjacent Local Authority (particularly so where, for example, the adjacent Local Authority forms part of the same Strategic Housing Market Area).

2.9 Elmbridge Borough Council does not anticipate additional demands being placed on it arising from growth within neighbouring areas in Surrey. Under the NPPF, where an authority is unable to demonstrate a five year supply of land for housing it can leave them exposed to receiving applications for residential development in countryside areas or other unsuitable locations. Green Belt reviews are required, as well as reviews of site allocations in order to identify further locations for additional capacity if necessary. Elmbridge is aware that several authorities within Surrey have pledged to undertake a review of their Green Belt.

2.10 The high quality of life which Elmbridge offers, together with the close proximity to London results in a high number of commuters choosing to live within the Borough. It is not within the remit of a duty-to-cooperate statement or a Development Management Plan to

speculate or assess whether or not some commuters may prefer to live closer to their jobs if more homes of a suitable size, price and tenure were available. However, in planning for the future the Council has identified the impact which constrained delivery of the London authorities to the north has on demand for housing in Surrey as a whole.

2.11 In addition to conventional housing, the Council has also identified the need to provide an additional 36 pitches for the traveller community. This is a key issue across Surrey with movements between boroughs and districts, and is an area where Surrey authorities in tandem recognise the need and benefit of working together to find solutions.

2.12 Whilst the on-going delivery of employment- related development is important, the actual level of development is expected to be significantly lower than for residential development. However, both the Core Strategy and other evidence supporting this document recognise that whilst unemployment in Elmbridge is very low there are key sites in the Borough providing employment for those residents in Boroughs and Districts adjacent to Elmbridge. In particular strategic employment sites in Brooklands, which abuts the neighbouring authorities of Woking and Runnymede, have been recognised by the Enterprise M3 LEP as being strategic sites for the sub region. Therefore, any additional development or proposed change in designation within these key sites could have cross-boundary impacts that will need to be discussed with neighbouring authorities and the relevant strategic agencies.

2.13 In future one of the key documents that will define the strategic and cross boundary economic issues for the Council will be the Enterprise M3 LEP Strategic Economic Plan. This plan will define the overarching approach to economic growth across this sub region and provide a focus for co-operation and partnership activities. However, the Council has recognised the need to engage with the LEP from the outset and has sought their input on the development of plans and the preparation of its evidence.

The provision of retail, leisure and other commercial development

2.14 The Core Strategy focuses retail, leisure and other commercial development into the Borough's town and village centres. However, there is no identified need to expand these centres to meet shortfalls in retail or leisure services. In addition there are no plans to expand the commercial centres to compete with the strategic centres of Kingston, Guildford and Woking all of which are relatively accessible. However, vehicle movements from Elmbridge to the areas above do contribute to traffic congestion within neighbouring areas. Of the major roads in the area that see the most cross boundary traffic the most significant increases will be on the A3, at the Esher bypass and junction 10 of the M25

Climate change, conservation and enhancement of the natural and historic environment

2.15 57% of land in Elmbridge is Green Belt land and there is strong development pressure on the Green Belt as evidenced by the fact that the neighbouring councils of Mole Valley, Guildford and Woking are currently reviewing their Green Belts boundaries with a view to allocating sites for future development. The Council's Core Strategy currently seeks to ensure that all development occurs in the urban area, preventing the erosion of the Green Belt in Elmbridge. Green Belt has a valuable role in preventing the coalescence of settlements not only

within the Borough but across authority boundaries, as well as and providing protection of the natural environment and the provision of valuable open space.

2.16 A key strategic and cross boundary conservation issue for the Borough is the preservation of the Thames Basins Heaths Special Protection Area (SPA). This is an internationally protected habitat and requires the authority to ensure that any negative impacts created by plans and proposals in the Borough can be mitigated or removed. Alongside any specific impacts on the SPA in Elmbridge the authority must consider the in-combination effects of development across the Thames Basin Heaths Area.

Provision of infrastructure for transport, telecommunications, waste management, water supply, waste water and flood risk

2.17 These are matters which have clear cross-boundary impacts and were identified through joint working with infrastructure providers and set out in the Borough's Infrastructure Delivery Plan. However despite various reforms to legislation and to both the national, as well as the now-defunct regional tier of, planning policy, infrastructure delivery still remains one of the fundamental challenges within Planning. There are several reasons for this, including that:

- Not all the issues associated with provision and supply fall within planning control;
- Local Plans are typically produced for a timeframe of 15-20 years, whereas utility providers' investment plans usually cover no more than 5 years at a time; and
- Different planning authorities will be at varying stages of their Local Plan preparation so could be unable to commit to co-funding key evidence studies.

2.18 Flooding and flood risk are cross-boundary issues as rivers often cover numerous local authority areas. In Elmbridge there are cross boundary issues relating principally to the Thames which forms the north western boundary of the Borough. In particular, the provision of flood infrastructure in Elmbridge as part of the Environment Agency's River Thames Scheme (formerly called the Lower Thames Strategy) that will reduce flooding further upstream, is a key strategic and cross boundary issue that will require on-going co-operation.

2.19 Joint working with Surrey County Council has identified key highways issues affecting the Borough, in particular congestion hotspots. As many residents of Elmbridge work in London, key roads such as the A3 and M25 are particularly prone to tailbacks at peak times. Rail services to and from London Waterloo at peak times are also liable to crowding. Very often the quicker trains which stop at Walton and Weybridge continue to Woking or Basingstoke. Other slower services operate from Waterloo, calling at intermediate stations in London, Esher and onwards to Woking; or from Waterloo to Hinchley Wood and Claygate continuing to Guildford. There is therefore, the potential that development outside of the Borough could contribute towards further crowding of rail services. Addressing these matters may necessitate the formation of new working relationships with other local authorities, both London Fringe areas and beyond, over the longer term.

2.20 In Surrey, waste management is controlled by Surrey County Council. Three Community Recycling Centres are provided. these are at Sunbury (within Spelthorne); Epsom (within Epsom & Ewell) and Leatherhead (Mole Valley). This means the impacts of population growth

must be recognised across the entire County when planning and projecting the demand for waste arising and the potential need to identify future sites for waste management uses.

2.21 A number of water companies supply households in Elmbridge⁴. However, these companies operate across much larger areas and with such a large customer base, water supply issues in one part of the area could have impacts elsewhere within the network, irrespective of the cause. The largest gas and electricity companies operate nationally but issues related to transmission, supply and distribution are not within planning control; neither are day-to-day operational problems. The influence of Planning is limited to ensuring that funds are provided to pay for any necessary upgrades e.g. to sewer networks, or additional electricity sub-stations via the Community Infrastructure Levy. Area-based policies can help in identifying sites for future facilities if and where these are required. The Council is working closely with all utility providers serving Elmbridge to gain an increased understanding of their operational requirements and ensure their plans take account of growth within the Borough.

Provision of social and cultural infrastructure

2.22 A key strategic issue for the Borough is ensuring the delivery of sufficient school places to meet needs of a growing school age population. The Core Strategy recognised this as a key barrier to growth in the area. Whilst much of the pressure for school places is generated in Elmbridge there are cross boundary issues with Kingston and Guildford where schools close to Borough boundaries are facing an increasing pressure from population growth outside of Elmbridge (and vice versa). Under the two-tier local government system in place in Surrey, Elmbridge does not have responsibility for delivery of schools and so works closely with Surrey County Council to ensure there are sufficient places available. The Council's latest Authority Monitoring Report (AMR) shows that Elmbridge transferred in excess of £1.5m of funds to Surrey County Council during the 2012/13 financial year for this purpose.

2.23 There are cross boundary issues with health provision as there are no major hospitals located in Elmbridge. As a result, there is a particularly high degree of cross-boundary movement between Elmbridge and Kingston upon Thames, which falls within the defined Greater London metropolitan area. Kingston Hospital's catchment area supports 320,000 people in the surrounding area⁵ which includes northern and eastern parts of Elmbridge. In future the Council will need to work closely with the recently-established Clinical Commissioning Groups, (which replaced Primary Care Trusts), to assess the impact of growth on health provision.

Defining the Duty to Co-operate in Elmbridge

2.24 As part of its duty to co-operate Elmbridge Borough Council is required to consult those authorities with which it shares a boundary, these are:

- London Borough of Richmond upon Thames

⁴ These include Thames Water, Affinity Water and Sutton and East Surrey Water.

⁵ http://www.kingstonhospital.nhs.uk/upload_folder/enc%20k%20%20kht%20membership%20strategy%2014%2005%2010.pdf

- Royal Borough of Kingston upon Thames
- Spelthorne Borough Council
- Runnymede Borough Council
- Guildford Borough Council
- Woking Borough Council
- Mole Valley District Council
- Surrey County Council
- Greater London Authority/Mayor of London

2.25 Regulation 4, Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 define specific bodies and categories of bodies with which the Council must co-operate in preparing its Local Plan documents. These are set out below:

- Environment Agency
- The Historic Buildings and Monuments Commission for England (aka English Heritage)
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- The Highways Agency
- NHS Surrey
- Office of Rail Regulation
- Marine Management Organisation
- Transport for London
- Local Enterprise Partnership
- Local Nature Partnerships (Surrey Wildlife Trust)

2.26 Elmbridge Borough Council participates in various inter-regional and cross-Surrey partnerships, as well as forming part of the Enterprise M3 Local Economic Partnership (LEP). Therefore, as a result of their memberships in pan-authority working groups in which Elmbridge has a shared interest, it is considered that the following authorities are also bodies with which this Council has relationships and would be obliged to consult under the Duty to Co-operate:

- Basingstoke and Deane Borough Council
- Bracknell Forest Borough Council
- Epsom and Ewell Council
- East Hampshire District Council
- Hampshire County Council
- Hart District Council
- New Forest District Council
- Reigate and Banstead Council
- Royal Borough of Windsor and Maidenhead
- Rushmoor Borough Council
- Slough Borough Council
- South Bucks District Council
- Surrey Heath Borough Council
- Tandridge District Council

- Test Valley Borough Council
- Waverley Borough Council
- Winchester City Council

2.27 At individual Local Authority level, Elmbridge policy is unlikely to impact upon areas which are distant from the Borough. As a result, not all of the authorities listed above received formal copies of Elmbridge planning documents. In these instances, co-operation and correspondence was limited to meetings via the Enterprise M3 group, the Lower Thames Planning Officers Group or similar cross-boundary working groups.

2.28 Winchester, Basingstoke and Deane, East Hampshire, Test Valley and New Forest councils expressed interest to be placed on the Council's general consultation database and these authorities, along with each of the neighbouring authorities and other prescribed bodies received a letter inviting their input on strategic or cross-boundary issues.

Additional Challenges

2.29 There is an additional challenge facing Elmbridge and other London fringe areas, as Greater London is the only area of England which was unaffected by the revocation of the regional tier of planning by the Coalition Government in 2010. The Greater London Authority (GLA) therefore remains as a neighbouring planning authority for Elmbridge, and as a neighbouring authority is one of the statutory consultee bodies for this Council.

2.30 The London Plan sets out an approach to which all London Boroughs must conform when preparing their own Local Plans. As the London Plan is a plan prepared by a neighbouring planning authority (Greater London Authority) for best practice, policies in the London Plan were taken into account during preparation of Elmbridge's Local Plan. However, it should be acknowledged that Elmbridge's status as a local government district within Surrey means it is outside of the Mayor of London's direct sphere of influence. As such the London Plan itself has no formal jurisdiction over Elmbridge or other Council areas which are adjacent to but outside of London. But the content and direction of this plan will have a significant impact on boroughs such as Elmbridge.

2.31 The current version of the London Plan was adopted in July 2011 and highlights that the Mayor of London has a key aim to develop the attractiveness of Outer London as an area for business, particularly at Croydon. Other key proposals include support for improvements in the east-west links to and from Heathrow airport. Within the London Town Centres hierarchy, Kingston Town Centre is identified as a Metropolitan Centre where opportunities will be taken to promote further growth within the town centre.

2.32 The London Plan Revised Minor Early Alterations (LPREMA) was published in October 2013. Para 2.13 of LPREMA sets out that:

'London exerts a substantial effect over south-east England. It is inextricably linked with this wider region, whether looked at in terms of patterns of employment, skills and education, housing markets, town centres and planning for retail, airport policy, patterns of commuting, responding to environmental challenges like climate change, management of resources like

water and energy, Green Belt, waterways and open spaces or the handling of waste. For all these reasons, and in accordance with the new statutory duty to co-operate (see paragraph 1.46), the Mayor intends to work closely with agencies and authorities in neighbouring regions to develop and implement policies on these and other issues to help facilitate the sustainable management of growth. The Mayor wishes to see effective arrangements in place for effective planning for the London city region and to support cross-boundary work where appropriate. He will work with neighbouring planning authorities and others to this end’.

2.33 Elmbridge Borough Council both supports and welcomes the commitment from the Mayor of London set out above in Para 2.13 of LPREMA. Over the lifetime of the Local Plan, Elmbridge Borough Council will seek to use the duty-to-cooperate to pursue closer working relationships with both the Mayor of London and individual London boroughs over general planning and housing matters. There are additional challenges for areas sharing their borders with London Boroughs who do not meet their allocated growth targets, as the demand for employment land and, particularly, for housing invariably spills outside the formal Greater London boundary.

2.34 In practice, satisfying the duty to co-operate does mean attempting to find solutions to address the additional tensions faced by councils in the London Fringe as a result of the regional planning system still in force within London. Importantly, in the event of a sufficient level of sites not being available for one borough to meet its own needs, the regional level of planning offers the option of distributing growth more evenly across the entire region, or finding sites to accommodate the required levels of growth elsewhere within the region. However, such an approach will not necessarily dampen down the demand for land and premises in the original area where sites are unavailable or where demand arose within that region. Moreover, individuals do not recognise the administrative boundaries in the same way that local authorities must.

2.35 Although London’s wider ‘city-region’, (as alluded to by the LPREMA) includes the counties immediately adjacent to the Greater London boundary, local authorities outside the formal Greater London boundary such as Elmbridge have no direct recourse to the Mayor of London. To this extent, Elmbridge has set out a list of actions which will help to meet the ‘on-going’ requirements of the Duty to Co-operate, in addition to general day-to-day liaison with neighbouring Surrey authorities.

Mechanisms used to support on-going co-operation

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

2.37 Partnership working and co-operation on key issues is embedded in the way plans are prepared by Elmbridge and across Surrey. There are a range of strategic partnerships and working groups in operation that provide the necessary forums for discussion. Partnerships where Elmbridge is represented include the following:

- **The Surrey Planning Officers Association (SPOA):** forum attended by all heads of Planning throughout Surrey which meets monthly to consider matters of a cross-boundary nature.
- **Transport for Surrey:** A group of transport providers with interest in Transport for Surrey. This group comprises of the County Council, bus companies, local planning authority officers, the highways agency and Network Rail. Working with this group and Surrey County Council to identify key infrastructure issues within the Borough has been key in bidding for funds from the LEP to address strategic and cross boundary transport issues.
- **Planning Working Group (PWG):** The group comprises representatives of Surrey County Council and Elmbridge, along with each of the Surrey boroughs and districts. The PWG meets regularly and has the purpose of co-ordinating cross boundary planning policy activity in Surrey. This is not only essential in delivering good spatial plans but also in assisting all its member authorities to comply with the Duty to Co-operate that came into force with the Localism Act and sharing best practice. For example, the group agreed and set in place the necessary mechanisms and resources to develop the joint methodology for Traveller Accommodation Assessments.
- **Thames Basin Heaths Joint Strategic Partnership Board:** This group meets at least twice per year. It supports joint working, liaison and information exchange between local authorities and other organisations affected by the Thames Basin Heaths Special Protection Area.
- **Lower Thames Planning Officers Group:** This group meets three times a year and includes representatives from South Bucks District Council, Slough Borough Council, as well as the Royal Borough of Windsor and Maidenhead, the Surrey districts in addition to the London Boroughs of Richmond upon Thames and Kingston upon Thames. It takes a co-ordinated approach to ensuring the effective and strategic management of flooding across the Lower Thames area. All authorities provide updates on their local plan preparation and strategic flood risk assessments, and discuss key planning applications and appeals relating to development within flood risk areas.
- **Programme Board and Sponsoring Group for the River Thames Scheme:** The Council is a member of the Programme Board and Sponsoring Group established by the Environment Agency to support the delivery of the River Thames Scheme (formerly known as the Lower Thames Strategy) and seeks to ensure that appropriate support is provided towards the delivery of this scheme. By contributing through these groups on going partnership work and co-operation will be identified.
- **East Surrey Local Plan Working Group (Elmbridge BC, Epsom and Ewell BC, Mole Valley DC, Reigate and Banstead BC and Tandridge DC):** This group meets regularly and a range of planning issues are discussed, such as evidence bases and any policy implications that may impact on neighbouring Boroughs/Districts, matters arising from Surrey County Council, discussion of recent planning reforms and methods of implementation or management of these changes, general updates on local plan

preparation. From time to time presentations are given on relevant planning policy topics, consultation packages or changes to legislation. Key outcomes of this joint working have been the development of shared Sustainability Appraisal objectives and peer review during the appraisal of policies.

- **The Elmbridge Community Partnership Board (ECP):** This is the Local Strategic Partnership for Elmbridge, and was responsible for the development of the Sustainable Community Strategy 2006-2015. The ECP includes representation from Elmbridge Borough Council, Elmbridge Business Network, Elmbridge Housing Trust, Elmbridge Multi-Faith Forum, NHS Surrey, Surrey County Council, Surrey Police, Surrey Fire and Rescue Service and Voluntary Action Elmbridge. A range of cross-cutting issues are discussed and information shared.
- **The Enterprise M3 Local Economic Partnership (EM3):** Paragraph 160 of the NPPF requires Local Planning Authorities to have ‘a clear understanding of business needs within the economic markets operating in and across their area’. The EM3 group is the Local Enterprise Partnership (LEP) covering Elmbridge. It is therefore essential that the Council engages effectively with the EM3 LEP and other authorities covered by the LEP in order to prepare and maintain a robust evidence base to understand existing business needs and likely changes in local and sub-regional property markets. Whilst much of the involvement with the LEP has been through senior management the LEP have been engaged as part of the preparation of its plans and evidence. In particular property agents working for the LEP have met with officers and have attended the Council’s Developer Market Panel (DMP) to provide feedback on development opportunities set out in the Council’s Strategic Housing and Employment Land Availability Assessment.

Outcomes of co-operation

2.38 Outlined below are the outcomes from co-operation during the preparation of the Local Plan, including the preparation of the Core Strategy.

- **Thames Basin Heaths SPA Mitigation Strategy.** The Council has signed a legal agreement as part of the mitigation strategy agreeing to provide appropriate mitigation as agreed by the Joint Strategic Partnership Board.
- **Traveller Accommodation Assessment 2013:** In 2006 the Council undertook a joint assessment on the accommodation needs of Gypsies and Travellers in North Surrey. The area of study covers the Boroughs of Elmbridge, Runnymede, Spelthorne and Woking. In 2012, the Surrey districts and boroughs recognised the need to update their evidence on traveller accommodation needs and agreed to develop a shared methodology that could be implemented by each authority. This would ensure that despite the different levels of progression with plan preparation consistency would be achieved with regard to an issue with considerable cross boundary implications. The Council’s Traveller Accommodation Assessment was published in 2013 using the agreed methodology.

- **East Surrey Strategic Housing Market Assessment:** In April 2007 the five East Surrey authorities of Elmbridge, Epsom & Ewell, Mole Valley, Reigate & Banstead and Tandridge commissioned consultants to carry out a Strategic Housing Market Assessment (SHMA). The SHMA, along with other strategies and research including Gypsy and Traveller Accommodation Assessments, Strategic Housing Land Availability Assessments and the Economic Viability Study, are a crucial part of the evidence base for the East Surrey authorities to review local housing strategies and Local Plans. The SHMA can also inform Councils' business planning processes, as well as helping to identify targets for investment. However this does not identify with the new housing market area. Initial evidence suggests that Elmbridge has stronger links to London than some of the authorities named above.
- **Education Provision Assessment 2011.** As part of the preparation of the Core Strategy the Council identified education as a key strategic issue for the Borough. Demand for school places was expected to grow considerably during the plan period. To better understand the potential for existing schools to meet this growth the Council worked with Surrey County Council to produce an Education Provision Assessment to set out where growth could be accommodate within existing schools and continues to work closely with Surrey regarding provision locally.

3 The Development Management Plan

3.1 The Development Management Plan (DMP) is the culmination of a number of processes, activities and levels of engagement and co-operation. The latest version of the document has taken into account the views expressed and comments made during its preparation by a number of the specific and general consultee bodies, including local authorities.

3.2 In July 2012 the Council undertook the first specific Duty to Co-operate consultation. An electronic covering letter (see Appendix A) was sent to all consultees on the database outlining that the Council had begun preparation of the DMP and Settlement Investment and Development Plans, the letter enquired whether there were any issues which consultation bodies considered that the Council should include as part of preparing these documents, and also asked if they knew of policies or proposals elsewhere that may have a particular impact on the delivery of development in Elmbridge. The letter also highlighted the pending series of informal pre-consultation workshops which were arranged by the Council in each of Elmbridge's eight principal settlements.

3.3 The Council also consulted with the required duty to co-operate bodies as part of the consultation on the draft DMP between 8 April 2013 and 20 May 2013. The Consultation Statement demonstrates how all bodies on the Council's Consultation database were involved and engaged with during the preparation of the Plan, and this also shows how the draft Plan was amended as a result of the comments received.

3.4 A further letter was sent out to the duty to co-operate bodies (Appendix B) in October 2013 to give an additional opportunity to raise any concerns regarding cross boundary or strategic issues that may be created or affected by the DMP. The letter also included basic timetabling information, and outlined that Elmbridge would send further communication upon formal submission of the document to the Secretary of State and at Examination. This would ensure that partner organisations have as many opportunities as possible to submit their views. This exceeds the Government's consultation requirements.

3.5 With the key strategic and cross boundary issues identified as part of our on-going engagement with the appropriate authorities and strategic bodies, the table below evaluates the Council's draft Development Management policies which were consulted on during April and May 2013.

Appraisal of the DMP policies for potential strategic and cross-boundary impacts

Policy	Comment	Allied Core Strategy policies
DM1: Presumption in favour of sustainable development This policy reflects the presumption in favour of sustainable development,	As this policy flows from the NPPF and every new local plan is expected to include a policy of this nature, it is anticipated that sustainable development will be delivered by every Local Planning Authority within its boundaries. It is therefore not expected	CS1: 'Spatial Strategy'

Policy	Comment	Allied Core Strategy policies
as set out by the NPPF.	that this policy will give rise to any cross-boundary issues.	
<p>DM2: Design and Amenity The policy sets out design criteria which applications should comply with, and provides a link to the Design and Character SPD.</p>	This policy sets design criteria for proposals, which will be applicable within Elmbridge only. It is not considered that this policy has, or is likely to give rise to any cross boundary issues.	CS17: 'Local Character, Density and Design'
<p>DM3: Mixed Uses The policy sets out the Council's approach to the delivery of mixed use developments.</p>	Encouraging mixed use development can ensure activity in an area for longer periods of time each day, which can help in combatting crime and the fear of crime. It is not considered that this policy has, or is likely to give rise to any cross boundary issues.	CS23: 'Employment land provision'
<p>DM4: Comprehensive development The policy sets out the Council's approach to the delivery of larger sites.</p>	This policy highlights the advantages of landowners working together to deliver schemes. It is not considered that this policy has, or is likely to give rise to any cross boundary issues.	CS1: 'Spatial Strategy' CS27: 'Sustainable Buildings'
<p>DM5: Pollution The policy deals with development proposals on or near to contaminated land or hazardous installations. It also seeks to ensure that both new and existing development is not exposed to, and does not create, unacceptable levels of noise or light pollution.</p>	<p>Hazards and contamination are likely to be location specific. However, there is the potential for contamination to spread (via the ground, water or the air). Similarly, pollution can spread away from the source via watercourses or air. The policy seeks to mitigate/reduce any such impacts.</p> <p>It is not considered that the policy has any cross-boundary impacts as it is derived from national guidance and neighbouring authorities must take a similar approach through their planning and pollution control regimes.</p>	CS1 'Spatial Strategy'
DM6: Landscape and	The policy sets out criteria to protect and	CS14: 'Green

Policy	Comment	Allied Core Strategy policies
<p>Trees The policy sets out an approach to the retention and protection of trees and landscapes</p>	<p>retain trees within Elmbridge. Other authorities are required to take a similar policy approach within their own areas so it is not considered that the policy will have any cross-boundary impacts.</p>	<p>Infrastructure’ CS15: ‘Biodiversity’</p>
<p>DM7: Access and Parking The policy sets out criteria and parking standards which will be applicable throughout the borough.</p>	<p>Core Strategy policy CS25 ‘Travel and Accessibility’ makes it clear that the Council will direct new development to previously developed land, will apply maximum standards to all uses, will support development of a regional transport network and support development which increases connectivity within and outside the urban area.</p> <p>Following consultation the policy was amended to require a minimum of one space per residential unit in area of high parking stress. This amendment was to address a local issue around parking and recognises the increase in car ownership across the Borough. Whilst traffic and congestion are issues across Surrey and neighbouring London boroughs the Council does not consider this policy to have an impact on this issue and after writing to neighbouring Borough’s regarding amendments no concerns were raised.</p>	<p>CS1: ‘Spatial Strategy’ CS25: ‘Travel and Accessibility’</p>
<p>DM8: Refuse, recycling and external plant The policy sets criteria to ensure that appropriate provision is made for recycling, waste storage and management within new developments.</p>	<p>The policy outlines design-based criteria to ensure bin storage and plant is sited and designed carefully in order to prevent any negative effects on amenity and the street scene while providing waste and recycling facilities.</p> <p>It is not envisaged that this policy will have any cross-boundary impacts.</p>	<p>CS27 ‘Sustainable buildings’</p>
<p>DM9: Social and Community facilities The policy sets out the Council’s preferred approach for the delivery</p>	<p>It is not anticipated that any cross-boundary issues will arise as a result of this policy as it does not set out the location of new development only the criteria for determining the nature of such</p>	<p>CS16: ‘Social and Community Infrastructure’</p>

Policy	Comment	Allied Core Strategy policies
of new facilities for social and community uses.	development that will be encouraged. Policies concerning the loss of such facilities are set out in the Core Strategy. Sites identified for redevelopment or new facilities will be identified in Settlement Investment and Development Plans.	
<p>DM10: Housing The policy sets out requirements for development proposals which make provision for housing.</p>	<p>The policy sets out the Council's approach to housing delivery in the Borough. The policy approach itself is not expected to raise cross-boundary issues.</p> <p>The Council's overarching approach to housing delivery, including quantity or location was set out in the Core Strategy. This policy sets out the criteria that will be set to inform the design, setting, size, and scale of housing in more detail. The identification of sites and delivery will be achieved through Settlement Investment and Development Plans.</p>	<p>CS2: 'Housing provision, location and distribution'</p> <p>CS19: 'Housing Type and Size'</p>
<p>DM11: Employment This policy sets out the Council's approach to the loss of employment land, and development of further sites for employment purposes including home-working.</p>	<p>Strategic employment sites are of both local and sub-regional importance and the loss of such sites will be resisted unless it can be fully justified.</p> <p>As the policy will only be used in site specific circumstances, it is unlikely that it will raise any cross-boundary issues. The identification and designation of Strategic Employment Land sites will form part of the forthcoming Settlement Investment and Development Plans. Potential allocations or designations of such sites will be part of on-going engagement during the preparation of these plans.</p>	<p>CS23: 'Employment Land Provision'</p>
<p>DM12: Heritage This policy seeks to ensure that development protects, conserves and enhances the Borough's historic environment, including heritage assets.</p>	<p>As this detailed policy seeks to add a local context to national guidance, it is unlikely to raise any cross-boundary issues.</p>	<p>CS17: 'Local Character, Density and Design'</p>

Policy	Comment	Allied Core Strategy policies
<p>DM13: Riverside development and uses The policy sets out the Council's approach to riverside development.</p>	<p>Similarly to DM7, this policy does not allow inappropriate developments which will harm the water environment. The impacts of developments on areas of nature conservation must be fully considered.</p> <p>It is not considered that this policy has, or is likely to give rise to, any cross-boundary issues.</p> <p>Flooding per se is a cross-boundary issue. The river networks do not respect administrative boundaries, and there is the potential for development in another local authority area to have implications for existing development within another Local Authority's area.</p> <p>In conjunction with Core Strategy policy CS26 which sets out the Council's approach to flooding and flood risk, the sequential approach and exceptions tests will be used to mitigate any cross boundary impacts.</p>	<p>CS26: 'Flooding'</p> <p>CS12: 'The River Thames Corridor and its tributaries'</p> <p>CS13: 'Thames Basin Heaths Special Protection Area'</p>
<p>DM14: Evening Economy The policy sets out the Council's approach to development of new late-night facilities including restaurants and bars.</p>	<p>The policy sets criteria for the establishment of new fast food takeaways, restaurants and bars throughout Elmbridge.</p> <p>Due to the scale of the proposals involved it is not considered that this policy will raise any cross-boundary impacts.</p>	<p>CS18: 'Town Centre Uses'</p>
<p>DM15: Advertisements, Shopfronts and Signage The policy sets out the Council's approach to applications for new signage and advertisements.</p>	<p>It is not considered that this policy has, or is likely to give rise to any cross boundary issues.</p> <p>The criteria are largely based on securing acceptable design, optimal siting and minimising disturbance arising from signage, lighting and other advertisements throughout the Borough.</p>	<p>CS17: 'Local Character, Density and Design'</p> <p>CS18: 'Town Centre Uses'</p>
<p>DM16:</p>	<p>As this detailed policy seeks to add a local</p>	<p>CS25: 'Travel and</p>

Policy	Comment	Allied Core Strategy policies
<p>Telecommunications The policy outlines requirements for development, involving telecommunications infrastructure.</p>	<p>context to national guidance, it is not considered that this policy has, or is likely to give rise to any cross boundary issues.</p>	<p>Accessibility'</p>
<p>DM17 : Green Belt (Development of New Buildings) The policy sets out the Council's approach to development of new buildings within the designated Green Belt.</p>	<p>There are not considered to be any cross-boundary issues resulting from this policy.</p> <p>The policy sets out how and where the Council may consider approving limited development within areas of Green Belt land which falls entirely within Elmbridge council's area of jurisdiction and in accordance with the NPPF.</p> <p>Furthermore, the Council is not planning to review or amend the present Green Belt boundaries.</p>	<p>CS1: 'Spatial Strategy'</p> <p>CS14: 'Green Infrastructure'</p> <p>CS15: 'Biodiversity'</p>
<p>DM18: Green Belt (Development of existing buildings) The policy sets out the Council's approach to development of existing buildings within the Green Belt.</p>	<p>The policy sets out how and where the Council may consider approving proposals to extend existing property or replace buildings in the same use class which are not materially larger.</p> <p>This policy only applies to areas of Green Belt land which fall entirely within Elmbridge council's area of jurisdiction. It is not considered that there will be any cross-boundary issues resulting from this policy</p> <p>Furthermore, the Council is not planning to review or amend the present Green Belt boundaries.</p>	<p>CS1: 'Spatial Strategy'</p> <p>CS14: 'Green Infrastructure'</p> <p>CS15: 'Biodiversity'</p>
<p>DM19: Horse-related uses and development This policy outlines the Council's requirements for acceptable forms of equestrian development in terms of size, impact on green belt, location,</p>	<p>Due to the size and nature of equestrian facilities, it is not considered that this policy has, or is likely to give rise to, any cross-boundary issues.</p>	<p>CS14: 'Green Infrastructure'</p> <p>CS15: 'Biodiversity'</p>

Policy	Comment	Allied Core Strategy policies
<p>amenity etc.</p> <p>DM20: Open Space and Views This policy sets out the Council's approach to protecting open space and strategic views.</p>	<p>Proposals which affect networks of green infrastructure, wildlife habitats or corridors, open spaces or views of landmarks could have some cross-boundary impacts. It may not be possible to identify any such effects until planning applications are received, or via new designations of open space or local green space as part of the Settlement Investment and Development Plans.</p> <p>Strategic views include those from outside the Borough recognising the impact of development in the Borough can have across its boundary.</p> <p>The Council will continue to work with neighbouring authorities to mitigate the negative effect of such development proposals and ensure appropriate sites which provide cross boundary benefits are identified and protected against development.</p> <p>In particular the Council will engage with relevant authorities during the preparation of ID Plans to ensure cross boundary concerns are fully explored and address possible adversarial impacts.</p>	<p>CS14: 'Green Infrastructure'</p> <p>CS15: 'Biodiversity'</p>
<p>DM21: Nature Conservation and Biodiversity The policy seeks to ensure that development preserves, maintains and where possible enhances existing habitats and biodiversity.</p>	<p>All local authorities have a duty under the Natural Environment and Rural Communities Act 2006 to have regard to the conservation of biodiversity when exercising all their functions. The duty aims to make biodiversity conservation an integral part of policy and decision making.</p> <p>Proposals affecting the networks of green infrastructure, wildlife habitats and corridors may be cross-boundary in nature. However, it may not be possible to identify any such effects until planning applications, including supporting documentation are received.</p>	<p>CS15: 'Biodiversity'</p>

Policy	Comment	Allied Core Strategy policies
	<p>Where proposals are likely to have cross-boundary effects, the Council will work jointly with neighbouring authorities to protect and enhance biodiversity in line with current national guidance and the Surrey Biodiversity Action Plan.</p> <p>It is not considered that the policy itself raises any cross boundary issues.</p>	
<p>DM22: Recreational uses of waterways The policy sets out the Council's approach to recreational use of the Thames, its tributaries and all other water areas including the riverbanks.</p>	<p>This policy does not allow inappropriate development which will harm the water environment, and requires that the impacts of developments on areas of nature conservation are fully considered. It is not considered that this policy has, or is likely to give rise to, any cross-boundary issues.</p>	<p>CS26: 'Flooding'</p> <p>CS12: 'The River Thames Corridor and its tributaries'</p> <p>CS13: 'Thames Basin Heaths Special Protection Area'</p>

3.6 In short, the Development Management Plan is not expected to have any impact on the identified cross boundary and strategic issues. This is reflected in the responses to the Council's consultation and engagement activities. A summary of those duty to co-operate bodies who commented on the DMP during its preparation are identified below with a brief summary of the comments made in relation to co-operation. More detail on the comments made by these organisations and the Council's response can be found in the Consultation Statement.

Summaries of the responses received on Duty to Co-operate

Organisation	Summary of Comments
<p>Runnymede Borough Council</p>	<p>Confirmation that Runnymede raises no issues under Duty to Co-operate.</p> <p>RBC considers that the Elmbridge Development Management Plan has been positively prepared, is clearly laid out with each policy well linked to the key issue of sustainability. The document also demonstrates the commitment of Elmbridge Borough Council to engage with, and listen to the views of the community in shaping the policies.</p>

Windsor and Maidenhead	Identified Thames Basin Heaths SPA and flooding as the key areas of cross boundary significance between the Boroughs. Agreed that the necessary co-operation on these issues is adequately managed through the TBHSPA Joint Strategic Partnership Board and the River Thames Scheme Programme Board respectively.
English Heritage	Confirmation that English Heritage operates no land, buildings or infrastructure within the borough and raised no issues under Duty to Co-operate.
Natural England	General comment on the need to ensure that policy across Borough boundaries is compatible for issues such as Thames Basin Heaths.
Surrey County Council	No issues identified under Duty to Co-operate.
Environment Agency	In general, supportive of the approach of the document and the range of policies included.

4. On-going actions

4.1 Regulation 34 of the 2012 Town and Country Planning (Local Planning) (England) Regulations requires that Local Planning Authorities give details of the co-operation they have had and actions undertaken with local authorities and prescribed bodies in their Authority Monitoring Reports. This will help to demonstrate the element of ongoing co-operation which is required by the duty to co-operate.

4.2 This Duty to Co-operate statement of compliance, together with the associated Consultation Statement, the Development Management Plan and other supporting documentation highlight a series of actions which the Council considers will need to be taken to satisfy the on-going element of the Duty to Co-operate. Notwithstanding the fact that there could be amendments to the legislation in future, for example, specific directive from the Government as to how the Duty should be satisfied or a greater role being allocated to County Councils in ensuring co-operation between authorities, within the context of the duty Elmbridge Borough Council considers it useful to set out the steps this Council will be taking in the future. These actions will form the basis of future reporting as required by Regulation 34.

4.3 The terms of 'Functioning' and 'Functional' areas are also used by DCLG to describe the issues referred to below.

- An authority's 'functioning' area is the county in which it sits, for example Elmbridge's functioning area is Surrey, and its relationships with the neighbouring councils within that county, or its relationship with the county council. Elmbridge works very closely with other councils in Surrey, particularly those Councils with which boundaries are shared.
- A 'functional' area is where the sphere of influence crosses over the identified boundary into another county or planning region, but this 'functional' area is not formally defined. For example, the 'functional' area of London spreads far beyond its formal boundary to include much of England's South East, although its 'functioning' boundary is the area where the Greater London Authority has jurisdiction. This would also include situations where an authority's housing market spreads into another area, or for example where there is reliance on another area for services such as healthcare, both of which apply to Elmbridge.

Key action points	Reasoning	How to demonstrate this
1. Define the Housing Market Area and assess needs.	Elmbridge's 'functional' area extends into London. Although the relationships are long-established with neighbouring councils in other parts of Surrey, relationships must be now built and strengthened with individual London Borough councils as a result of the abolition of regional	Report on meetings taken place in AMR Where meetings arrive at a formal outcome (e.g. to fund additional work etc.) this can be acknowledged in AMR Create a separate internal folder and store all

	planning outside Greater London.	communication in the event of any future FOI requests to substantiate work done.
2. Build and strengthen relationships with individual London borough councils and the Mayor of London	<p>As above, this is because London's councils operate within a regional framework including targets for housing delivery and employment floorspace set out by the Mayor of London.</p> <p>Under-delivery within one part of the city can theoretically be compensated for by 'over-provision' elsewhere. But such an approach does not recognise localised demand, which may spill into another planning area or region. Importantly, individuals and companies do not recognise these administrative boundaries in the same way that a local authority 'must'.</p>	<p>Provide dates and report on meetings taken place with individual councils</p> <p>Involvement in GLA 'London Fringe Forum' (not sure of exact title)</p>
3. Continue responding to planning consultations from neighbouring council areas, and attendance at various Local Plan working groups etc.	It will be equally important to maintain the existing relationships with neighbouring Surrey authorities.	No change from present reporting.

4.4 As highlighted within the main body of the document, in practice satisfying the duty to co-operate for Elmbridge will involve trying to address the additional tensions faced by London Fringe boroughs as a result of the regional planning system in force within London and its abolition elsewhere. There are particular issues for authorities sharing their borders with London Boroughs which do not meet their allocated growth targets, as the demand for employment land and, particularly, for housing in those areas invariably spills outside the defined Greater London boundary.

4.5 The Council fully recognises there is a need to develop and strengthen links with individual London boroughs as a high priority. Due to the abolition of regional planning outside London it is the responsibility of Boroughs to assume spatial planning at the local level so these links must be made. It is arguably of greater importance for fringe areas outside of London to initiate the connections than vice versa. If a London authority produces a plan which is

consistent with the London Plan it is likely to be found sound at Examination in Public, irrespective of events in areas outside of London. Conversely, if a borough situated outside of London produces a plan the responsibility is firmly and squarely on the local authority to demonstrate conformity through its own evidence, activities and negotiations. However, it should be noted that the London Plan sets a minimum rather than a maximum target and, as such, London Boroughs will need to show why they should not deliver more housing to meet the needs of the Housing Market Area within which they sit.

4.6 Whilst the key actions at present are to focus on the cross boundary impacts arising from the Borough's proximity to London, the Council will continue in its strong working relationships on the key strategic issues and cross boundary issues identified earlier and continue to work actively and positively with its neighbours in Surrey and the County Council.

5. Conclusion

5.1 The Development Management Plan builds on the policies sets out in either the Core Strategy or the National Planning Policy Framework, and does not set targets for development or outline either specific or broad locations for development. As such the plan and the policies it contains do not create, or exacerbate, any strategic or cross boundary issues identified during the development of the Core Strategy. The nature of the document and its lack of strategic or cross boundary implications is reflected in the limited correspondence received by the Council with regard to this particular plan.

5.2 As outlined by both this Duty to Co-operate Statement and the Consultation Statement, all stakeholders have had several opportunities to shape the form and content of the Development Management Local Plan and no objections have been raised regarding a lack of co-operation from any of those bodies with which the Council is required to co-operate.

5.3 Elmbridge Borough Council considers that it has demonstrated, and continues to demonstrate, a high level of co-operation with other authorities and public bodies during the preparation of its planning documents. Where necessary this has included entering into legal agreements to ensure the delivery of effective mitigation to cross boundary impacts but also includes the development of shared evidence bases or agreeing shared methodologies.

5.4 Most importantly the Council has effective arrangements with neighbouring authorities and key strategic bodies (such as the Environment Agency and Natural England) to ensure that future strategic issues are identified and appropriate strategies and joint working agreed to effectively address these issues. The Council considers that it has fulfilled the requirements of the Duty to Co-operate as placed on the authority so far, and that the Council will continue to cooperate effectively to address strategic and cross boundary issues.

Appendix A: Sample letter sent by Elmbridge Borough Council to neighbouring Planning Authorities under the Duty to Co-operate

contact: Mark Behrendt
direct line: 01372 474829
direct fax: 01372 474910
e-mail: tplan@elmbridge.gov.uk
my ref: DTC/MB712

date: 27 July 2012

Dear Sir/ Madam

Development Management and Settlement Investment and Development (ID) Plans

The Council has begun preparing two documents for the new Elmbridge Local Plan. One document, the Settlement 'Investment and Development' (ID) Plans, allocates land for development and designates land for protection. The other document contains the detailed policies that planning applications can be assessed against, and which will eventually replace the saved policies contained within the existing Replacement Elmbridge Borough Local Plan (2000).

As part of our duty to co-operate we are writing to all key partners to enquire whether there are any issues the Council should consider as part of the preparation of these documents. In particular we would ask if you could let us know of any development you may be considering of land, buildings or infrastructure operated by your organisation within the Borough, or of policies or proposals elsewhere that you believe may have a particular impact on the delivery of development in Elmbridge.

Alternatively you may wish to participate in one of a series of workshops we have arranged to discuss how and where development and infrastructure investment could happen in each of the eight settlements that make up Elmbridge. These workshops are intended to give all stakeholders an opportunity to put forward ideas and opinions on future development, which will help to inform the preparation of these documents. The workshops will be attended by residents, local businesses, land owners and developers and will help us to:

- Identify sites that could have potential for new development (including residential, employment, leisure, retail and community uses, such as schools and health care);

- Consider how important sites in each settlement area in the Borough could be developed or whether they should be protected in their existing use;
- Highlight what improvements to infrastructure are a priority given the amount of development expected; and
- Identify appropriate approaches to managing development across the Borough.

The workshops will start at 7pm and should finish by 9pm at the latest and will take place at:

- Hersham: 7 August, Hersham Village Hall
- Molesey (West and East): 9 August at Mole Hall
- Cobham: 16 August at Cobham Centre, Oakdene Road
- Esher: 22 August at King Georges Hall
- Claygate: 29 August at Claygate Centre, Elm Road
- Walton on Thames: 4 September at the Walton Centre, Manor Road
- Weybridge: 6 September at the Weybridge Centre
- Thames Ditton: 10 September, Smee Room, St Nicholas Church Hall.

Following these workshops we will prepare draft documents which will be published for consultation in February and March of 2013 with submission to the Secretary of State for the Examination in Public expected to be in the summer of that year. We will write to you directly at both these stages to ensure you have the opportunity to be involved throughout the development of these documents.

If you would like to attend a workshop please contact Zoe Belton on 01372 474787 or email her at zbelton@elmbridge.gov.uk

Alternatively if you would like to raise any issues regarding either document, or inform us of any development proposals you may be considering within Elmbridge, please contact Mark Behrendt on 01372 474829 or mbehrendt@elmbridge.gov.uk

Yours sincerely



Richard Morris
Head of Planning Services

Appendix B: Example of the follow-on letter sent to all DTC bodies (October 2013)



Civic Centre
High Street, Esher
Surrey KT10 9SD
Switchboard: 01372 474474
DX: 36302 Esher
Website: www.elmbridge.gov.uk

Mr Richard Ford
Runnymede Borough Council
Civic Offices
Station Road
Addlestone
Surrey
KT15 2AH

contact: Planning Policy
direct line: 01372 474787
direct fax: 01372 474910
e-mail: tplan@elmbridge.gov.uk
my ref: DMIDs/2013
your ref:
date: 16/10/2013

Dear Mr Ford

Development Management Plan

The Council is now at an advanced stage in the preparation of the Development Management Plan. This contains the detailed policies that planning applications can be assessed against, and will eventually replace the saved policies contained within the existing Replacement Elmbridge Borough Local Plan (2000). We have written to you previously at earlier stages of the plan preparation to keep you informed and to invite your comments as consultees on the document.

As part of our duty to co-operate we are writing again to all key partners to enquire whether there are any other issues the Council should consider as part of the preparation of this document. In particular we would ask if you could let us know of any development you may be considering of land, buildings or infrastructure operated by your organisation within the Borough, or of policies or proposals elsewhere that you believe may have a particular impact on the delivery of development in Elmbridge.

The draft document was published for consultation in April 2013 and it is anticipated that it will be submitted to the Secretary of State early next year, with the Examination in Public expected to be in the summer of 2014. We will write to you directly at these stages to ensure you continue to have the opportunity to be involved throughout the development of the document.

Strategic Director and Deputy Chief Executive
Sarah Selvanathan

Chief Executive: Robert Moran

Strategic Director
Ray Lee



No. FS 55571
Building Control



Alternatively if you would like to raise any issues regarding the document, please contact Ann Biggs on 01372 474830 or email at abiggs@elmbridge.gov.uk.

Yours sincerely

Ann Biggs
Principal Planning Officer