

Contents

Conclusion to ET planning report

2

APPENDICES

Appendix 1 – Local Green Space Study 2023

Appendix 2 – Planning Statement (submitted by iceni, December 2025)

Appendix 3 – LLFA Consultee Response

Appendix 4 – Heritage Rebuttal Statement (prepared by Archway Heritage)

Appendix 5 – Landscape Review (prepared by Scarp Landscape Architecture)

Appendix 6 – Leigh Day Solicitors Letter

Appendix 7 – Surrey CC Highways Consultee Response

The full report is available on the planning portal as part of a 287 page document which does include all the appendices shown above'

<https://edocs.elmbridge.gov.uk/IAM/IAMCache/4851938/4851938.pdf>

Conclusion to ET planning report

This statement has demonstrated that the proposed scheme is unacceptable in principle, would constitute inappropriate development in the Green Belt, fail to preserve the openness of the Site and result in a significant and lasting degree of harm to the surrounding landscape and heritage assets.

Primarily, the evidence and assessment against Paragraph 155, makes a strong contribution to Green Belt purpose (d), namely through the preservation of the setting and special character of the historic town of Esher. With this considered, the Site cannot qualify as Grey Belt and fails the required test. The proposal falls to be assessed against the higher 'Very Special Circumstances' test at paragraph 153. No such circumstances have been demonstrated within the application submission.

The importance of the Site and its place within Esher, has been explicitly recognised by the LPA through its prior proposal to allocate it as a Local Green Space (see Appendix 1). In accordance with this, the Landscape Review provided demonstrates that the Site is an important semi-natural green space forming part of Esher's wider landscape setting, green infrastructure network and separate settlement identity. Its contribution is seen not only in visual terms, but in its role as a verdant open corridor, recreational resource, area of tranquillity and in the manner in which it frames views and the A307 approach into Esher. The proposed development would permanently urbanise and fragment that landscape through built form, access roads and associated infrastructure, resulting in major adverse effects on character and appearance. These impacts would be fundamental and enduring; this would not be materially reduced by incremental planting over time.

The Heritage Rebuttal Statement demonstrates that the Site is not simply open land adjacent to heritage assets but forms a meaningful part of the surviving historic setting of Esher and the landscape framework through which the town's development and special character is still legible through the Site. The Site contributes to the significance and setting of Esher Conservation Area, Moore Place Lodge and other nearby heritage assets by preserving openness, historic spatial relationships, mature landscape structure and the transition between the town and its historic parkland context.

The proposed development would erode those relationships through the introduction of substantial suburban built form, which would cause serious and permanent harm to heritage significance and to the appreciation of Esher as a historic town. On this basis, the harm is not limited to visibility alone and could not be avoided by screening, landscaping or 'designed out' at reserved matters stage.

The proposal would cause permanent harm to the town's green infrastructure role and its distinct settlement identity from a landscape and heritage perspective. These harms carry **substantial weight** against the proposal, with widespread, enduring impacts and not simply localised visual change.

The development would have an adverse effect on the character of the area through its density and housing typologies creating conflict with the Elmbridge Design code and local design policy.

There is an identified conflict with Regulation 63 of the Habitat Regulations, and it is maintained that the Site's internal green infrastructure cannot provide a 'viable alternative' as a recreational resource to the Thames Basin Heath SPA and SAC.

Insufficient information has been provided to satisfy requirements for surface water mitigation and highways impact, as consolidated by the consultee responses by the LLFA and Surrey County Highways. Off-site BNG is not considered sufficient to mitigate the redevelopment of such a large, crucial green space.

In conclusion, the Group consider that the application should be refused on the following grounds:

- **Proposed Refusal Reason 1:** The Site does not satisfy the Grey Belt tests at paragraph 155 and Annex 2 of the NPPF due to its strong contribution to purpose d) of the Green Belt. As the Site does not meet the definition of Grey Belt, any development at the Site would be considered to be inappropriate development in the Green Belt unless 'very special circumstances' suggest otherwise. The Applicant has not set out any 'very special circumstances' for the proposed development and therefore the proposals would result in irreversible harm and inappropriate development to the Green Belt and its openness contrary to the NPPF and Policies CS1 and DM17.
- **Proposed Refusal Reason 2:** The proposed development would lead to less than substantial harm in heritage terms and there are no public benefits over and above what would ordinarily be expected from a development of this scale which outweighs those harms. In accordance with paragraphs 212 and 215 of the NPPF, great weight should be attributed to the heritage harms caused by the proposed development. The proposed development would conflict with Policies CS17, CS14, DM12, DM20, CS1 and CS9.
- **Proposed Refusal Reason 3:** The proposed development is in clear conflict with the character and appearance of the area, due to the unacceptably high density of proposed development causing harm to the surrounding lower density character. Overall, regarding the general

character of the area, there is clear policy conflict with Policies CS17 and DM2.

- **Proposed Refusal Reason 4:** The proposed development would result significant and irreversible harm to the Site's landscape character, the town's landscape setting, the identity of Esher as a separate settlement and the green infrastructure network. The proposals would result in clear conflict with Policies CS1, CS14 and CS17, in addition to the Elmbridge Design Code SPD 2024.
- **Proposed Refusal Reason 5:** In terms of the loss of open space, sports and recreation facility, the proposed development does not address the Policy DM20 exceptions, such as a) demonstrating equivalent or better replacement provision, b) demonstrating that the site is surplus to requirements or c) that the loss is necessary to secure wider community benefits. Additionally, the application is premature as it seeks to develop a site which was previously proposed as a Local Green Space in the withdrawn emerging local plan. The proposals would be in conflict with Policy DM20 of the Local Plan.
- **Proposed Refusal Reason 6:** The objection from Surrey CC Highways has not been overcome by the Applicant. Insufficient information has been provided to ensure safe vehicular access from Portsmouth Road and offsite highways improvements are required to make the development acceptable in highways terms. The proposed scheme conflicts with Policy CS25 and the paragraph 116 of the NPPF.
- **Proposed Refusal Reason 7:** The holding objection from the LLFA has not been overcome by the Applicant. Additional information is required in relation to surface water drainage and with the absence of

this information, the proposed scheme directly conflicts with Policy CS26.

- **Proposed Refusal Reason 8:** The proposed development cannot achieve the mandatory 10% BNG requirement. No mechanism has been entered into to secure this offsite. This is contrary to Policy DM21 of the Development Management Plan.
- **Proposed Refusal Reason 9:** There is clear statutory conflict with the Regulation 63 of the Habitats Regulations, which is a key material consideration for the Council in their determination of planning applications. The proposed development would conflict with Policy CS13.

With the above considered, the proposed scheme conflicts with relevant Development Plan Policies and the NPPF. Therefore, it is respectfully requested that planning permission is refused.