

**SPELTHORNE BOROUGH COUNCIL**

**OBJECTIONS TO THE PROPOSED LOCAL DEVELOPMENT FRAMEWORK {2007}**

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**We wish to raise the following objections:-**

**A. Overview**

The engagement of the electorate in political decision making is still seen as a desirable aim, but all attempts to seriously engage the people whose lives will be affected by these proposals will similarly appear as a mere “dot” on the radar scheme. This statement is neither made in a “glib” fashion, representing a conceited view, nor critical of the authorities in their attempt to engage public debate. It was no less prevalent in the responses during public consultation with the Lyons Report into Local Government, as is likely to be the case in this consultation when viewed against the total population of Spelthorne BC. Therefore, the Council must proceed as it sees fit in promoting policies and not to read too much into the extent of any expressed views in the run up consultation period.

**B. Policy Objections**

**(1) Location of Development (CS1) and Flooding Implications of Development EN15**

In our view this policy requires further strengthening. It is of course a related policy to all forms of built development, but we wish to the strengthening of CS1 to apply to the location of newly built residential development. The Council support the overlying objectives of a move towards building in areas susceptible to flood and to prevent new built form in the green belt. We support these policies. Nonetheless, PPG25 {a national policy guidance statement} purports to permit particularly “housing” with Flood Zone 2. The LDF as proposed however, fails to make a reasonable attempt to localise the implementation of PG25, to the local Spelthorne BC situation, by having sufficient regard to local land use against local need for more housing. The resultant outcome is to inevitably leave the determinant question of whether housing should be built within flood zone 2 as a positive presumptive for, unless the environment agency can muster a case to object to “housing” being built in flood zone 2. This demonstrate an immediate weakness in the planning process where deference to flooding matters by the Council will always be at the decision making process within the confines of the Environment Agency.

What is quite clear in the local context, is that even if one accepts the allocation needs proposed and advocated by the LDF (which we do not support since we believe them to be excessive) is that there is simply NO NEED to build new housing within Flood Plain Zone 2 within the life span of the proposed LDF, since allowing for a small number of “windfall” sites additional to the proposed sites, will more than meet the total requirements.

The Policy Statement for Location should therefore add a “rider” that “No new Housing development in a newly built form will be permitted in Flood Zone 2, unless the Housing Annual Monitoring Report identifies a need to change the Policy in order to meet the Housing Allocation need targets”.

**(2) Housing Provision (CS2)/Providing for New Housing HO1/ Contingency Strategy for Meeting Housing provision HO2 / Affordable Housing HO3**

The identified need of 151 dwellings to be provided per annum materially fails to recognise the oversupply provision that has occurred during the current Spelthorne Local Plan, which is believed to amount to over 600 dwellings excess to 2006. The LDF seeks to ignore this over provision by starting from a “clean slate” in terms of meeting its Structural Plan requirements and that of the South East Plan. How is one to have any faith in the LPA if they advocate policies on housing numbers which are detailed in numeric terms, if over provision is to be ignored from one Plan moving to another. Land management is equally remiss by over – provision as it would be by under provision, and it is surely folly to ignore the over-provision to 2006.

We recommend that the requirement to provide 151 dwellings per annum under Policy CS2 be amended to deduct the over-provision occurring to 2006, to ensure an orderly provision between plans and to ensure the long term planning provision of new housing is not severely undermined by Plan to Plan policies.

There is nothing contained within the proposals of HO1 to act as a deterrent against “back garden” development, where current classification of such gardens is “brown field”. The proposals for provision can quite clearly be met by the identified sites (particularly if the net provision is reduced for current over provision as we advocate). Whilst their inclusion or non-inclusion is subject to the Consultation process now in progress, it should be readily determinable at the conclusion of the Inspector’s subsequent hearing to determine whether this is to remain the case. Whilst we can recognise that some flexibility needs to be built into the system regarding a small provision on “windfall” sites, the current proposals will do nothing to halt the continual onslaught of “back garden” grabbing. We do not need it here, because if one allows windfall to continue unabated, as sure as “eggs are eggs” substantial over provision will again occur during the life of the LDF.

The policies need to be modified to include provisions which act as a presumptive against back garden development unless the Annual Monitoring report identifies a significant risk of under provision which would warrant a policy change from the presumptive against.

Regarding setting targets for affordable housing (HO3) these should be left for a further period of consultation since surely they are premature in the light of recent Government announcements. A better policy needs to be devised than that proposed relating to exclusion of sites of less than 10 dwellings or 0.3 hectares or less, since substantial evidence exists to demonstrate that the setting of such limits encourages development proposals at the small end to be manipulated to fall outside such limits. In our view, the Council needs to consider more elaborate means of the provision of affordable housing by linking affordable housing provision to new built housing provision tied to actual builders, development companies and their associate companies.

### **(3) Housing Size and Type HO4**

We remain to be convinced about the need to provide 1 and 2 bed units at almost the total exclusion of any family homes. We form the anecdotal view that the late 2000’s has witnessed an unprecedented amount of “apartment” development, some of which has been sponsored by the “buy-to let” boom which is almost certainly to recede in the immediate future. We can only form the view that further research should be conducted by the Council to truly establish need and type where such apartment provision is really quite a new phenomenon, to which should be subject to further monitoring to oversupply before too deep rooted commitments are made. This view is formed against a gradual degradation of

available built accommodation space being provided for individuals as we face again an unprecedented lean towards ever smaller living space standards. There is a real need to take time out and to look closely at governmental density targets in the local context.

**(4) Tree Protection EN9**

The Council's policy statement is widely canvassed in admirable goals, but anyone who has seen the "actions" of neighbours and developers on proposed development sites (as we have currently witnessed in Harfield Road) will recognise that they lack any substance whatsoever. They represent purely glib ideals with absolutely no specific resolutions or targets to promote additional tree planting, nor to introduce any measures whatsoever to tackle tree destruction in advance of proposed development. Having had the benefit of meeting the Tree Officer during July 2007, they have little to no resources.

Whilst undoubtedly there are constraints imposed at Government level, Spelthorne should take a commitment to refuse any application where "tree felling" of any shape or form has occurred on site within any previous 24 month period prior to application. This would act as a deterrent to the wide scale tree destruction that continues unabated on application sites and would have some "teeth". Otherwise, EN9 as un-amended might as well be written on toilet paper for all the good it will do.