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Mr Roberto Tambini
Chief Executive
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Your Ref:
Our Ref: PINS/Z3635/429/7
Date: 19th December 2008

Dear Mr Tambini

Spelthorne Borough Council Core Strategy and Policies Development Plan Document

- 1 As you know I was appointed by the Secretary of State to carry out an independent examination of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document which was submitted on 14 June 2007, pursuant to section 20 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act).
- 2 I held Pre Examination Meetings on 3 December 2007 and 8 July 2008 and conducted the Examination by way of written exchanges and by hearing sessions held between 2 and 17 September 2008.
- 3 The purpose of the independent examination is set out in section 20(5) of the 2004 Act. This falls into 2 parts. The first is whether the submitted DPD has been prepared in accordance with certain statutory requirements under the Act and "the 2004 Regulations" (The Town and Country Planning (Local Development) (England) Regulations 2004). The second part is whether the DPD is sound.
- 4 At the first pre-hearings meeting held on 3 October 2007, a number of comments were made by participants that the Council had decided to treat some representations to the CS as invalid. In a briefing note dated 22 October 2007 I expressed the view that this did not accord with the requirements of the 2004 Regulations. As a result, all representations made, including those the Council originally determined to be invalid, have been provided to me, and I have taken them into account in my report, together with all of the representations made during the six-week period following submission of the CS.
5. By a direction dated 21 September 2007 the Secretary of State has "saved" a number of policies in the Spelthorne Borough Local Plan 2001 (LP), including policies

GB1, RU11, RU14, BE24, BE25 and BE26 which according to the Council's *Local Development Scheme* are to be saved after adoption of the CS. Policy GB1 establishes that the extent of the Green Belt is shown on the LP Proposals Map. The "saved" policies have been reproduced in the submitted CS and renumbered L01, EN21, EN22, EN18, EN19 and EN20.

6. In my 22 October 2007 briefing note I expressed serious concerns that some potential representors might have been confused by the approach taken in the CS to the Green Belt, resulting in some individuals or bodies not making representations at the DPD submission stage because they understood that the question whether there should be a review of the Green Belt would not arise. As a result, the Council has re-advertised the CS for a further six-week period ending on 17 April 2008, having removed the "saved" policies and related appendices and text. All further representations made as a result of this re-advertisement have been considered by me in the preparation of my report. I am satisfied that the re-advertising exercise has overcome any prejudice that might have arisen to those interested in the CS, and that as a result everyone has had the opportunity to take part in the examination process.

7. The CS as re-advertised contains a number of alterations from the submitted document, which the Council proposes I should specify as changes to the submitted CS. I deal with the detail of these proposed changes in my report. However, I am satisfied that the Council's re-advertising exercise addresses the requirements in PPS12 for such changes to be subject to publicity, and that there would be no obstacle to my specifying those changes arising out of any lack of public consultation.

8. My report contains my recommendation that the submitted DPD is sound and should be adopted, subject to a number of changes, and the reasons why I have come to that view. In coming to my conclusions on the soundness of the DPD I have had regard to all the representations which were made on it in the 6 weeks following submission in accordance with regulation 29 of the 2004 Regulations, as well as the representations made in the 6 weeks following the Council's readvertisement of the DPD with changes in March 2008. I have also taken into account all subsequent written submissions and oral contributions made at the hearing sessions.

9. I would like to express my thanks to those representing the Council and to all who took part in the Examination for the helpful, positive and professional manner which they adopted both before and during the hearing sessions. I would also like to record my grateful thanks for the assistance given to me by the Programme Officer, Mr Geoff Bengé. His good humour, diligence and organisational skills helped to ensure that the examination process, including the hearing sessions, ran smoothly.

Yours sincerely

Sara Morgan

INSPECTOR