

Spelthorne Core Strategy and Policies DPD

Schedule of Matters and Issues for Examination (as at 01/08/08)

1. This Schedule of Matters and Issues for Examination has been prepared by the Inspector to guide and focus the discussion at the hearing sessions of the Examination into the Spelthorne Core Strategy and Policies DPD.
2. The Paper lists the main topics and issues which are likely to be discussed. For each topic, it sets out a series of questions on which the Inspector invites responses from the participants. A list of the relevant participants is set out in the Programme. Participants are invited to respond to the questions raised in brief statements (no more than 3000 words per matter) to be received by the Programme Officer no later than **Friday 8 August**. Responses can be made on the various topics and questions by all participants listed under that topic in the Programme, but limited to the topics and issues raised in the original representation, both by those attending the hearing and those wishing to make further written representations. Those supporting the plan may also comment by way of written representations on issues related to their original representation if they feel it is necessary.
3. It is important that the representations and responses include all the evidence and supporting material relied on, and for the Council, reference to the "core" evidence base, as the Inspector is unlikely to accept further or new information once the hearing sessions commence. If participants wish to refer to information in previous representations and statements, they should note that the Inspector only has copies of the representations made at formal submission stage. In order to avoid unnecessary repetition, there is no need to quote from documents already before the examination, including Core Documents and Topic Papers, but appropriate references should be included in the representations.
4. All material which participants wish to put before the Inspector or refer to in the hearings or in writing should be submitted by the deadlines indicated. This is to ensure the efficient running of the examination process and to make sure that all the relevant material is available well before the hearing sessions commence. The submission of late information or evidence can seriously disrupt the hearing sessions and could disadvantage the participants, including the Inspector. If participants wish to rely on their original representation, no further statement is needed, but this should be confirmed with the Programme Officer.
5. Detailed agendas for the hearing sessions may be issued shortly before they commence, in the light of the responses received to the Schedule of Matters and Issues for Examination. It is unlikely, however, that the Inspector will introduce new questions or issues that do not arise from the topics and issues identified. Please note

that not all matters and issues will be discussed at the hearing sessions; this will partly depend on those who wish to have an oral hearing, and some matters will be dealt with by written representations.

6. Participants are reminded that the examination focuses on whether the Core Strategy is sound. Participants should explain why they consider the plan is unsound and specify how the plan should be altered, and produce clear evidence to support this course of action where necessary.

Matter 1 Housing Provision

Key issue: Is the scale and distribution of new housing development appropriate to the district, soundly based and fully justified?

- i. Does the proposed level of new housing in the DPD accord with the requirements of the RSS and with the emerging South East Plan? Or should policy SP2 not be adopted until further government guidance is available on the need for more housing?
- ii. Does it take account of the amount of housing provided in previous years against Structure Plan targets, and if not should it?
- iii. Is it sufficiently clear from strategic policy SP2 how much housing is to be provided and over what period?
- iv. Would the proposed level of new housing meet anticipated housing needs and does it take sufficient account of the most recent household projections? Is it enough for the DPD to seek to meet the requirements of the RSS, or should it aim to provide sufficient housing to meet the need implied by the evidence base? Would there be any justification for the DPD seeking to achieve less than what is required by the RSS?
- v. Does the housing supply proposed in Table 2 accord with the advice in PPS 3? Does it enable sufficient specific deliverable sites to be identified to deliver housing in the first five or ten years? Is it overly reliant on windfalls?
- vi. Are the figures in Table 2 realistic, and are they supported by a robust and credible evidence base? Is sufficient evidence available as to the deliverability of particular sites? Does Table 2 show that the housing requirement can be met within the urban area?
- vii. Are the restrictions on development arising from flooding issues likely to impact on the availability of urban land for housing? If so what consequence might that have for the delivery of the level of housing envisaged?
- viii. Has the Council been consistent in its approach to housing on large sites and flooding?
- ix. Is it correct for the DPD to say that there are no infrastructure constraints requiring the rate of new housing to be phased or controlled?
- x. Is the use of employment land for housing as envisaged appropriate? Has the need or suitability of these sites for employment been properly evaluated?
- xi. Are the policies sufficiently flexible to cope with an increased housing requirement under the South East Plan?
- xii. Should the DPD prevent or restrict housing development on residential garden land?

Policy HO1

- i. How does policy HO1 support the strategy?

- ii. Should it be more specific as to the number of dwellings that should be provided for in the Allocations DPD? Should more sites be allocated than envisaged in Table 2?
- iii. Should it set out criteria for the inclusion of sites in the Allocations DPD?
- iv. Should it be clearer in explaining what the Council will do to encourage the provision of new housing?
- v. Should it make reference to making better use of the existing housing stock?
- vi. Should it permit redevelopment of previously developed land in the Green Belt?
- vii. Should it permit changes of use to residential?

Policy HO2

- i. How likely is it that the anticipated housing levels will be delivered? Does policy HO2 provide a sufficient contingency to address the possibility that housing does not come forward as anticipated?
- ii. Are all the steps listed in the policy appropriate?
- iii. Would policy HO2 allow for any shortfall to be addressed in a timely manner?
- iv. Is it appropriate not to consider some release of Green Belt land as a contingency?

Matter 2 Spatial strategy, vision and objectives and spatial implications

Key issue: Is the spatial strategy clear, soundly based and appropriate for the Borough and is it consistent with national and regional policy?

- i. Is the DPD a spatial plan which properly reflects national guidance on spatial planning?
- ii. Is the spatial strategy of the DPD sufficiently clear? Does the DPD adequately identify the core challenges facing the Borough and spell out how it intends to address those challenges?
- iii. Is the DPD correct to apply its policies Borough-wide, or should it apply different policies to different parts of the Borough?
- iv. Does the spatial strategy properly reflect the objectives and policies of the RSS?
- v. Is the spatial strategy sufficiently flexible to deal with changing circumstances?
- vi. Were all reasonable options for the strategy properly explored and consulted upon, including the option of a review of the Green Belt? Has the Green Belt been evaluated to determine whether it still performs a Green Belt function, and if not should it have been? Is the strategy of not reviewing the Green Belt the most appropriate in all the circumstances?
- vii. Should the DPD include a policy allowing for small-scale reviews of the Green Belt boundary?
- viii. Does the DPD give spatial expression to the Community Strategy?

- ix. Are the Vision and Objectives appropriate? Do the Objectives cover all relevant matters?
- x. Is the Spatial Description of the Borough accurate and adequate?

Matter 3 The location of development

Key issue: Will the policies lead to development that meets the area's needs in a sustainable manner, having regard to national and regional guidance?

- i. Will the strategy meet the area's needs in terms of location of development?
- ii. Will the strategy result in the most sustainable pattern of development?
- iii. How has the proposed distribution of housing been arrived at? Have reasonable alternatives been tested? Is the strategy driving the allocation of sites, or is the allocation of sites being determined solely by availability?
- iv. Should provision be made for exception sites outside the built-up areas and within the green belt?

Flooding

- i. Is the strategy relating to flooding appropriate and is it informed by a robust and credible evidence base?
- ii. How has the distribution and nature of development been informed by national policy in PPS 25? Has the Sequential Test been applied, and where the Exception Test is required, has it been passed?
- iii. Does policy LO2 (Flooding) add anything to national policy in PPS 25? Is it appropriately worded? Is it too inflexible or onerous?
- iv. Is policy LO2 intended to allow development in areas where there is a high probability of flooding if flood risks can be overcome? If so, is this an appropriate policy? Should the policy prevent new housing in Flood Zone 2 unless necessary to meet the housing requirement?
- v. Does policy LO2 need to make specific reference to sewer flooding?
- vi. Is the flood boundary shown correctly on the DPD diagram?

Matter 4 Affordable housing

Key issue: Do the affordable housing requirements in policies SP2 and HO3 accord with national and regional policy, are they appropriate to the Borough and are they soundly-based and fully justified?

- i. Are policies SP2 and HO3 sufficiently clearly worded in terms of the percentage requirement for affordable housing?

- ii. Is the requirement for affordable housing in policies SP2 and H03 justified by the evidence of local housing needs? Is the evidence base for this policy robust and credible?
- iii. Is the threshold appropriate? Has it properly taken into account economic viability, and the impact of the policy on overall levels of housing delivery and creating mixed communities? Should it be raised or lowered?
- iv. Is the policy sufficiently flexible to allow site-specific considerations to be taken into account?
- v. Should the affordable housing threshold be varied in different parts of the Borough, or should it be negotiated on a site by site basis?
- vi. Is the type of affordable housing defined sufficiently? Should the policy explicitly state how much social rented housing will be sought?
- vii. Would the requirement for affordable housing to be maintained in perpetuity prevent "staircasing"?
- viii. Are the requirements of the DPD with regard to affordable housing able to deliver what is required?
- ix. What is the justification for requiring contributions to affordable housing from employment development schemes? Is policy HO3 sufficiently clear as to how such a requirement would be calculated? What effect would this requirement have on the viability of such developments? What is the justification for the 1000 square metre threshold in the policy and is it appropriate to apply the same threshold to all types of employment uses?

Matter 5 Housing size, type and density (Policies H04 and H05)

Key issue: Do policies H04 and H05 accord with national and regional policy, are they appropriate to the Borough and are they soundly-based and fully justified?

- i. What is the justification for the 80% figure in policy H04? Is it unreasonably onerous, and is it consistent with PPS3? Is it too inflexible?
- ii. Should the DPD make provision for housing for the elderly in addition to the "extra care" units provided for?
- iii. How in practice will the policy achieve delivery of the number of "extra care" units aimed at?
- iv. Are the density levels proposed in policy H05 appropriate and justified by robust and credible evidence?
- v. Should there be an upper limit to housing density in Staines town centre? If not, why not?
- vi. What is the justification for policy H05's requirements that housing developments should not normally be below 35 dwellings per hectare?
- vii. Is policy H05 sufficiently flexible? Would it be more appropriate for density and scale to be considered on a site by site basis?

Matter 6 Employment

Key issue: Are the Employment policies appropriate to meet the business and employment needs of the district and provide a strong local economy, and are they soundly-based and justified?

- i. Is the strategy relating to employment the most appropriate, and is it founded on a robust and credible evidence base?
- ii. Are the policies sufficient to ensure the maintenance of the local economy and the meeting of business needs, bearing in mind the proposed loss of some employment sites for housing?
- iii. Does the strategy deal adequately with Heathrow airport, and is it flexible enough to deal with the possibility of the airport's expansion? Is there a need to allocate land for employment uses that meet the needs of Heathrow airport, and if so should this be addressed in the DPD? Should the DPD acknowledge that its strategy may need to be reviewed in the light of any Government policy decisions concerning the growth of Heathrow?
- iv. Is the retention of the sites listed in policy EM1 for employment use appropriate, and is it supported by robust and credible evidence?
- v. Is there justification for other employment sites to be added to the policy?
- vi. Is policy EM1 sufficiently clearly worded in terms of the presumption against the loss of employment land, and is it consistent with the reasoned justification? Is the presumption an appropriate and sufficiently flexible strategy?
- vii. Is the DPD flexible enough to cope with likely changes in employment practices, such as an increase in home working? Is policy EM1 sufficiently flexible?
- viii. Should policy EM2 apply to existing employment sites in the Green Belt?

Matter 7 Town centres and retail development

Key issue: Does this part of the DPD make adequate provision for town centre development, is it consistent with national policy and does it add sufficient local distinctiveness?

- i. Is the strategy the most appropriate in all the circumstances, and is it based on a robust and credible evidence base?
- ii. Does the strategy suitably address the needs of the town centres, particularly with regard to regeneration?
- iii. Is paragraph 8.8 consistent with policy SP4 in its approach to centres other than Staines Town Centre?
- iv. Does the strategy deal appropriately with traffic congestion in Staines town centre?
- v. Should policy TC1 allow greater provision to be made for long stay parking?
- vi. Is policy TC2 consistent with national policy? Is it sufficiently flexible?

- vii. Is it appropriate for policy TC3 to seek to retain existing levels of employment floorspace in Ashford, Shepperton and Sunbury Cross centres?
- viii. Does policy TC5 add anything to national policy? Should it permit expansion and modernisation of existing out-of-town retail facilities?

Matter 8 Environment Chapter

Key issue: Do the policies of the Environment Chapter develop national and regional guidance to give local distinctiveness, and are they appropriate?

- i. Do the policies of this section add to national policy, and do they add anything in terms of local distinctiveness? If so, what? Is their wording appropriate?
- ii. Is there any justification for including other policies in the DPD that appeared in the Spelthorne Borough Local Plan, or any other policies?
- iii. Is it appropriate for policy SP6 to refer to "historic buildings" rather than "listed buildings"?
- iv. Should policy EN1 refer to sustainable design and construction?
- v. Has the effect of the development proposed in the DPD on air quality been assessed? Should policy EN3 contain a moratorium on the provision of additional development in areas which are unlikely to meet appropriate air quality standards? Are the requirements of policy EN3 appropriate and sufficiently clear?
- vi. Does policy EN4 take sufficient account of the functional use of the open spaces it seeks to protect?
- vii. Does the list of urban open space sites over 0.1 ha in size in Appendix 1 include all relevant sites? Are there other sites that should be specifically referred to in Appendix 1?
- viii. Should policy EN4 make provision for statutory undertakers' development within open space?
- ix. Should policy EN5 be modified to make it consistent with the reasoned justification regarding the use of legal powers relating to listed buildings?
- x. Is policy EN6 in accord with national policy in seeking to preserve *and* enhance the character of conservation areas? Is there a local justification for any difference between the two requirements? Should the application of the policy be extended beyond existing conservation areas?
- xi. Does policy EN7 give adequate protection to trees?
- xii. Does policy EN12 deal adequately with existing problems of traffic noise particularly from the M3?
- xiii. Does policy EN13 accord with Government policy contained in the 2003 Air Transport White Paper? Is it an appropriate policy to include in this DPD? Should the policy be more explicit as to the measures that will be supported?

Matter 9 Community needs and Infrastructure

Key issue: Is this part of the strategy based on robust and credible evidence of existing and future needs of the community, and does it make appropriate provision to meet those needs?

- i. Has the DPD taken adequate account of the capacity of existing infrastructure and the need for additional facilities, and have the links between infrastructure and development been properly investigated?
- ii. Has the DPD taken sufficient account of the relationship between the proposals in the DPD and the investment programmes and strategies of infrastructure providers?
- iii. Do the provisions of this section have sufficient clarity as to what is required to be provided? Do they provide sufficient guidance as to what is to be included in the proposed supplementary guidance?
- iv. Do the policies add anything in terms of local distinctiveness, or to national guidance?
- v. Do policies CO2 and CO3 accord with national guidance with regard to financial contributions?
- vi. Does policy CO2 allow the cumulative impact of new development on infrastructure to be addressed adequately?
- vii. Should policy CO2 require developers to fund substantially or completely transportation infrastructure that is essential for their development?
- viii. Should there be a policy preventing development that increases demand for water and sewerage infrastructure unless either sufficient capacity exists, or extra capacity can be provided in time to serve the development?
- ix. Should there be a policy relating specifically to the development or expansion of waste water facilities or water supply?
- x. What is the justification for the standard in policy CO3? Is it sufficiently flexible, or should it require the provision of open space to be considered on a site by site basis? Should policy CO3 require public open space to be provided in respect of developments of 30 and above non-family dwellings as well as family dwellings? Is it appropriate to exclude housing for the elderly from the requirements of the policy?

Matter 10 Climate Change and Transport

Key issue: Do the policies of this chapter accord with national and regional policy and if not is there adequate justification for a local variation, does the DPD adequately integrate transport and spatial planning, and is it consistent with the Local Transport Plan?

Policy CC1

- i. Is policy CC1 consistent with national and regional policy and if not is there a local justification for any variation?

- ii. Is it supported by robust and convincing evidence?
- iii. Does it cut across the requirements of the Building Regulations?
- iv. Are the requirements of policy CC1 reasonable, and what effect would they have on the viability of new development?

Transport - General

- i. Does the DPD adequately integrate transport and spatial planning?
- ii. Does it adequately reflect, and is it consistent with, the Local Transport Plan?
- iii. Is the DPD's approach to transportation based on robust and credible evidence?
- iv. Does the DPD adequately address the traffic congestion issues facing the Borough?
- v. Are policies SP7 and CC2 too generalised, and do they contain sufficient local distinctiveness? Do they add anything to national policy?

Parking

- i. Does policy CC3 accord with national and regional policy in its requirement relating to car parking?
- ii. Are the current parking standards sufficiently up-to-date? Are they appropriate?
- iii. Would it be more appropriate to require car parking provision to be negotiated on a site by site basis?
- iv. Should there be different parking standards for different parts of the district?

Airtrack

- i. Does policy CC4 properly reflect the regional significance of the Airtrack scheme?
- ii. Is it appropriate for the policy to encourage consideration of potential alternatives to Airtrack, given the regional commitment to this scheme?
- iii. Should the policy be more explicit about mitigation measures that might be sought?
- iv. Should the DPD acknowledge the likely benefits arising from the Airtrack scheme?

Matter 11 Procedural matters

- i. Has the DPD been prepared in accordance with the current Local Development Scheme and have the relevant details in the LDS been met?
- ii. Has the DPD been prepared in compliance with the Statement of Community Involvement and met the minimum consultation requirements in the 2004 Regulations, including explaining how community involvement has been undertaken and how views

- have been taken into account? Has the consultation process been adequate?
- iii. Has the DPD been subject to Sustainability Appraisal, which has identified the process carried out, the baseline information used and the outcomes of the process? Is the Sustainability Appraisal of the DPD adequate? Is the Appropriate Assessment of the DPD adequate?

Matter 12 Other matters (to cover any other matters in respect of which responders wish to be heard, and not covered above)

Waste and Minerals

- i. Should there be any reference in the DPD to minerals and waste matters?

Proposals Map

- i. Should the Tesco Store at Sunbury Cross be included in the Shopping Area Boundary and the designated Employment Area?
- ii. Is the boundary of the Employment Area for Ashford correctly shown?

Kempton Park Racecourse

- i. Would it be appropriate for the Core Strategy to contain a site specific policy relating to Kempton Park Racecourse?

Matter 13 Implementation and monitoring

Key Issue: Does the DPD contain clear mechanisms for implementation and monitoring?

- i. Does the Core Strategy contain targets and milestones relating to the delivery of the policies, with clearly identified delivery mechanisms and timescale for the implementation of policies, along with a clear indication of who is intended to implement each policy?
- ii. Should the Core Strategy say more about the monitoring of targets and indicators, and should there be community involvement in the monitoring process?
- iii. Does the Core Strategy indicate how key policy objectives will be achieved and take account of the resources that are likely to be available for implementation?
- iv. Where the actions required to implement policy are outside the direct control of the Council what evidence is there that there is the necessary commitment from the relevant organisation to implementation of the policies?

- v. Should the indicator for policy HO4(b) indicate how many completions of extra care units per annum would be considered acceptable?
- vi. Should the targets and indicators for policies HO6 and HO7 contain any measure of need for sites?
- vii. Is the target for policy TC5 appropriate? Would an indicator of the amount of retail development permitted outside the town centres assist in monitoring the second part of the policy?
- viii. Is the target for policy CO1 (maintaining existing overall level of facilities) consistent with the policy's aim of supporting the provision of new facilities?
- ix. Are the indicators for policies EN1, EN2 and EN9 likely to give a meaningful indication as to whether the target is met?
- x. Is the target for policy EN13 achievable or merely aspirational?

Matter 14 Charlton and Sunbury

Key Issue: Whether the Core Strategy should contain specific policies relating to Sunbury and Charlton?