



**To:
All members of the
Council**

Please reply to:

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Date: 30 May 2023

Supplementary Agenda

Council - Tuesday, 6 June 2023

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the extraordinary Council meeting to be held on Tuesday, 6 June 2023:

- 3. Request to Pause the Local Plan Examination Hearings** **3 - 54**
- To consider whether the Council agree the request to 'pause' the Local Plan Examination hearings.

Yours sincerely

Karen Wyeth
Committee Services

To the members of the Council

Councillors:

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E. Baldock
M. Arnold
D. Clarke
A. McLuskey
H.R.D. Williams

M. Buck
J. Caplin
D. Geraci
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M. Gibson
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K. Howkins
N. Islam
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O. Rybinski
J.R. Sexton



Extraordinary Council

6 June 2023

Title	Request to ‘pause’ the Local Plan Examination hearings (Executive Summary)
Purpose of the report	To make a decision
Report Author	Heather Morgan, Group Head Place, Protection and Prosperity
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Affordable housing Environment
Recommendations	<p>Council needs to decide whether:</p> <ol style="list-style-type: none"> 1. To agree the request that “the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”, or 2. Not to agree the request and continue with the Local Plan Examination Hearings, on the basis that Council will have further opportunities to review the Inspectors Report before making any final decision on whether to adopt the Local Plan or not, or 3. To agree the request but for a shorter period of time of a minimum of two months to ensure momentum is maintained whilst councillors are fully instructed
Reason for Recommendation	<p>A request was received from the previous mayor whilst still in office to call an Extraordinary Council meeting to make a decision on a request to pause the Local Plan for 4 months to allow new members to be briefed on the Local Plan.</p> <p>This followed on from an informal request by four of the five political group leaders to the Planning Inspectorate.</p> <p>The Local Plan is currently in the process of being examined and the second set of hearings are due to commence on 13 June.</p>

1. Summary of the report

- 1.1 A request was received from the previous Mayor when she was still in office to call an extraordinary Council meeting to make a decision on a request that the Planning Inspector pauses the Examination Hearings for a period of 4 months to allow new members to be briefed on the Local Plan.
- 1.2 The current position of the Council in respect of the Local Plan is the one which was made on 19 May 2022 – namely that the Publication version of the Local Plan be submitted to the Planning Inspectorate for formal examination. From a governance point of view, any decision to move away from that position needs to be agreed by Council.
- 1.3 There are a number of options which are open to the Council, all of which have sets of benefits and risks attached. These are set out in the report below.
- 1.4 In order to assist members **Appendix A** sets out key information on:
 - the journey towards the adoption of the Local Plan so far
 - the benefits and risks of each of the three options set out in the recommendations section of this report
 - plus the 10 page pull-out from the summer 2022 bulletin which sets out all the key information on the Local Plan in an easy to read format for any new councillors who may not be familiar with the matter.

2. Key issues

- 2.1 Officers fully understand the central importance of the Local Plan to members. It is a complex area, and any report needs to ensure all the benefits and risks are covered, to enable councillors to make a fully informed decision. Officers have therefore chosen to provide Council with two reports:
 - an Executive Summary which contains all the key information
 - a Full Technical Report which provides all the key information plus a detailed justification. Members are urged to read this report to fully understand all the matters before they make a decision,

Background (para 2.2 – 2.6 in Full Technical Report)

- 2.2 The Local Plan contains policies for making decisions on planning applications. It sets out how much development will be planned for and where in the Borough over the 15-year lifespan of the Plan (5 yearly review built in). As the Local Planning Authority (LPA), we have a statutory duty to have a Local Plan in place. Our current Local Plan (Core Strategy and Policies Development Plan Document) was adopted back in 2009 and is still used in decision-making. Current policies are still applied unless they conflict with the National Planning Policy Framework (NPPF). The Council is currently unable to demonstrate a five-year supply of deliverable housing land. Therefore, the most important policies of the plan are out of date.
- 2.3 Work began on a new Local Plan over six years ago. After going through many public consultations and Council meetings, Spelthorne's Local Plan (Regulation 19 version) was agreed by the Environment and Sustainability

Committee on 26 April 2022 and by Council on 19 May 2022 for submission to the Secretary of State.

- 2.4 The final version was submitted to the Government for ‘examination’ on 25 November 2022. The Planning Inspectorate appointed an inspector to examine the Plan, which he began in January 2023. A key part of the examination process is the public hearing sessions which are currently underway. The next set of hearings are due to commence on 13 June.

Governance/decision making (para 2.7 in Full Technical Report)

- 2.5 New councillors may not be aware of all the stages a Local Plan needs to go through. Since April 2018 the authority has formally considered the Local Plan eight times and the Staines Development Framework three times (whether at Cabinet, Committee or Council).

Councillor engagement (para 2.8 – 2.10 in Full Technical Report)

- 2.6 It is worth noting the invaluable work undertaken by previous councillors on both the cross party Local Plan Task Group and the cross party Staines Development Framework Task Group. Between them, these task groups spent over 100 hours in 57 individual meetings. The extent of engagement demonstrates the positive working relationship between councillors and officers.
- 2.7 25 councillors voted to agree the pre-submission version of the Local Plan and the draft Staines Development Framework.

Community engagement (para 2.11 – 2.14 in Full Technical Report)

- 2.8 The level of engagement has been significant, and our Communications team have used all forms of social media to engage. There have been regular updates in the Borough Bulletin with a specific Bulletin at Issues and Options stage, plus a 10 page pull out in Summer 2022 (**Appendix A**).
- 2.9 There have been five separate sets of public engagement (totalling 35 weeks), and we have received 1,764 comments from people or organisations, 2,996 individual comments or representation and seven petitions of several hundred signatures each.

Where we are now/journey to adoption (para 2.18 in Full Technical Report)

The Council are currently part-way through the Hearing stage of the Examination. Once completed the Inspector will let the Council know if any changes need to be made to the plan (known as ‘main modifications’). Agreeing to go out to consult on the changes is a matter which will be decided on by the E&S Committee.

The Inspector then considers everything before them (including comments on proposed changes) and writes a final report which is sent to the LPA. That marks the end of the examination. The LPA then has to decide if it wants to formally adopt the plan as its local planning policy. If they do, they can only adopt the plan with the changes recommended by the inspector. This is a matter which will be decided on by Full Council.

Decision to be made

- 2.10 The current position of the Council is the one made on 19 May 2022 –to agree the Publication version of the Local Plan for Regulation 19

consultation. From a governance point of view, any decision to move away from that position needs to be agreed by Council.

- 2.11 This Extraordinary Council meeting was called by the previous Mayor when she was still in office to request that *“the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”*.
- 2.12 It is not a request to halt the Local Plan, halt the examination or to withdraw the Plan altogether. Members are advised that in the professional view of officers (whose role it is to give advice) the implications of a pause do nevertheless result in a number of significant risks.
- 2.13 There are a number of options open to the Council, which all carry benefits and risks. The type and number are very unlikely to alter whether there is a pause, or a potentially more significant change in strategy. However, on a sliding scale, the likelihood of those risks becoming a reality, or those benefits slipping away, proportionately increases in relation to the length of any delay.
- 2.14 After reviewing all the options, members will need to make the final decision on the overall level of risk they wish to take on the Local Plan.

3. Options analysis

Option 1 - request that “the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”.

- 3.1 This would mean the Council pauses with the Plan as submitted (but Council is **not** agreeing at this stage whether the Publication Version of the Local Plan should be halted or withdrawn). In practical terms, the Examination Hearings would cease until the end of the four-month period (e.g. they would re-start in early October 2023). At the end of the pause, the process of Hearings would automatically re-start unless a further report were required to come to Council with alternative options.

Benefits and risks of pausing (para 3.2. – 3.3 in Full Technical Report)

- 3.2 Officers recognise that the severity of risk is not as significant as would be the case if the Local Plan were to be halted or withdrawn. The risks still exist and the likelihood of them materialising cannot be under-estimated.

Benefits of pausing
In depth Councillor engagement
Implementing three key recommendations of the 2022 Peer Review
Risks of pausing
Does not fully recognise the work to bring the Local Plan to this point and potentially alienates those communities who want the Plan adopted as soon as possible
Pressure on our Local Plan to deliver unmet housing need for adjoining boroughs.

<p>For example, Elmbridge are only meeting two thirds of their need, and this could be imposed on us to deliver for them by their Inspector. Waverley Borough Council had significant additional housing need from Woking and London imposed on them</p>
<p>Does not help deliver certainty around housing delivery and the Council 5-year housing land supply. We currently only have 3.5 years supply which means we have to apply the tilted balance.</p> <p>An appeal has very recently been allowed in Tandridge for 100 units in the green belt as they only have 1.5 years supply. York Council has had an appeal allowed by the Secretary of State for 970 units in the green belt</p>
<p>Potential for unsuitable development to come forwards on higher performing green belt sites (including sites which the Council have not taken forwards).</p> <p>Two omission sites in Halliford and Sunbury West including Stratton Road, Sunbury (<i>housing</i>)</p> <p>Four omission sites in Laleham and Shepperton Green including Shepperton Studios and two sites off Charlton Road, Charlton (<i>housing</i>)</p> <p>One omission site in Shepperton Town (<i>housing</i>)</p> <p>Four omission sites in Stanwell North including land at Hithermoor, Oakleaf Farm and CEMEX site south of the Perimeter Road (<i>employment, waste treatment</i>)</p> <p>One omission site in Sunbury Common at the Running Horse PH (<i>housing</i>)</p> <p>One omission site in Sunbury East at Kempton Park (<i>housing</i>)</p>
<p>Potentially inappropriate development continues to come forward in Staines-upon-Thames. The zoning approach to sensitive areas of Staines in the SDF is only likely to be given substantial effect once the Local Plan is adopted. In the absence of a local policy base, the potential yield of sites in town centres could be considered contrary to national policy</p>
<p>We need to show we are meeting our needs over the 15-year plan period <i>from adoption</i> (and not submission).</p>
<p>Potential of future increases in housing need numbers</p>
<p>Development continues to come forward in the developed area (including on sites which in future may benefit from a Local Green Space designation)</p>
<p>Government deadline to adopt Local Plans by December 2023 will not be met</p>
<p>Unsuitable Gypsy, traveller and travelling showpeople sites come forwards.</p>
<p>Risk of legal challenge from those with the benefit of an allocation sites, or those interested to see the early adoption of the local plan</p>
<p>Re-scheduled Examination Hearings cannot be convened</p>

Note: the table in the Full Technical Report provides a rationale for each of the headings and needs to be read.

3.3 **Option two – Not to agree the request, and continue with the Local Plan Examination Hearings, on the basis that Council will have further opportunities to review the Inspectors Report before making any final decision on whether to adopt the Local Plan or not.**

3.4 This would mean the Council continues with the Plan as submitted.,. In practical terms, the Examination hearings would continue to take place, and the Inspector would then consider any changes to the plan.

Member decision making (paras 3.5 – 3.9 of Full Technical Report)

3.5 Members need to be aware that this option does not mean that the Council has no further role in the process towards the adoption of the Local Plan, far from it. There are still **two further stages where councillors can give their input, and more importantly, will make a formal decision.** This will not change as between Options one and two, as the examination itself is conducted by the inspector and not by the Council.

3.6 Firstly, any Main Modifications to the Local Plan will need to go out to consultation, and **the decision to consult will need to be made by the E&S Committee.** At that point, members of the committee will still be able to take into consideration any material matters which may have arisen in the intervening period which might mean the Council wishes to review its position.

3.7 Secondly, even if the authority does decide to consult on the Main Modifications there is still a further critical decision which needs to be made right at the end of the process – whether or not to formally adopt the Local Plan. **This will be a decision for Full Council to make.**

3.8 Officers have made it clear throughout that members have the ability to change direction right up until the point at which the Council decides to adopt the Local Plan. This does however need to be done through the appropriate governance process to protect the position of the Council against challenge, and more importantly to demonstrate transparent decision making to the wider public.

Benefits/risks of not pausing (para 3.10 and table of Full Technical Report)

Benefits of not pausing
Up to date Plan as per timetable. An adopted Local Plan with a 5-year land supply will allow us to defend against speculative development
No need to review the Local Plan for 5 years This places us in a protective 'bubble', during which we are expecting further changes to the planning system which may not be in our favour
Significantly greater proportion of affordable housing on all sites Higher threshold for affordable housing - 30% on brownfield and 50% on greenfield.
Policies to deal proactively with the Climate emergency Sets requirements on developments to incorporate mitigation and zero carbon solutions.

Delivering Homes to meet a variety of needs Family homes with gardens, accessible homes, specialist accommodation, and the travelling community.
Improvements to key infrastructure (including health and community) Includes education and healthcare, strategic flood relief measures and enhanced community centre and sports/recreation improvements
Improved Green and Blue Infrastructure and greater protection for open space
Enhancing Spelthorne's unique character
A new vision for Staines-upon-Thames
Support for the local economy and business
A new Sixth Form college
Delivering on the Council's CARES priorities
Risks of not pausing
Councillor engagement
Councillors do not have the space to set the strategic direction of the Council

Note: the table in the Full Technical Report provides a rationale for each of the headings and needs to be read

Option 3 – To support the request but for a shorter period of time of a minimum of two months to ensure momentum is maintained on moving the Local Plan forwards whilst councillors are fully instructed.

- 3.9 This option potentially offers the opportunity to maximise the benefits of a 'focused window' for training, whilst mitigating as far as possible the risks that a four-month pause entails.
- 3.10 Officers have looked at the current timetable of committee meetings and training which is already in place for councillors to see if this window exists – it does. The training sessions will be recorded and made available to any councillor not able to attend. The Strategic Planning team have also agreed to make time to deal with queries from new councillors.
- 3.11 Informal enquiries have been made to the Planning Inspectorate to understand if the pause of a minimum of two months is feasible. He has also been formally advised that this ECM is taking place.

Benefits of a two-month minimum pause

- 3.12 This would allow focused training to be given in the shorter window. However, it is recognised that councillors would have to find time in their diaries for Local Plan training alongside induction training and a number of committees. This may not be as easy to achieve.

Risks of a two-month minimum pause

- 3.13 The list of benefits of a shorter pause are the same as those for not pausing at all (option 2), but the shorter timeframe will inevitably reduce the level of benefit in terms of speed. Similarly, the lists of risks set out in

option 1 (the pause) remain the same, but their potential adverse effects will be mitigated somewhat due to the reduce time period.

4. Financial implications (paras 4.1 – 4.5 of Full Technical Report)

- 4.1 Whilst this report does **not** cover the option of withdrawing the Local Plan or comprehensively reviewing it, it is important to make members aware of what such a decision could look like. Were the Council to decide to review the Local Plan strategy, this could mean the authority has to refresh its evidence base. We estimate the cost could be around £100k.
- 4.2 Over the 6-year period spent getting to this point it is estimated that the figure for consultants, legal advice, and public consultation is around £1m. On a very rough calculation, officer time over the same period is £1.3m. If we withdrew and took another 2 years to reach the same stage, officer costs alone would be roughly half a million.
- 4.3 Delays to the adoption of the Local Plan are likely to increase the prospect of planning applications coming forwards. Were these to be refused there is always the risk of appeal. The cost of defending each major appeal at public inquiry will be in the order of £100k. There is currently no budget allocation for this level of expenditure.

5. Risk considerations (paras 5.1 - 5.7 of Full Technical Report)

Corporate risk register

- 5.1 The Council has a Corporate Risk Register and there are currently 9 risk categories. Risk Category 1a (Housing – Development and Targets) specifically identifies that one of the five key risks in this category is the impact of any delay the adoption of the Local Plan on bringing forward the appropriate quantum of housing development. The risk of this happening is currently red (major impact and almost certain likelihood).
- 5.2 As part of the work of the Audit Committee, the Council is now asked to formally consider the level of risk appetite for all of its service areas. The current agreed appetite level for strategic planning/local plan is 'cautious'.

Staffing and resources

- 5.3 There is a risk staff within the strategic planning team decide to move elsewhere. We would then need to recruit which may take a long time due to the scarcity of high quality qualified professional staff.
- 5.4 Even a pause may be sufficient for developers to decide to put in speculative applications which would require additional resource within the planning development management team.

6. Procurement considerations

- 6.1 There are no procurement considerations on any of the options in this report.

7. Legal and governance considerations (paras 7.1 – 7.6 of Full Technical Report)

Legal

- 7.1 Whilst this report does **not** cover the option of withdrawing the Local Plan or comprehensively reviewing it, it is considered important to make members aware of what such a decision could look like. Were the Council

to decide to review the strategy, it should be noted that any significant amendments sought to the Local Plan risks unravelling the document and the strategy behind it.

- 7.2 The Planning and Compulsory Purchase Act 2004, as amended (the 2004 Act”) requires local planning authorities to prepare Local Plans, which must be kept under review and revised as necessary. The preparation and adoption of a Local Plan is subject to various statutory requirements and procedures which have been complied with.

Governance

- 7.3 Council might want to consider whether or not they wish to re-activate the Local Plan Task Group and the Staines Development Framework Task Group, and/or review the terms of reference and the membership of each group at the same time.

8. Other considerations (paras 8.1 – 8.6 of Full Technical Report)

Weight in deciding planning applications

- 8.1 The submitted Local Plan and the Staines Development Framework began to have limited weight in decision making on planning applications from the start of the Regulation 19 consultation in June 2022 stage - but this weight is limited. Full weight can only be given on adoption of both documents and a pause will mean the weight remains static.

Housing need

- 8.2 Those few authorities that have attempted not to meet their housing need have so far failed. This is because the Inspectors have considered that the Duty to Cooperate test has not been met and that more should have been done to secure assistance from neighbouring authorities to meet housing need. Plans that have had a lower number accepted were submitted under the regime that preceded the standard method.

CARES priorities

- 8.3 The Council’s CARES corporate objectives have been used to set out the Destination and Objectives for the Local Plan so that there is a ‘golden thread’ that binds strategic objectives with planning policy.

Viability

- 8.4 The whole Local Plan process needs to be underpinned by a robust viability assessment. Policies can only be relied upon where they do not prevent development coming forward due to overly onerous requirements. If the Local Plan is found sound, developers will find it very difficult to argue against these requirements through individual planning applications.

9. Equality and Diversity

- 9.1 An Equalities Impact Assessment has been produced for the Local Plan, although consideration of impact on all sectors of our community is integral to the sustainability appraisal process.

10. Sustainability/Climate Change Implications

- 10.1 Sustainability appraisal, including climate change implications, is the cornerstone of plan making and has been included throughout the Plan’s preparation to respond positively to the Climate Change Emergency.

11. Timetable for implementation

- 11.1 The next set of Examination hearings are due to commence on 13 June 2023. If the decision of Council is to request a 'pause', this would be with immediate effect. Officers would write to the Planning Inspector advising him of the decision of the Council, and all parties would be contacted by the Programme Officer and advised that the hearings will be put on hold.
- 11.2 There would be separate discussions with the Planning Inspectorate on the availability of the Planning Inspector regarding the re-convened hearings.
- 11.3 Separately, officers will need to pull together a set of dates for all councillor briefings to bring them up to speed on the Pre-Submission version of the Local Plan and its policies. The areas that will be covered will include:
- i) Government policy and guidance
 - ii) Housing Numbers and five-year housing land supply
 - iii) Implications of not meeting housing need
 - iv) Other Local Plans and recent appeal decisions
 - v) Local Plan policies and site allocations
 - vi) Staines Development Framework (6 Big Ideas)
- 11.4 Set out below are the impacts of the three options on the timeframe for the adoption of the Local Plan

Stage	Option 1	Option 2	Option 3
Hearings	October	June	August
Changes to the plan Decided on by E&S Cttee	January	September	November
Final report	February or March	October or November	December or January
Adoption Decided on by Full Council	May or June	December or January	March or April

12. Contact

- 12.1 Heather Morgan, Group Head Place, Protection and Prosperity
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Ann Biggs, Strategic Planning Manager (a.biggs@spelthorne.gov.uk)
Jane Robinson, Local Plan Manager (j.robinson@spelthorne.gov.uk)

Background papers: There are none.

Appendices:

A - Information Sheet

B - Opening statement of the Council - Examination Hearing (23.05.23)

Extraordinary Council

6 June 2023



Title	Request to ‘pause’ the Local Plan Examination hearings (Full Technical Report)
Purpose of the report	To make a decision
Report Author	Heather Morgan, Group Head Place, Protection and Prosperity
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Affordable housing Environment
Recommendations	<p>Council needs to decide whether:</p> <ol style="list-style-type: none"> 1. To agree the request that “the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”, or 2. Not to agree the request and continue with the Local Plan Examination Hearings, on the basis that Council will have further opportunities to review the Inspectors Report before making any final decision on whether to adopt the Local Plan or not, or 3. To agree the request but for a shorter period of time of a minimum of two months to ensure momentum is maintained whilst councillors are fully instructed
Reason for Recommendation	<p>A request was received from the previous Mayor whilst she was still in office to call an Extraordinary Council meeting to make a decision on the ‘request that the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough’.</p> <p>This followed on from an informal request by four of the five political group leaders to the Planning Inspectorate.</p>

	The Local Plan is currently in the process of being examined by a planning inspector and the second set of hearings are due to commence on 13 June.
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1. Summary of the report

- 1.1 A request was received from the previous Mayor when she was still in office to call an extraordinary Council meeting to make a decision on a request that the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough. This followed an informal request by four of the five political group leaders to the Planning Inspectorate.
- 1.2 The current position of the Council in respect of the Local Plan is the one which was made on 19 May 2022 – namely that the Publication version of the Local Plan be submitted to the Planning Inspectorate for formal examination. From a governance point of view, any decision to move away from that position needs to be agreed by Council.
- 1.3 There are a number of options which are open to the Council, all of which have sets of benefits and risks attached. The key ones around the request for a four-month delay are:

Benefits

- In depth Councillor engagement
- Implementing three key recommendations of the 2022 Peer Review

Risks

- Potentially alienates those communities who want the Plan adopted as soon as possible.
- Pressure on our Local Plan to deliver unmet housing need for adjoining boroughs.
- Does not help deliver certainty around housing delivery and the Council 5-year housing land supply.
- Potential for unsuitable development to come forward on green belt sites across the Borough which are currently not included for release for development in Publication version.
- Potentially inappropriate development continues to come forward in Staines-upon-Thames and the rest of the borough.
- We need to show we are meeting our needs over the 15-year plan period *from adoption* (and not submission).
- Development continues to come forward in the developed area (including Local Green Space designation).
- Potential of future increases in housing need numbers
- Unsuitable Gypsy, traveller and travelling showpeople sites come forward.
- Risk of legal challenge (for individuals with the benefit of a site allocation or those wanting the early adoption of the Local Plan).

- Government deadline to adopt Local Plans by December 2023 will not be met which in turn means matters could be taken out of the Council's hands.
- Re-scheduled Examination Hearings cannot be convened resulting in further delay.

1.4 In order to assist members **Appendix A** sets out key information on:

- the journey towards the adoption of the Local Plan so far.
- the benefits and risks of each of the three options set out in the recommendations section of this report.
- Plus, the 10 page pull-out from the summer 2022 bulletin which sets out all the key information on the Local Plan in an easy to read format for any new councillors who may not be familiar with the matter.

2. Key issues

2.1 Officers accept that this is an extensive report, but is reflective of the central importance of the Local Plan, its complexity and the need to ensure all the benefits and risks are contained in the report. This will enable councillors to make a fully informed decision on the basis of all the facts. It is particularly important for new councillors to understand the journey so far.

Background

2.2 The Local Plan is a Council document that contains policies for making decisions on planning applications. It sets out how much development will be planned for and where in the Borough over the 15-year lifespan of the Plan, although Local Plans need to be reviewed every 5 years. As the Local Planning Authority (LPA), we have a statutory duty to have a Local Plan in place. Our current Local Plan (Core Strategy and Policies Development Plan Document) was adopted back in 2009 and is still used in decision-making. Current policies are still applied unless they conflict with the National Planning Policy Framework (NPPF). The Council is currently unable to demonstrate a five-year supply of deliverable housing land. Therefore, the most important policies of the plan are out of date in accordance with footnote 8 to the NPPF.

2.3 In the words of the Councils Barrister on the opening day of the Examination Hearings (23 May 2023):

“Following the various public consultations which have taken place since 2018, and which led to this stage, the strategy has been formed by listening to the local community. It is based on choice and balance: The choice to decide where development should take place, and the balance between meeting need against the adverse impacts of doing so. The Government intends that the planning system should be plan led. Having an up-to-date, evidence based Local Plan allows the Borough to take a proactive approach to planning for and managing growth in a way that most benefits its present and future residents, while protecting what is most important. It has struck an appropriate balance, in seeking to proactively and positively resolve the inevitable tensions in planning considerations that arise in highly constrained Boroughs.”

- 2.4 Work began on a new Local Plan over six years ago. After going through many public consultations and Council meetings, Spelthorne’s Local Plan (Regulation 19 version) was agreed by the Environment and Sustainability Committee on 26 April 2022 and by Council on 19 May 2022 for submission to the Secretary of State.
- 2.5 At those meetings the Council agreed that:
“The Plan had been positively prepared, was based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; was justified by robust evidence; could be delivered; and was consistent with national policy. Members also accepted that the authority had carried out its responsibilities under the Duty to Cooperate and engaged effectively with our neighbouring authorities. As such, the Plan was considered to meet the test of soundness and was therefore a step closer to examination and eventual adoption”. (Under the Duty to Cooperate councils need to engage in on-going discussions with adjoining boroughs on whether there is scope to meet each other’s un-met need).
- 2.6 The final version was submitted to the Government for ‘examination’ on 25 November 2022. The Planning Inspectorate appointed an inspector to examine the Plan, which he began in January 2023. A key part of the examination process is the public hearing sessions, where people who have made formal comments at the last consultation (known as the Regulation 19 version) are able to appear before the Inspector to express their views. The hearings are currently underway (with the first of three weeks of hearings having taken place on 23 to 25 May). The next set of hearings are due to commence on 13 June.

Governance/decision making

- 2.7 New councillors may not be aware of all the stages a Local Plan needs to go through (and in particular where the Council as a decision-making body fits into this). The key elements in terms of decision making to date are:

Stage of Local Plan	Body	Date
Consult on 4 options for the Local Plan (1) intensify brownfield sites (2) release green belt (3) maximise development in Staines-upon-Thames (4) a combination (hybrid) approach	Cabinet	24 April 2018
Agreed the fourth option (combination) for the Local Plan for consultation	Cabinet	25 September 2019
Agreed the consultation response document on Preferred Options for the Local Plan for publication	Cabinet	23 September 2020
Agreed to proceed with the lower provisional housing figure for the Local Plan in anticipation it would be formally adopted.	Cabinet	4 November 2020

Government methodology then changed		
Considered a brownfield only approach, further Call for Sites, and reviewed whether a lower provisional housing figure could be used	Local Plan Task group	October 2020 – May 2021
Agreed the Analysis and Review report, the Objectives and Options report, and the Objectives and Options consultation questionnaire for the Staines Development Framework	Cabinet	29 March 2021
Agreed the revised strategy for the Local Plan (meet housing need, release approximately 0.6% of Green Belt and no longer include an additional housing allocation for Staines)	E&S Committee	13 July 2021
Agreed the Pre-Submission Publication version of the Local Plan and the draft Staines Development Framework	E & S Committee	26 April 2022
Agreed the Pre-Submission Publication version of the Local Plan and the draft Staines Development Framework This is the current formal stated position of the Council	Council (25 for, 8 against, 0 abstain)	19 May 2022
Confirmed that Spelthorne Council will be proceeding with the examination of the submitted Local Plan in accordance with the agreed timetable (considered potential implications of changes to the National Planning Policy Framework)	E & S Committee	31 January 2023

The link below will take members to the Environment and Sustainability (E&S) Committee report dated 26 April 2022. There is more detail here on how the Council has got to where it is now.

<https://democracy.spelthorne.gov.uk/documents/s43250/Report%20-%20Pre-Submission%20Publication%20Version%20of%20Local%20Plan%20and%20Draft%20SDF.pdf>

Councillor engagement

- 2.7 It is worth noting the extensive, detailed and invaluable work undertaken by previous councillors on both the cross-party Local Plan Task Group and the cross-party Staines Development Task Group in order to get to this point. The Local Plan Task Group comprised a member from each ward plus the chair and vice chair of the task group and the vice chair of Environment and Sustainability committee (16 in all). The Staines Development Task Group comprised all Members from each Staines ward plus the chair and vice chair of the Environment and Sustainability Committee (12 in all). Overall, 21 of the 39 Spelthorne councillors on the previous Council were directly involved in this process. Between them, these task groups spent over 100 hours in 57 individual meetings between June 2020 and early 2023 (excluding all the reading and preparation work required).
- 2.8 It was noted in the report to E&S committee on 26 April 2022 that the move to agree the Local Plan for publication *“is an incredibly difficult decision for councillors to make, but it does now need to be made. Pivotal to a lot of councillor discussion and debate has been whether or not the Borough should meet its housing need in full. This has been debated vociferously by councillors over a considerable period at numerous Local Plan Task Group meetings, Environment and Sustainability Committees, as well as motions to Council. Each time, councillors have reached the conclusion that the right approach is to meet our need”*.
- 2.9 This level and extent of engagement is significantly above and beyond what has been done by other councils, demonstrating the positive working relationship between officers and councillors on this matter (though not without the necessary discussions and exchange of views along the way). 25 councillors (the majority) voted to agree the pre-submission version of the Local Plan and the draft Staines Development Framework.
- 2.10 It should be noted that the recent Peer Review (January 2023) stated:
“The peer team was very pleased to see the example of very good collaborative working between officers and Members at Spelthorne Borough Council in the development of the emerging Local Plan to progress it to submission stage. There is perhaps the opportunity for other areas of the Council to look at this example as well as best practice in other authorities in the light of the need to improve the Member and officer collaborative approach”.

Community engagement and consultation

- 2.11 The level of engagement on this Local Plan, and the Staines Development Framework, has been significantly greater in magnitude than for the 2009 adopted Local Plan. The key stages in this journey are set out below, alongside the number of people or organisations who responded. Engagement has taken place in a variety of formats, from attending community events with a stand (e.g. Staines-Upon-Thames day, Sunbury Regatta), attending resident group meetings (at their request) to update on progress and to understand issues, holding on-line consultations (which we are formally required to do), briefings with all residents groups immediately prior to each stage of public consultation, as well as drop ins at the Elmsleigh Centre over a period of weeks last summer.

- 2.12 The Communications team have ensured we have used all forms of social media to engage and reach as widely as we can. There have been regular updates in the Borough Bulletin (which goes to every household in the borough) with a specific Bulletin at Issues and Options stage, plus a 10 page pull out in Summer 2022 on the Publication version of the Local Plan (**Appendix A**). This document in particular gives a very useful overview of the Local Plan, key themes, benefits and how to respond to the consultation.
- 2.13 All the iterations of the emerging plan have been the subject of full public consultation, where all our residents, businesses and interested parties have had the opportunity to have their say. Key stages have been agreed through the formal decision-making process by Committee and prior to that by Cabinet. Whilst the Plan must comply with national planning policy and guidance, there are decisions to be made locally on the overall strategy and direction of the Plan and these have been Member-led, with support and professional advice from officers, taking account of consultation feedback. The table below sets out the formal consultation steps to date and the level of engagement:
- 2.14 Overall, the engagement undertaken to date equates to 35 weeks.

Consultation	Dates	Number of people or organisations responding
<p>Local Plan Issues & Options (including events across the borough)</p> <p>Set out the key issues affecting Spelthorne and the options considered for how we could meet our needs.</p>	14 May – 25 June 2018 (5 weeks)	247
<p>Local Plan Preferred Options</p> <p>The selection of sites was made on the basis of maximising building on land in urban areas such as town centres, particularly Staines-upon-Thames, and to consider releasing some ‘weakly performing’ Green Belt for development (1.6%).</p>	5 November 2019 – 21 January 2020 (11 weeks excluding Christmas/New Year) 6-week statutory period	437 plus seven petitions of several hundred signatures each 2,096 individual comments or representations
<p>Staines Development Framework Objectives & Options</p>	18 May – 29 June 2021 (7 weeks)	745
<p>Local Plan public consultation (the Pre-Submission Publication version of the Local Plan)</p>	15 June – 5 September 2022	335 people or organisations

<p>This is effectively the plan the Council is putting forward to eventually adopt, which we believe to be sound.</p>	<p>(12 weeks) 6-week statutory period</p>	<p>900 individual comments or representations</p>
<p>Staines Development Framework public consultation on Draft Development Framework</p> <p>This is effectively the framework the Council is putting forward to eventually adopt.</p>	<p>15 June – 5 September 2022 (12 weeks)</p>	<p>Combined with the above</p>

National Planning Policy Framework

- 2.15 The Government consulted on potential changes to national policy in the National Planning Policy Framework (NPPF) from December 2022 to March 2023. The Council’s Environment & Sustainability Committee considered the impacts of the proposed changes on the Spelthorne Local Plan via a presentation given at a meeting on 31 January 2023, which councillors noted.
- 2.16 None of the proposed changes have been made yet and the Government says they are still reviewing the 26,000 consultation responses and whether they will make any changes. On 24 April 2023, the Housing Minister, Rachael Maclean MP, told the Levelling Up Select Committee that she does not have a date for when any changes might be made. Some industry experts predict the Government will wait until after the next general election to make changes as it is hard to balance the reforms against the acknowledged need for more homes to be built.
- 2.17 One complete unknown at the moment is if a Labour government is returned, whether they will set tougher housing targets. There certainly is a risk (whichever government is in power) that we don't know whether they will make any changes that places even more emphasis on brownfield sites/existing urban areas to deliver additional housing in order to attempt to protect the green belt. So, could be argued that it is better to adopt the current Local Plan which would give us protection for 5 years than take the risk that towns like Staines may have to face a much higher burden. The Council is obliged to consider reviewing the local plan every 5 years, but can choose to review the plan (by a single issue or more) at an earlier stage if it decides to do so. The benefit is that any such review would take place against the background of an adopted and up to date development plan which can be used to resist inappropriate planning applications.
- 2.18 Councillors will be aware the ONS figures have just been published for net migration which are significantly higher than previous years since the Standard Method was devised (even taking account of Ukraine refugees etc). The current Government already said they would review the Standard Method once the 2021 census data on household growth projections is published. Again, this raises a risk that Spelthorne’s needs in terms of

housing provision will be increased, rather than decreased, when measured by the standard method.

Where we are now and the journey to adoption

The Planning Inspectorate are currently holding three weeks of Examination hearings as part of the examination to test the 'soundness' of our Local Plan (effectively the Plan has to pass certain legal tests which are set by central government). The stages below need to be followed:

Initial assessment - The inspector will look at the plan, the Local Planning Authority's (LPA's) evidence supporting it and the consultation responses to decide what they consider the main issues are. At this stage the inspector is expected to write to the Council if he considers that there are serious issues with the submitted plan. The inspector did not write such a letter and has indicated through the examination hearings that he anticipates a constructive approach from the parties involved with a view to seeing the draft local plan emerge successfully from the examination.

Completed.



Written statements - the inspector may invite written statements from participants addressing specific questions.

Completed.



Hearings - the main issues will be discussed at public hearings led by the inspector. **Appendix B** is the Opening Statement of the Council at the Examination Hearing which was given on 23 May 2023.

We are at this stage



Changes to the plan - the Inspector will let the LPA know if any changes need to be made to the plan (known as 'main modifications') in August time and these are then consulted on by the LPA. **Agreeing to go out to consult on the changes is a matter which will be decided on by the E&S Committee.** Members need to be aware that they are not able to change the Inspector's proposed main modifications. The reason for this approach is that the inspector can only suggest main modifications if, in his view, they are necessary in order to make the plan sound.

c. September if no pause



Final report - the Inspector then considers everything before him (including comments on proposed changes) and writes a final report which is sent to the LPA and published on their website. That marks the end of the examination. This will usually take at least 2 months.

c. October/November 2023 if no pause



Adoption - the LPA then has to decide if it wants to formally adopt the plan as its local planning policy. If they do, they can only adopt the plan with the changes recommended by the inspector. **This is a matter which will be decided on by Full Council.**

c. December 2023/January 2024 if no pause

Decision to be made by Council

- 2.19 The current position of the Council in respect of the Local Plan is the one which was made on 19 May 2022 – which was to agree the Publication version of the Local Plan for Regulation 19 consultation. (Members should note that all responses went direct to the Planning Inspectorate and there was no ability at this stage of the process for the Council to make any further material changes to the plan). The same plan was submitted to the Planning Inspectorate (under the scheme of delegation) for formal examination in November 2022. From a governance point of view, any decision to move away from that position needs to be agreed by Council.
- 2.20 This Extraordinary Council meeting was called by the previous Mayor when she was still in office to request that *“the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members (councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”*.
- 2.21 The request is to ‘pause’ the hearings for a period of four months. It is not a request to halt the Local Plan, halt the examination or to withdraw the Plan altogether. Members are advised that in the professional view of officers (whose role it is to give advice) the implications of a pause do nevertheless result in a number of significant risks.
- 2.22 There are a number of options which are open to the Council, all of which have sets of benefits and risks which are set out in the sections below. The type and number of risks and benefits are very unlikely to alter whether there is simply a pause, or a potentially more significant change in strategy. However, on a sliding scale, the likelihood of those risks becoming a reality, or those benefits slipping away, proportionately increases in relation to the length of the pause (or a potential future change in strategy).
- 2.23 After reviewing all the options, members will need to make the final decision on the level of risk appetite they have on the Local Plan e.g. the level of risk of pausing to bring new councillors up to speed, as opposed to continuing the Examination Hearings. (More information on risk appetite is provided in section 5).

3. Options analysis

Option 1 - request that “the Planning Inspector pauses the Examination Hearings for a period of four (4) months in order that the new members

(councillors) can be fully instructed as to the policies of the Local Plan and the implications on the Borough”.

- 3.1 This would mean the Council pauses with the Plan as submitted (but Council is **not** agreeing at this stage whether the Publication Version of the Local Plan should be halted or withdrawn). In practical terms, the Examination Hearings would cease until the end of the four-month period (e.g. they would re-start in early October 2023). At the end of the pause, the process of Hearings would automatically re-start unless a further report were required to come to Council with alternative options.

Benefits and risks of pausing

- 3.2 There are several benefits to a pause around enabling new councillors to get up to speed on the Local Plan. With 22 new councillors in the Chamber, it is recognised that there is considerable merit in ensuring that they are fully briefed on one of the key documents that will shape the future of Spelthorne. Set against this are a significant number of risks which officers are duty bound to make councillors fully aware of, to ensure a fully informed decision can be made.
- 3.3 Officers recognise that the severity of risk is not as significant as would be the case if the Local Plan were to be halted or withdrawn. However, on a sliding scale, the likelihood of those risks becoming a reality, or those benefits slipping away, proportionately increases in relation to the length of the pause. The risks still exist and are very real. In the view of officers, the likelihood of them materialising cannot be under-estimated.

Benefits of pausing	
In depth Councillor engagement	<p>Newly elected councillors will have the opportunity to be briefed on the Local Plan, the National Planning Policy Framework, housing numbers etc in advance of the Inspector concluding the Examination Hearings.</p> <p>The four-month period would allow for a series of detailed briefings which would enable councillors to be confident in actively engaging with and understanding the process, and to ask informed questions.</p> <p>This would improve decision making by all councillors who will feel fully informed of all the facts before making any key decisions.</p>
Implementing three key recommendations of the 2022 Peer Review	<p>There are a number of key recommendations coming out of the 2022 Peer Review which are relevant:</p> <p>“All Members need to identify what they have in common in terms of shared priorities and objectives for your Borough and your residents and use them to progress the delivery of your shared ambitions for Spelthorne”.</p>

	<p>“Then share your agreed political ambitions for the Borough to create a longer-term vision embodied in a broadly agreed Corporate Plan”.</p> <p>“Take the time today to plan for tomorrow. Do not put off the ‘non-urgent strategic’ work you need to do”.</p> <p>The ‘pause’ would give more than sufficient time for all councillors to be briefed and brought up to speed in order to then consider whether a change of approach is required to deliver an alternative shared ambition for Spelthorne.</p>
Risks of pausing	(Prioritised based on Councils risk scoring matrix of impact and likelihood)
Does not fully recognise the work to bring the Local Plan to this point and potentially alienates those communities who want the Plan adopted as soon as possible	<p>Whilst it is accepted there will be a range of views from councillors, pausing for four months might appear to some to fail to fully recognise the extensive engagement that has taken place over a number of years with the residents, business and visitors to the borough. Nor does it necessarily recognise the hard work and dedication of those councillors who sat on task groups (for over 100 hours) and who ‘turned over every stone’ to bring the Local Plan to this point.</p> <p>There is a very real risk that those communities who are supportive of the Local Plan as submitted become dis-engaged, frustrated and feel alienated that their views are being ‘set to one side’ (especially when a number of communities are very keen to see the Local Plan adopted so it provides certainty and helps provide a robust defence against predatory development).</p> <p>It is critical to the whole democratic process that all voices are heard.</p>
Pressure on our Local Plan to deliver unmet housing need for adjoining boroughs	<p>Members may be aware of the decision made by Elmbridge Borough Council (EBC) on their Regulation 19 Local Plan, which was to only meet two thirds of their housing need, and not to release any Green Belt.</p> <p>We have already objected to EBC's LP at their own Regulation 19 and they'll be submitting in the summer. Our expressed concerns are on the grounds of soundness of their approach to meeting their housing need rather than on the Duty to Cooperate.</p> <p>There is the risk that an Inspector examining their Plan, should it reach that stage, would say Spelthorne’s Plan should meet some of their unmet need. (Different Inspectors could conceivably have different views).</p> <p>This is not an idle threat as this has happened elsewhere in Surrey - Waverley Borough Council had significant additional housing need from Woking and</p>

	<p>London imposed on them and were expected to plan to deliver it.</p> <p>This is an argument which was run by a number of developers on the first day of our Examination Hearings (23 May).</p>
<p>Does not deliver certainty around housing delivery and the Council 5-year housing land supply</p>	<p>At the Debenhams public inquiry which was held in May it was agreed between parties that the Council's housing land supply is c3.5 years (as opposed to the 5-years required by government). In the past the Council have had a figure of closer to 4.8 years which meant we had a much stronger position in defending against unacceptable planning applications.</p> <p>Unfortunately, the figure is heading in the wrong direction. By not having a 5-year housing land supply, the NPPF requires officers (and inspectors on appeal) to apply a 'tilted balance' to decision making which increases the prospect of planning permission being granted because it 'tilts' the balance substantially in favour of approving an application.</p> <p>It should be noted that apart from the developments undertaken by the Councils Assets team under the direction of councillors, the Local Planning Authority has no control over the delivery of the housing which is down to the housebuilding industry.</p> <p>An appeal has very recently been allowed in Tandridge for 100 units in the green belt as they only have 1.5 years supply due to a delay in bringing forward their own replacement local plan.</p> <p>York Council has had an appeal allowed by the Secretary of State for 970 units in the green belt (Redrow Homes) in part on the basis that they could not demonstrate they had a five-year housing land supply.</p> <p>An adopted Local Plan will give greater certainty around the delivery of housing over the period of the Plan and allow the Council to demonstrate 5 years of housing land supply.</p>
<p>Potential for unsuitable development to come forwards on green belt sites</p>	<p>There is the very real potential for larger, more important, and higher performing Green Belt sites to come forward for development with greater prospect of success without the Local Plan progressing at its current pace.</p> <p>Our housing need is high, we have years of under-delivery against the latest objectively assessed need figures – we are currently delivering 69% of our housing need against the government figure of 75% below which there is a tilted balance in favour of development (outside of the green belt). We also have areas of Green Belt that are not performing against its stated</p>

	<p>aim, that have already been built on and that could bring additional benefits to our communities.</p> <p>Members have already separately been provided with details of those developers and site promoters who are taking an active role in the Examination hearings, and a number of these are proposers of green belt sites that the Council has not taken forwards as allocated sites in the Local Plan. These are known as ‘omission sites’ and include:</p> <p>Two omission sites in Halliford and Sunbury West including Stratton Road, Sunbury (<i>housing</i>)</p> <p>Four omission sites in Laleham and Shepperton Green including Shepperton Studios and two sites off Charlton Road, Charlton (<i>housing</i>)</p> <p>One omission site in Shepperton Town (<i>housing</i>)</p> <p>Four omission sites in Stanwell North including land at Hithermoor, Oakleaf Farm and CEMEX site south of the Perimeter Road (<i>employment, waste treatment</i>)</p> <p>One omission site in Sunbury Common at the Running Horse PH (<i>housing</i>)</p> <p>One omission site in Sunbury East at Kempton Park (<i>housing</i>)</p> <p>Every week there is a delay, the Councils ability to robustly defend such applications at committee or at appeal is weakened.</p> <p>The Council will find it even harder to defend against these developments without a 5-year supply of homes and no up to date Local Plan.</p> <p>The hearings have drawn out potentially more concern over meeting employment need and this increase the risks around the Stanwell/Stanwell Moor sites in particular, some of which are proposed within the local plan as residential instead (with support from the local community).</p>
<p>Potentially inappropriate development continues to come forward in Staines-upon-Thames</p>	<p>The zoning approach to sensitive areas of Staines in the SDF is only likely to be given substantial effect once the Local Plan is adopted. In the absence of a local policy base supporting the SDF approach reducing the potential yield of sites in town centres could be considered contrary to national policy on optimising densities in sustainable locations.</p> <p>SP1 Staines-upon-Thames contains that local policy base. It provides for the SDF to “<i>set[s] out more sensitive character areas where height and density limits will apply to new buildings. Development proposals in the relevant zones will be expected to</i></p>

	<i>comply with these limits unless, in exceptional cases, there is robust justification for a deviation that weighs heavily in favour of granting permission”.</i>
We need to show we are meeting our needs over the 15-year plan period <i>from adoption</i> (and not submission).	<p>Pausing the remainder of the Examination Hearings for a period of four months hearings would push back the adoption date. As a result, the Council would need to revisit its housing and employment supply position yet again.</p> <p>Depending on the situation at that particular time, this could result in the borough having to meet an even higher housing number.</p>
Potential of future increases in housing need numbers	If there is a new national Government after the next general election, Spelthorne would potentially be vulnerable to further increases in housing need after the Labour Party recently announced measures they would implement to tackle the housing crisis should they come into power that include ‘restoring housebuilding targets’ and building on Green Belt.
Development continues to come forward in the developed area (including on sites which in future may benefit from a Local Green Space designation)	<p>There is nothing to prevent applications coming forward at any time in the developed areas of the borough (including Staines-upon-Thames) regardless of whether it is a ‘allocated site’ or not (i.e. not constrained by green belt or other constraints such as floodplain or nature conservation designations).</p> <p>These applications would have to be assessed against the aging Core Strategy policies and national guidance, rather than emerging policies which reflect what the Council is expecting to see from future developments in the borough.</p> <p>In particular, there may be pressures on sites which do not currently have any protection afforded by the proposed Local Green Space designation.</p>
Government deadline to adopt Local Plans by December 2023 will not be met	<p>It is crucial that the plan is in place before deadline of December 2023 which has been imposed on all councils by central government. The delay of four months (up to early October) before any Examination Hearings re-commence means there is no realistic prospect of getting through the process by the end of the year.</p> <p>Failing to do so runs the risk of control of its production being taken away from Spelthorne (either to the Secretary of State or a body such as Surrey County Council).</p> <p>Effectively this would take control out of the hands of local elected members entirely, and either put in the hands of central government or County Councillors who may not have the same intensity of local focus.</p>

Unsuitable Gypsy, traveller and travelling showpeople sites come forwards.	Unsuitable green belt sites come forward for development (no brownfield sites are available or viable) with no policy basis for defending such applications as we cannot meet our need and have no policy to demonstrate alternative site provision.
Risk of legal challenge	There is a prospect that an individual with the benefit of an allocation sites, or other individuals interested to see the early adoption of the local plan, might make a legal challenge to a decision to seek to pause the plan
Re-scheduled Examination Hearings cannot be convened	The Planning Inspector will already have a programme of Examination Hearings planned in for the coming months and a separate discussion would be required to re-convene the hearings in the autumn. The longer the delay the greater the risk that this cannot be accommodated within the Inspectors wider timetable of work which may further push back the hearing dates

3.4 **Option two – Not to agree the request, and continue with the Local Plan Examination Hearings, on the basis that Council will have further opportunities to review the Inspectors Report before making any final decision on whether to adopt the Local Plan or not.**

3.5 This would mean the Council continues with the Plan as submitted, following the decision made by the Council on 22 May 2022. In practical terms, the Examination hearings would continue to take place, and the Inspector would then consider any changes to the plan. The process set out in the flowchart at para 2.18 would continue to be followed.

Member decision making

3.6 Members need to be aware that this option does not mean that the Council has no further role in the process towards the adoption of the Local Plan, far from it. As set out in the flowchart at para 2.18 there are **two further stages where councillors can give their input, and more importantly, will make a formal decision.** This will not change as between Options one and two, as the examination itself is conducted by the inspector and not by the Council.

3.7 Firstly, any Main Modifications to the Local Plan recommended by the inspector will need to go out to consultation, and **the decision to consult will need to be made by the E&S Committee (September time).** At that point, members of the committee will still be able to take into consideration any material matters which may have arisen in the intervening period (e.g. government guidance actually issued) which might mean the Council wishes to review its position. Long-standing members will recall that the E&S Committee did precisely that on 31 January 2023.

3.8 Secondly, even if the authority does decide to consult on the Main Modifications there is still a further critical decision which needs to be made right at the end of the process – whether or not to formally adopt the Local Plan. **This will be a decision for Full Council to make (December/January time).**

3.9 Officers have made it clear throughout this whole process that members have the ability to change course and direction right up until the point at which the Council decides to adopt the Local Plan. This does however need to be done through the appropriate governance process (e.g. Committee or Council) to protect the position of the Council against challenge, and more importantly to demonstrate transparent decision making to the wider public.

Benefits and risks of not pausing

3.10 There are considerable benefits to not pausing and continuing the process to adoption in line with the timetable as set out in the approved Local Development Scheme (with some very minor slippage). This indicates that the adoption of the Local Plan and the Staines Development Framework could be achieved December 2023 or January 2024.

Benefits of not pausing	
Up to date Plan as per timetable	<p>Plan as submitted meets our development need in full, against the standard method housing figure we are still required to use.</p> <p>An adopted Local Plan with a 5-year land supply will allow us to defend against speculative development:</p> <p>(1) on Green Belt sites we want to see protected (using ‘very special circumstances’, whether originally proposed for allocation or not)</p> <p>(2) on urban sites of excessive density and/or height, where they may otherwise be treated more favourably without a 5-year housing land supply (e.g. Inland Homes scheme in Staines, where the lack of a 5-year housing land supply weighed in favour of allowing the appeal)</p> <p>(3) ensure a robust defence against any Green Belt applications as we would have an up-to-date supply of homes – have already received enquiries from developers, asking about the impact of changes on the Local Plan timetable</p>
No need to review the Local Plan for 5 years	<p>Having an up-to-date Local Plan which places us in a protective ‘bubble’ for five years, during which we are expecting further changes to the planning system, and these may not be in our favour, particularly if there is a change in national government. The Government says the implications of the latest Census data on the standard method will be reviewed in 2024, the same year as when general election is expected.</p>
Significantly greater proportion of affordable	<p>Policies which set out ambitious affordable housing targets, especially on undeveloped sites and mean that it will be much harder for developers to backtrack on their promises.</p>

housing on all sites	<p>Higher threshold for affordable housing, plus viability tested so more defensible - 30% on brownfield and 50% on greenfield.</p> <p>The Green Belt allocation sites will deliver most or all of our family houses with gardens (567) and a significant number of affordable homes (428).</p>
Policies to deal proactively with the Climate emergency	<p>The Plan responds positively to the climate emergency with more robust up to date policies and will be supported in time by more detailed guidance for developers and homeowners in a new a Supplementary Planning Document.</p> <p>Sets requirements on developments to incorporate mitigation and zero carbon solutions.</p> <p>See section 10 for more detail</p>
Delivering Homes to meet a variety of needs	<p>Delivery of a range of homes that will meet a variety of needs including providing family homes with gardens and enhanced standards for those with additional needs.</p> <p>Policies are included on Accessible Homes and Specialist Accommodation, as well as meeting the needs of the travelling community.</p> <p>Protection for the two Stanwell Green Belt sites from being developed for employment purposes to instead be developed for residential (which the community here opposes due to scale and HGVs).</p> <p>Protect against a Local Plan which would (without the minor green belt release) have to deliver 98-100% flats, as opposed to a greater mix with family homes (especially on the green belt allocation sites).</p>
Improvements to key infrastructure (including health and community)	<p>Improvements to key infrastructure such as education and healthcare to support growth, including an innovative new health and wellbeing centre in Staines upon Thames</p> <p>Policies make provision for appropriate levels of infrastructure to support new development, and ensure that opportunities to facilitate sustainable and active modes of travel will be taken up.</p> <p>There is a policy supporting strategic flood relief measures including the River Thames Scheme.</p> <p>Enhanced replacement community centre in Ashford, plus sports and recreation improvements to Staines and Laleham Sports Club and Ashford Sports Club.</p>
Improved Green and Blue Infrastructure and greater	<p>The Plan supports the delivery of new Green and Blue Infrastructure, offers greater protection for existing open spaces with the new Local Green Space designation (as opposed to the ineffective Public Urban Open Space designation).</p>

protection for open space	<p>Enable the enhancement of sports and recreation facilities, and securing appropriate on-site open space provision within new developments.</p> <p>There are policies to support the Colne Valley Regional Park, to recognise the importance and opportunities provided by the River Thames, and to manage flood risk</p>
Enhancing Spelthorne's unique character	<p>Policies which focus on maintaining and enhancing Spelthorne's unique character, recognising the sensitive areas need greater protection, setting positive design standards and ensuring the protection of heritage assets.</p> <p>Begin work on Design Codes – 'beautiful buildings', with significant public engagement in the process to help inform and guide decisions made on planning applications across the borough.</p> <p>To optimise density of new building in developed areas where character allows.</p>
A new vision for Staines-upon-Thames	<p>Will bring new life to the town, enhancing access to the river, improving pedestrian and cycle links, creating new open spaces and managing development opportunities.</p> <p>Staines Development Framework can be implemented – requires Local Plan to be adopted at the same time. This will ensure the zoning policy comes into effect to help ensure 'appropriate' development and to reduce some building heights and densities in the most sensitive areas of Staines.</p> <p>Enable the council to deliver the Six Big Ideas – (1) connecting to the rivers (2) development that respects character (3) healthy streets for people (4) new open spaces (5) redevelopment of the Elmsleigh and Tothill area (6) design for urban living.</p>
Support for the local economy and business	<p>Policies supporting economic growth will maintain and intensify the use of the Borough's employment floorspace offer, protecting in particular the five designated Strategic Employment Areas.</p> <p>Local centres and shopping parades will be protected and supported, recognising their value to the communities they serve.</p> <p>Policy framework for supporting future expansion of the airport, if done in a sustainable and integrated way, in recognition of the potential economic benefits and opportunities that an expanded airport could bring to Spelthorne, the wider South East, and the UK as a whole.</p>
A new Sixth Form college	<p>A new Sixth Form college in Sunbury to support further education for our students so many will not need to travel out of our Borough to access courses.</p>
Delivering on the Council's	<p>Cements the Council's strategic objectives within planning policy including affordable housing (% required),</p>

CARES priorities	Environment (mitigation and carbon zero), and Recovery (supporting business, retail and town centres).
Risks of not pausing	
Councillor engagement	<p>Newly elected councillors will not have the opportunity to be briefed on the Local Plan, the National Planning Framework, housing numbers etc in advance of the Inspector concluding the Examination Hearings.</p> <p>However, there is still more than sufficient time to fully brief councillors before the Council receives the Inspector's report and recommendations without a pause taking place.</p> <p>This may lead to some councillors being less sure about their ability to actively engage and understand the process, and to ask informed questions in the meantime</p>
Councillors do not have the space to set the strategic direction of the Council	<p>Continuing with the process would not allow new councillors to be briefed and brought up to speed prior to potential main modifications to the plan, in order to then consider whether a change of approach is required to deliver an alternative shared ambition for Spelthorne.</p> <p>Members would not have the opportunity to identify what they have in common in terms of shared priorities and objectives in order to deliver a shared ambition.</p> <p>Nor would it allow councillors to 'take the time today to plan for tomorrow' and to focus on the important but non urgent strategic work of the Council.</p>

Option 3 – To support the request but for a shorter period of time of a minimum of two months to ensure momentum is maintained on moving the Local Plan forwards whilst councillors are fully instructed.

- 3.11 This option potentially offers the opportunity to maximise the benefits of a 'focused window' for training to bring new councillors up to speed, whilst mitigating as far as possible the risks that a four-month pause entails.
- 3.12 Officers have looked at the current timetable of committee meetings and training which is already in place for councillors to see if this window exists – it does. There is space in the diary for up to three evening sessions towards the end of June, plus up to three or four sessions in July. The training sessions will be recorded and made available to any councillor not able to attend the Strategic Planning team have also agreed to make time to deal with queries from new councillors (who will need dedicated support to ensure they are fully comfortable).
- 3.13 Informal enquiries have been made to the Planning Inspectorate to understand if the pause of a minimum of two months is feasible in terms of the Inspector's other commitments. We would anticipate that the inspector to be using the period immediately after to write up his report in any event. Whilst a delay of a minimum of two months would shift this back slightly it would be less problematic than a four-month delay, when the inspector

may have expected to move on to a completely fresh Local Plan examination.

3.14 The Inspector has been formally advised that this ECM is taking place and the three suggested options. A response is awaited, and this will be reported via a supplementary report or a verbal update at the meeting, as soon as we have any response.

3.15 The key matters are very similar to the two options which have already been set out.

Benefits of a two-month minimum pause

3.16 Effectively the benefits of the two-month minimum pause in terms of councillor briefings are the same as a longer pause. However, it is recognised that councillors would have to find time in their diaries for Local Plan training alongside induction training and a number of committees. This may not be as easy to achieve, especially for those councillors who also work full-time.

Risks of a two-month minimum pause

3.17 The list of benefits of a shorter pause are the same as those for not pausing at all (option 2), but members should note that the two-month delay will inevitably reduce the level of benefit as they will not be delivered as swiftly. Similarly, the lists of risks set out in option 1 (the pause) remain the same, but their potential adverse effects will be mitigated somewhat by the fact that the pause is only for two-months.

3.18 In short, this option helps to mitigate some of the risks around the four-month pause, whilst delaying the benefits of continuing without a pause. It is recognised that this would mean Hearings being held in August.

4. Financial implications

4.1 To continue with the Local Plan as submitted would result in no additional financial implications other than those already agreed.

4.2 Whilst this report does **not** cover the option of withdrawing the Local Plan or comprehensively reviewing it, it is important to make members aware of what such a decision could look like (on the basis that this forms a useful context to the decision-making process for members).

4.3 Were the Council to decide to review the Local Plan strategy, this could mean the authority has to refresh its evidence base (as it becomes out of date). This will include updating the transport modelling, viability and possibly other evidence in relation to flooding for example. We estimate the cost could be around £100k (for which there is currently no budget). This would be in addition to the costs already incurred to date on the Local Plan review and the costs that are yet to come.

4.4 Over the 6-year period spent getting to this point it is estimated that the figure for consultants, legal advice, and public consultation is around £1m. On a very rough calculation, officer time over the same period is £1.3m. Neither cost includes the time members have spent in meetings (cabinet, committee and task group) plus engaging with their local residents. If we withdrew and took another 2 years to reach the same stage, officer costs alone would be roughly half a million.

4.5 Delays to the adoption of the Local Plan are likely to increase the prospect of planning applications coming forwards (on green belt sites in particular). Were these to be refused there is always the risk that the matter then goes to appeal. Regardless of whether there are any applications for costs by the appellants, the cost of defending a major appeal at public inquiry will be in the order of £100k per appeal. There is currently no budget allocation for this level of expenditure. The relevant budget for 2023/34 has already been overspent in defending the refusal of planning permission for the redevelopment of the Debenhams site.

5. Risk considerations

Corporate risk register

5.1 The Council has a Corporate Risk Register which sets out the key risks to authority. There are currently 9 risk categories and Risk Category 1a (Housing – Development and Targets) specifically identifies that one of the five key risks in this category is that any delays in the Examination and adoption of the Local Plan is likely to continue to impact on the ability to bring forward the appropriate quantum of housing development.

5.2 The current Corporate Risk Register risk scoring matrix is set out below (the relevant risk category is RC1a).

IMPACT	4 (Catastrophic)				
	3 (Major)			RC2 RC3 RC5 RC6 RC8 RC9	RC1a RC1b RC4 RC7
	2 (Medium)				
	1 (Trivial)				
		1 (Rare)	2 (Unlikely)	3 (Likely)	4 (Almost certain)
		Likelihood			

5.3 As part of the work of the Audit Committee, the Council is now asked to formally consider the level of risk appetite for all of its service areas. The current agreed appetite level for strategic planning (Local Plan) is set out below:

Appetite	Minimal	Cautious	Exploratory	Seeking
Strategic Planning		X		

5.4 This was agreed by the E&S committee in November 2022 when members agreed the service for plan for the Strategic Planning team (which forms a key element of the annual budget setting process).

Staffing and resources

5.5 There is a risk that staff within the strategic planning team may decide they wish to move elsewhere in light of the current pause and uncertainty around what might follow. We would then need to recruit new staff which

may take a long time due to the scarcity of high quality qualified professional staff.

5.6 Even a pause may be sufficient for developers to decide to put in speculative applications which may require additional resource within the planning development management team. They are incredibly unlikely to have the capacity to absorb the additional work alongside their already very heavy workloads.

5.7 All other risks are set out in the three options above.

6. Procurement considerations

6.1 There are no procurement considerations on any of the options in this report.

7. Legal and governance considerations

Legal

7.1 Whilst this report does **not** cover the option of withdrawing the Local Plan or comprehensively reviewing it, it is considered important to make members aware of what such a decision could look like (on the basis that this forms a useful context to the decision-making process for members).

7.2 Were the Council to decide to review the strategy, it should be noted that any significant amendments sought to the Local Plan risks unravelling the document and the strategy behind it. The Plan is the culmination of an evidence-based approach, assessed through sustainability appraisal, so it is not as simple as being able to lift elements out or drop new elements in.

7.3 If amendments were made, we would:

- Need to update our evidence base - a further cost and time delay. Around 12 months.
- Need to carry out further public consultation (Regulation 19 as a minimum but potentially another Regulation 18 consultation followed by a Regulation 19 consultation). Minimum of 12 months but more likely to be 18 months if there are two stages.
- Then resubmit the Local Plan for examination in 2025-26 (when new government guidance and political landscape may be in play).

7.4 The Planning and Compulsory Purchase Act 2004, as amended (the 2004 Act”) requires local planning authorities to prepare Local Plans, which must be kept under review and revised as necessary. The preparation and adoption of a Local Plan is subject to various statutory requirements and procedures which have been complied with. Without a Local Plan in place, the Council may be more vulnerable to appeals and judicial review against planning decisions.

Governance

7.5 Members of the previous Council will recall that councillor engagement was via the Local Plan Task Group (‘parent’) and the Staines Development Framework Task Group (‘child’). These groups have not met since May 2022. Council might want to consider whether or not they wish to re-activate these two groups, and/or review the terms of reference and the membership of each group at the same time.

- 7.6 Should members decide they want to do so, then a report would need to go to the next available E&S committee if members want to agree *revised* terms of reference (the Local Plan Task Group reports to the E&S Committee).

8. Other considerations

Weight in deciding planning applications

- 8.1 The submitted Local Plan and the Staines Development Framework began to have limited weight in decision making on planning applications from the start of the Regulation 19 consultation in June 2022 stage - but this weight is limited. The level of weight has increased on submission and will increase throughout the examination stage to the inspector's report on the soundness of the Plan, but full weight can only be given on adoption of both documents.
- 8.2 A 'pause' in the Examination process for four months to brief members will mean that the weight to be applied to policies which are considered by the development management team who deal with planning applications will remain static. Any reports on planning applications considered during this pause will have to place greater reliance on the National Planning Policy Framework and out of date 2009 Local Plan policies as opposed to the emerging policies in the Publication version of the Local Plan which are reflective of the Council's current position. This will limit the ability to the LPA to push back on schemes which do not meet the new policies in the Publication Version of the Local Plan.

Housing need

- 8.3 For information, those few authorities that have attempted not to meet their housing need since the introduction of the standard methodology have so far failed. This is because the plans such as those submitted by Sevenoaks District Council and Wealdon District Council have not proceeded to full examination as the Inspectors have considered that the Duty to Cooperate test has not been met and that more should have been done to secure assistance from neighbouring authorities to meet housing need. In that respect it is worth noting that Sevenoaks is 93% Green Belt. Plans that have had a lower number accepted were submitted under the regime that preceded the standard method.

CARES priorities

- 8.4 The Council's CARES corporate objectives have been used to set out the Destination and Objectives for the Local Plan so that there is a 'golden thread' that binds strategic objectives with planning policy. This means we have been able to focus on how these common objectives can be achieved at a practical and deliverable level. Examples include:
- Affordable housing, where the Local Plan policy and key allocations will ensure delivery of significantly higher levels of affordable housing than we are currently achieving.
 - Environment, where climate change has been at the forefront of new policies that go much further in terms of requirements on developments to incorporate mitigation and zero carbon solutions.

- Recovery, where both the Local Plan and the Staines Development Framework have a clear emphasis on supporting local businesses and employment opportunities, enhancing our town centres and retail offer.

This is the link to the current corporate plan (Spelthorne Council corporate plan). [Corporate publications - Spelthorne Borough Council](#)

Viability

8.5 It is important to set out that the whole Local Plan process needs to be underpinned by a robust viability assessment to ensure that the Plan and the SDF are deliverable and commercially sound. Policies can only be relied upon where they do not prevent development coming forward due to overly onerous requirements. The reality is that developments will only be built if they are viable to the developer and make a return, otherwise there is no incentive for them to be built here. Such requirements are on top of the Community Infrastructure Levy, which is fixed and non-negotiable, and include the level of affordable housing, sustainability measures, open space provision and additional infrastructure.

8.6 It is a careful balance to ensure these requirements are met without rendering schemes unviable and we have consultants advising us on these provisions within the policies themselves and the allocations. Once we are confident that they are viable and if the Local Plan is found sound on this basis and subsequently adopted by the Council, developers will find it very difficult to argue against these requirements through individual planning applications as they should have been taken into consideration when the site was acquired in negotiating the purchase price and the cost of development. This means our policies have a significantly greater chance of being upheld than under the current policies.

9. Equality and Diversity

9.1 An Equalities Impact Assessment has been produced for the Local Plan, although consideration of impact on all sectors of our community is integral to the sustainability appraisal process. This means that the social element of sustainability is balanced against environmental and economic factors in developing a strategy and policies that meet the needs of residents, including aspects covering social inclusion, suitable homes, affordable housing, access to healthcare, adequate infrastructure and reducing the need to travel.

10. Sustainability/Climate Change Implications

10.1 Sustainability appraisal, including climate change implications, is the cornerstone of plan making and has been included throughout the Plan's preparation to respond positively to the Climate Change Emergency. As set out in the Destination and Objectives of the Plan, this will be achieved by:

- Implementing Local Plan policies to safeguard the environment against air, noise, light and water pollution and remediating land contamination.

- Local Plan policies and allocations which support the requirement for biodiversity net gain, through partnership working and the use of Nature Recovery Strategies.
- Implementing Local Plan policies to encourage waste prevention and promote recycling.
- Implementing Local Plan policies to promote sustainable travel, including actively supporting improvements to public transport access to Heathrow.
- Promoting residential development that is sustainably located with access to existing services and transport hubs.
- Promoting energy efficiency for new buildings and refurbishments.

11. Timetable for implementation

- 11.1 The next set of Examination hearings are due to commence on 13 June 2023. If the decision of Council is to request a 'pause', this would need to be with immediate effect. Officers would need to write to the Planning Inspector advising him of the decision of the Council, and at that point all parties would be contacted by the Programme Officer and advised that the hearings will be put on hold.
- 11.2 It should be noted there would then need to be separate discussions with the Planning Inspectorate on the availability of the Planning Inspector to accommodate two weeks of re-convened hearings several months hence.
- 11.3 Separately, officers will need to pull together a set of dates for all councillor briefings to bring them up to speed on the Pre-Submission version of the Local Plan and its policies. The areas that will be covered will include:
- Government policy and guidance
 - Housing Numbers and five-year housing land supply
 - Implications of not meeting housing need
 - Other Local Plan and recent appeal decisions
 - Local Plan policies and site allocations
 - Staines Development Framework (6 Big Ideas)
- 11.4 Set out below are the impacts of the three options on the timeframe for the adoption of the Local Plan

Stage	Option 1	Option 2	Option 3
Hearings The main issues will be discussed at public hearings led by the inspector.	October	June	August
Changes to the plan The Inspector will advise if any changes need to be made to the plan ('main modifications') and these are then consulted on. This will	January	September	November

be decided on by the E&S Committee.			
Final report The Inspector then considers everything before them and writes a final report. This will usually take at least 2 months	February or March	October or November	December or January
Adoption The LPA then has to decide if it wants to formally adopt the plan as its local planning policy. This will be decided on by Full Council	May or June	December or January	March or April

12. Contact

12.1 Heather Morgan, Group Head Place, Protection and Prosperity
(h.morgan@spelthorne.gov.uk)

Ann Biggs, Strategic Planning Manager (a.biggs@spelthorne.gov.uk)

Jane Robinson, Local Plan Manager (j.robinson@spelthorne.gov.uk)

Background papers: There are none.

Appendices:

A. Information Sheet

B. Opening statement of the Council - Examination Hearing (23.05.23)

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Pre-Submission Spelthorne Local Plan 2022-2037 and Staines Development Framework Consultation

The Local Plan sets out how and where development will take place across the Borough over the next 15 years and will affect every resident in Spelthorne. It is important that you read this summary and have your say.

The full documents are available to read on our website

www.spelthorne.gov.uk/localplan and paper copies are available to view at the Council Offices and all libraries in the Borough. Please see the last page of this article for further details on how to find more information and respond to the consultation.

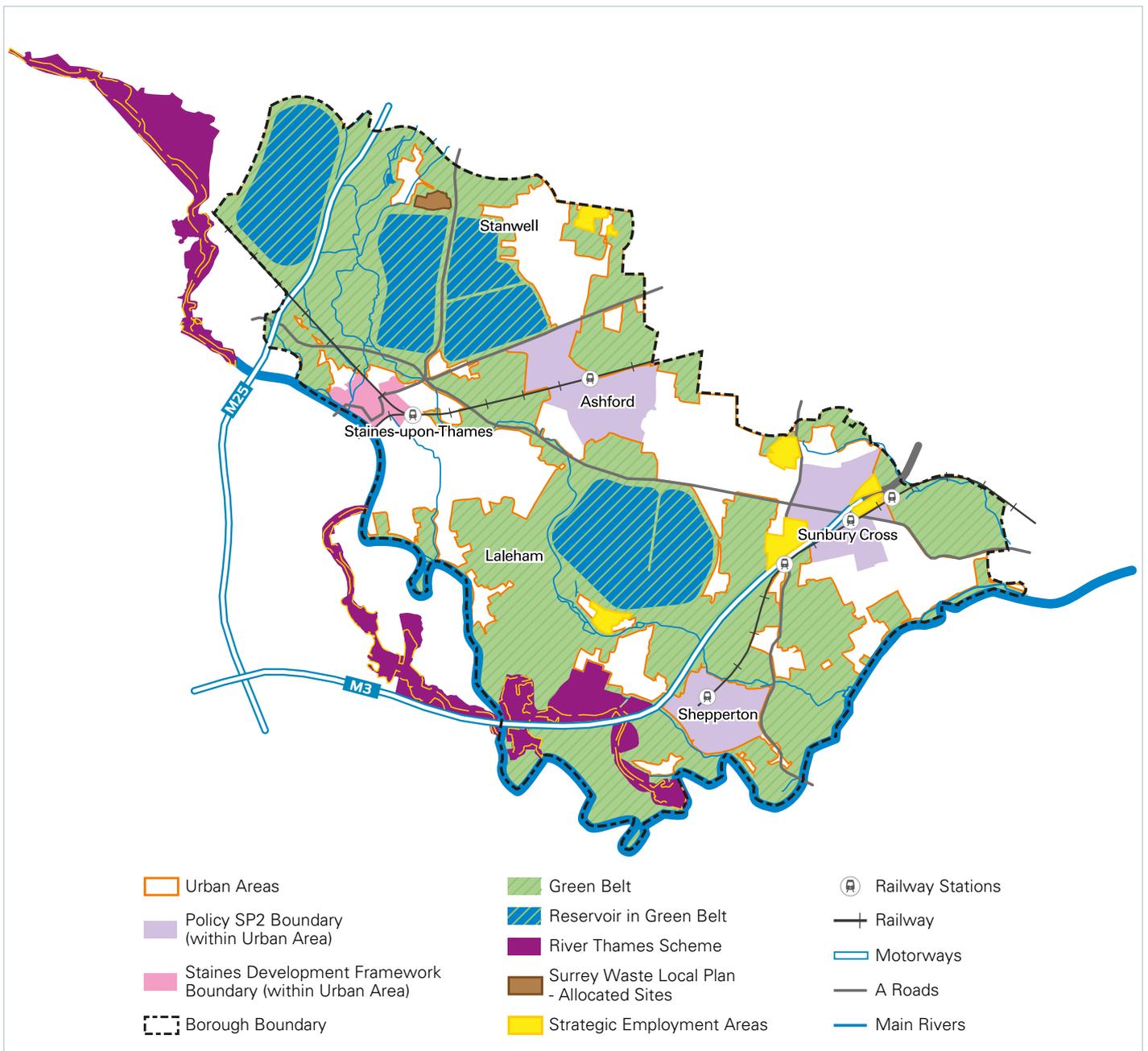


Why do we need a new Local Plan?

All Local Planning Authorities (LPAs) are required by the Government, to provide a long-term plan setting out how we will meet our future needs. In Spelthorne, as in much of Surrey and the South East, successfully and sustainably accommodating this growth and new development presents a real challenge. This challenge is all the greater in Spelthorne due to our extensive Green Belt, much of which comprises waterbodies and areas at risk of flooding, which limits the supply of land which is suitable and available for the level of development required to meet our housing need. An up to date, evidence based Local Plan allows us as a Borough to take a proactive approach to planning for and managing

growth in a way that most benefits our present and future residents, while protecting what is most important.

If we do not have a Local Plan development will still take place, however we will not be able to use our own policies to determine the type and location of development, which may result in increased risk to, for example, our strategically important Green Belt, attractive open spaces and heritage assets. We will also be less able to require the improvements to our infrastructure, such as highways and green and blue infrastructure, which are essential to support additional development and deliver a wide range of benefits for our residents.



Benefits to our community of the new Local Plan:



The climate emergency

The Plan responds positively to the climate emergency with more robust up to date policies and will be supported in time by more detailed guidance for developers and homeowners in a new a Supplementary Planning Document



Affordable housing

Policies which set out ambitious affordable housing targets, especially on undeveloped sites and mean that it will be much harder for developers to backtrack on their promises



Homes to meet a variety of needs

Delivery of a range of homes that will meet a variety of needs including providing family homes with gardens and enhanced standards for those with additional needs



Green and Blue Infrastructure

The Plan supports the delivery of new Green and Blue Infrastructure, offers greater protection for existing open spaces with the new Local Green Space designation and will enable the enhancement of sports and recreation facilities



A new Sixth Form college

A new Sixth Form college in Sunbury to support further education for our students so many will not need to travel out of our Borough to access courses



Improvements to key infrastructure

Improvements to key infrastructure such as education and healthcare to support growth, including an innovative new health and wellbeing centre in Staines-upon-Thames



Enhancing Spelthorne's unique character

Policies which focus on maintaining and enhancing Spelthorne's unique character, recognising the sensitive areas need greater protection and setting positive design standards



An new vision for Staines-upon-Thames

An exciting new vision for Staines-upon-Thames that will bring new life to the town, enhancing access to the river, improving pedestrian and cycle links, creating new open spaces and managing development opportunities

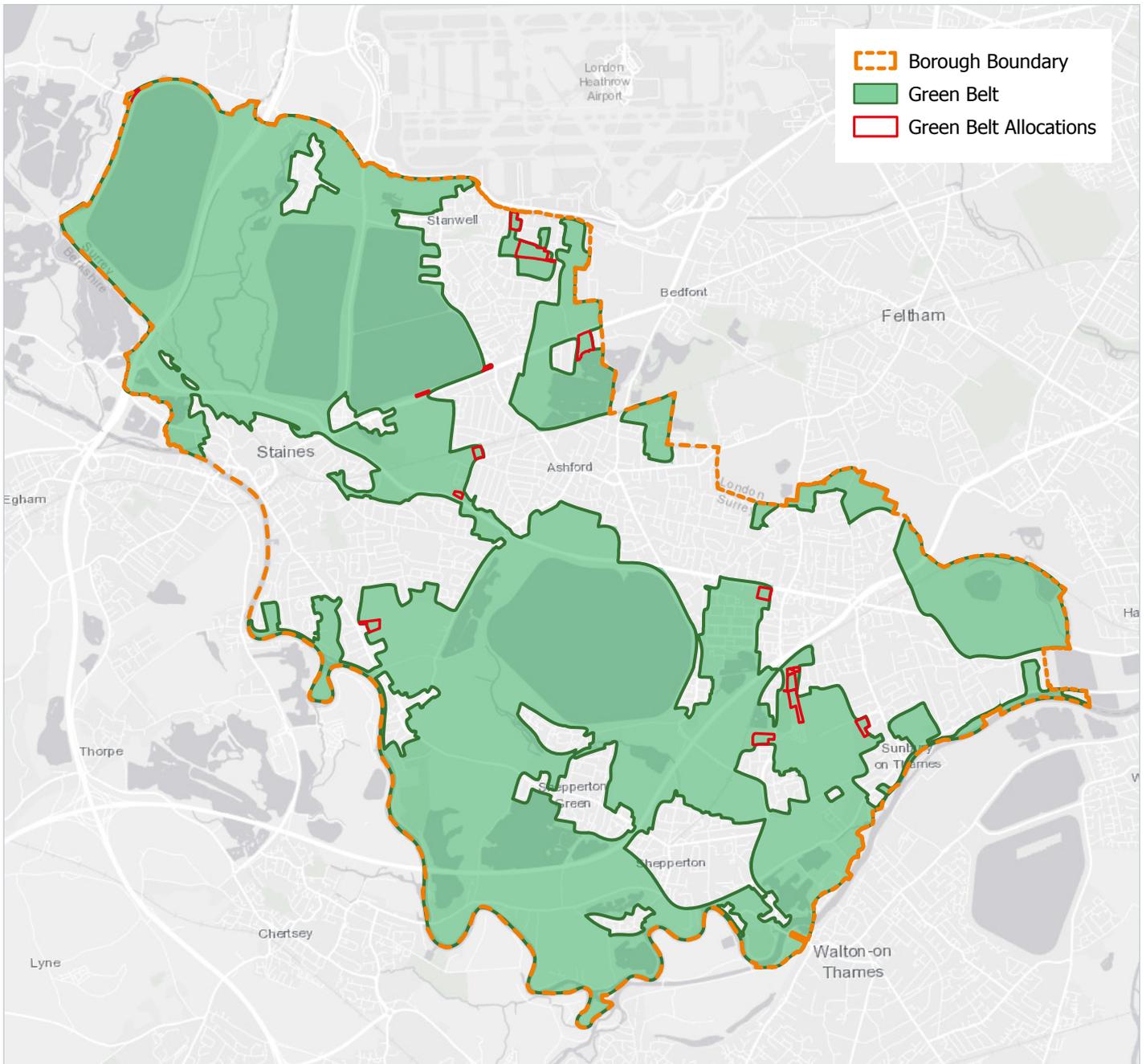
Local Plan Strategy

The Spelthorne Local Plan 2022 – 2037 sets out how we can achieve a sustainable future for Spelthorne that protects and enhances our Borough, delivers a wide range of benefits for our residents and meets our future housing needs.

The Plan seeks to deliver 9,270 homes over the Plan period, which equates to an average of 618 homes per year. This figure is Spelthorne’s objectively assessed need, based on the Government Standard methodology, which is set out in the NPPF and the accompanying

Planning Practice Guidance.

To meet our housing need, while managing the impact of new development on Staines, the Local Plan strategy agreed by the Council is to release a small amount (approximately 0.7% / 24.8 ha) of Green Belt. This approach will allow for more family homes with gardens to be built, as well as offering the opportunity for lower building heights in the more sensitive areas of Staines-upon-Thames.



Place Shaping

The National Planning Policy Framework (NPPF) 2021 attaches great importance to the design of the built environment and states that good design should contribute positively to making places better for people. Development should contribute to creating places that encourage mixed communities, promote walking and cycling, improve access to public transport, and ensure that new development connects with existing parks and open spaces for recreation. Our plan will also protect the Borough’s historic environment, including our listed buildings and Conservation Areas which contribute to the Borough’s character, sense of place and quality of life.

The Council declared a climate emergency in October 2020 and recognises that climate change is the greatest challenge currently facing us. Every decision we take must count towards reducing carbon emissions and climate change mitigation. Our Local Plan will help to support the transition to a low carbon future, helping to address the climate emergency, taking account of flood risk.



Spatial Policies

The spatial policies provide the basis around which the Council can secure improvements to the centres in the Borough. This allows for all development needs to be considered within suitable locations including housing, employment and retail space. This is reflected through an area-based approach which sets out a hierarchy for development types which suit the size and character of the area. This will lead to improvements to the benefit of residents and users through enhanced public spaces and accessibility.

As well as considering the urban environment, there is also an approach to the Borough’s river network. This allows for opportunities to improve the local environment and biodiversity as well as ensuring that impacts on the network are avoided or mitigated.

Housing

Different groups within our community, including families, older people, younger people, people with disabilities requiring more specialist accommodation and the Gypsy and Traveller community have differing accommodation needs. The policies within the Plan set out how a wide variety of high-quality homes, of all tenures, types and sizes, which meet the needs of our residents will be delivered.

The Borough’s accessible location, together with the diverse natural environment and prospering economy means the Borough offers a good quality of life. While this has many positive impacts, the desirability of Spelthorne as a place to live does have a negative impact on affordability. The policies within the Plan set out ambitious targets for meeting the needs of our residents who are not able to afford adequate housing on the open market.



Environment

Two of the most pressing challenges to be addressed at all scales in the 21st century are climate change and the loss of biodiversity. Addressing these challenges, as well as supporting development which delivers health and wellbeing benefits for our community, lies at the heart of achieving sustainable development. The natural environment plays a key role in meeting these objectives and as such the protection and enhancement of the Borough's natural environment is fundamental to the success of the Plan and securing a sustainable future for Spelthorne.

Spelthorne benefits from a diverse natural environment, highly valued by our communities and offering a wide range of benefits; our natural environment plays a key role in making the Borough an attractive place to live and work. Recognising the importance of both protecting the existing natural environment and delivering high quality development which provides further enhancements, the policies within the Plan set out how this will be achieved over the next 15 years.



Economy

Economic performance is an important indicator of the 'health' of the Borough. Ensuring the vitality and viability of Spelthorne's centres and shaping these to be appealing places for local residents and visitors to access for shopping, leisure and entertainment purposes remains a key strand of the Local Plan. The Borough's location provides a strong basis for attracting visitors and new businesses. Providing a diverse mix of business and facilities enhances the attractiveness of these centres and provides for the needs of local people within their communities and employment opportunities for a wider population.

The Borough provides a home to major companies such as Shepperton Studios and BP, which are valuable contributors to providing local employment opportunities and supporting the local economy. Retaining these and identifying suitable locations for other high-profile companies to locate in Spelthorne are important parts of the Borough's economic and employment performance.

Infrastructure and Delivery

To support a sustainable future for the Borough, infrastructure provision is a key element in the delivery of a Local Plan. Infrastructure includes transport and physical infrastructure (including roads and cycle lanes), social and community facilities (including schools and youth facilities) and green infrastructure (including open and green space). The Council is required to identify the infrastructure needed to support the development proposed over the next 15 years. This is done through the Infrastructure Delivery Plan (IDP).

To compile an IDP the Council undertakes ongoing engagement with providers, developers and other key stakeholders to establish the impacts of new development on essential infrastructure within the Borough. The IDP outlines any potential gaps in provision and identifies what new infrastructure is required to mitigate some of the potential effects of the levels of development being proposed. This, together with the policies in the Plan, sets out how the needs of the Borough will be met over the plan period.

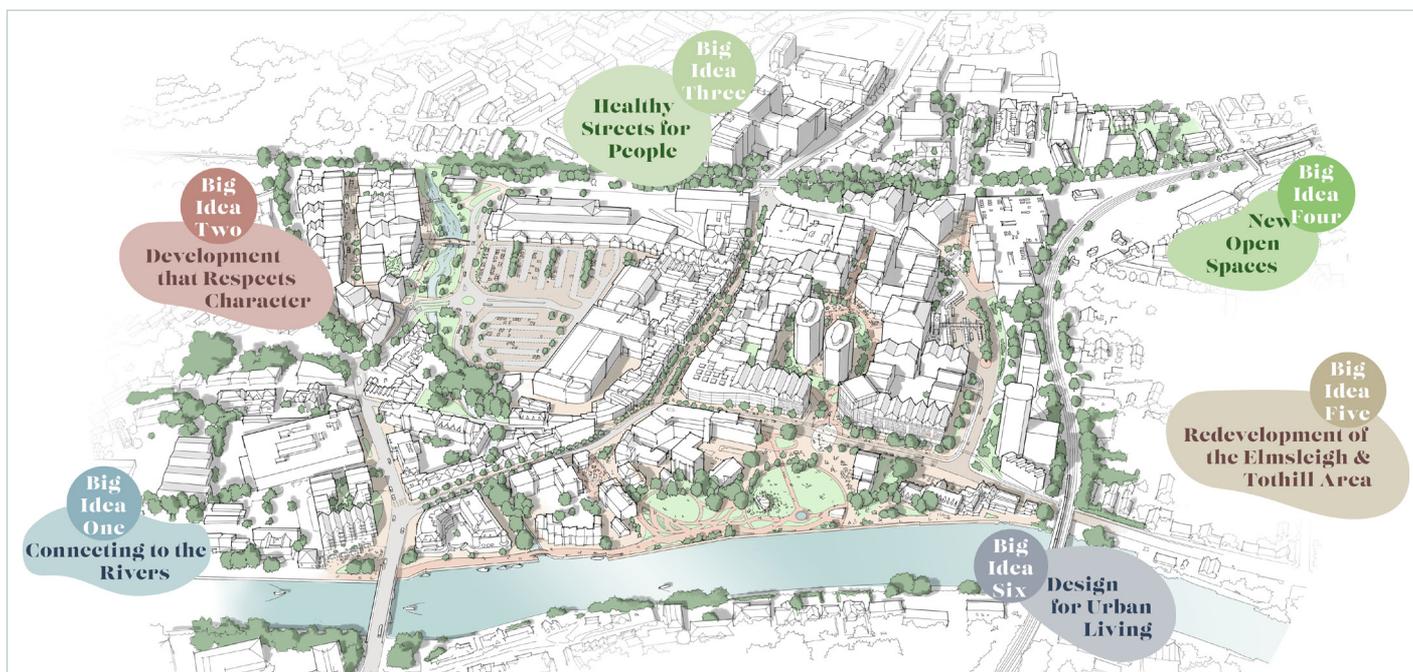


Staines-upon-Thames Town Centre Development Framework

The Development Framework sets out six 'big ideas' to ensure that Staines-upon-Thames can move into the future and successfully become more liveable, more sustainable and can provide more of what

local people need and want. By building on its assets such as the River Thames and grasping big new opportunities for change through planned growth, the town centre can ensure it will be successful

into a changeable future. These 'big ideas' are woven through all the Development Framework's strategies and implementation priorities.

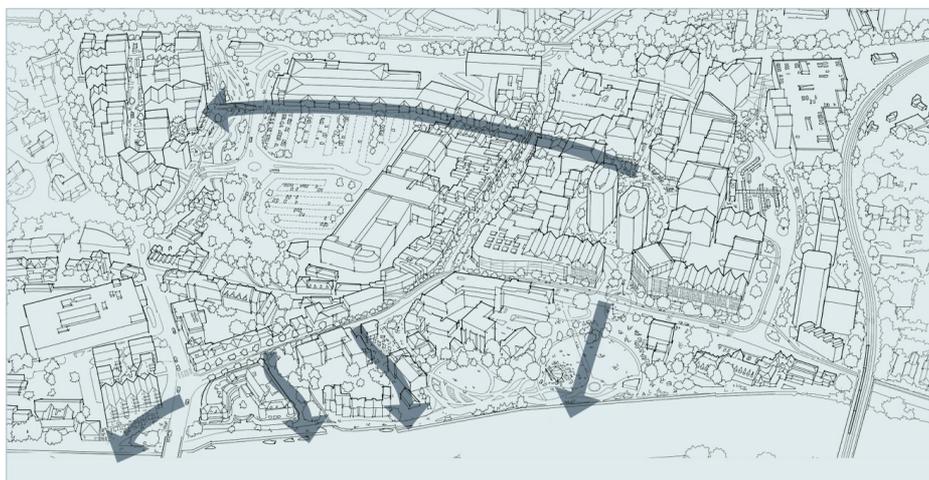


Big Idea One: Connecting to the Rivers

The River Thames is a huge asset to Staines-upon-Thames but is underused and poorly connected. The Development Framework sets out a number of ways to make it a true destination and hub for Staines-upon-Thames. These include the potential for new community facilities within an extended Memorial Gardens, an improved street environment on Clarence Street and Thames Street, improved crossings between the High Street and river, new connections through development sites to link locations in the town to the river, and the use of new development in the town to face towards the river to provide a more active and secure environment in Memorial Gardens.

The Rivers Colne and Wraysbury also run through the centre and offer the potential to create different river environments for leisure and recreation including new and

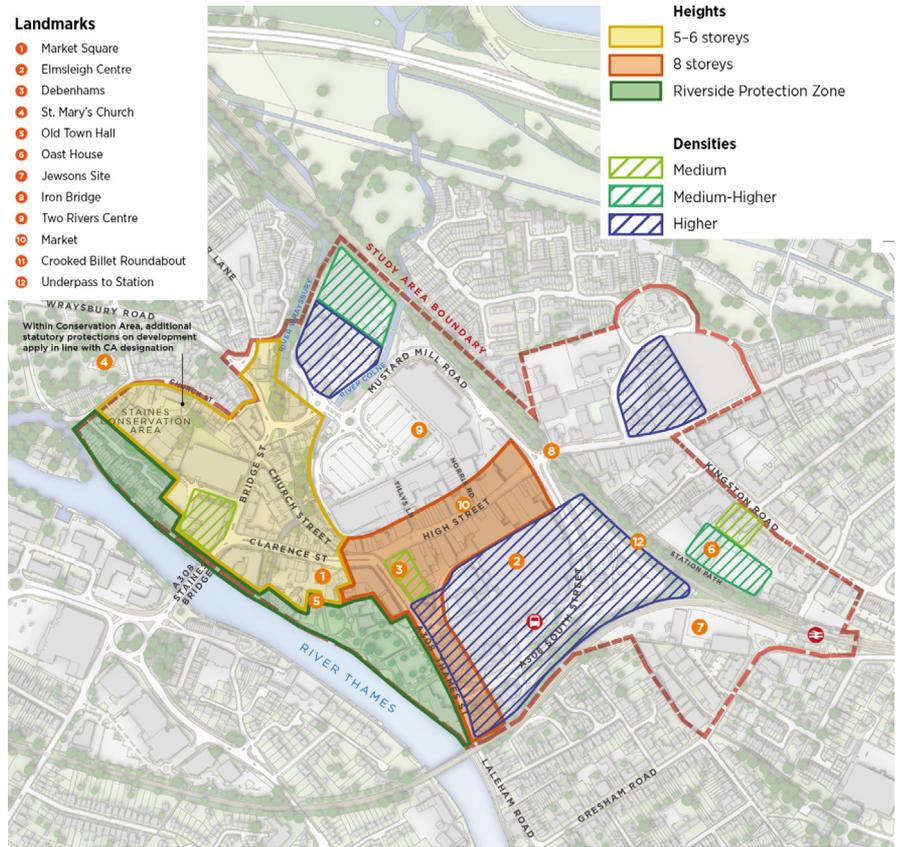
improved connections and river restoration to improve biodiversity, manage floodwater and provide a new type of open space.



Big Idea Two: Development that Respects Character

The Development Framework sets out where and how new development could be accommodated within the town centre. Central to this is understanding what needs to be protected to ensure the distinct character of Staines-upon-Thames is retained and enhanced, while ensuring that new homes, facilities, jobs and public spaces can be delivered successfully.

A new 'zoning' plan makes this clear, providing guidance on the appropriate heights of future buildings in particularly sensitive parts of the town centre, protecting the riverfront, and also highlighting locations where higher-density developments, complying with clear design principles, would be best located.

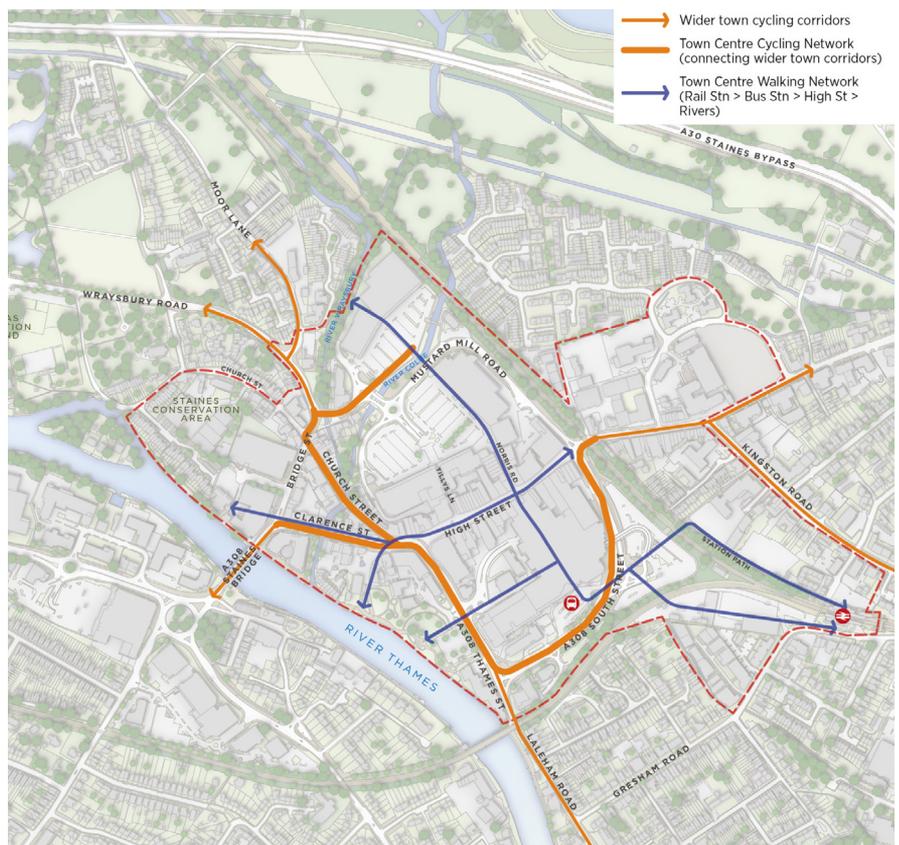


Big Idea Three: Healthy Streets for People

Too many streets in Staines-upon-Thames are dominated by vehicle traffic, with over two-thirds passing through the centre en-route to somewhere else. Major roads cut the High Street off from the riverfront. For a future where the town centre is more liveable, sustainable and attractive, now is the time to begin the process of changing this and transforming streets into places where people feel comfortable walking, cycling and using outside space for more activities.

The Development Framework sets out an aspiration for transformation of the A308 through the town centre, demonstrating how its space may be better configured to support walking, cycling, planting and street trees and space for street activities such as cafés and events.

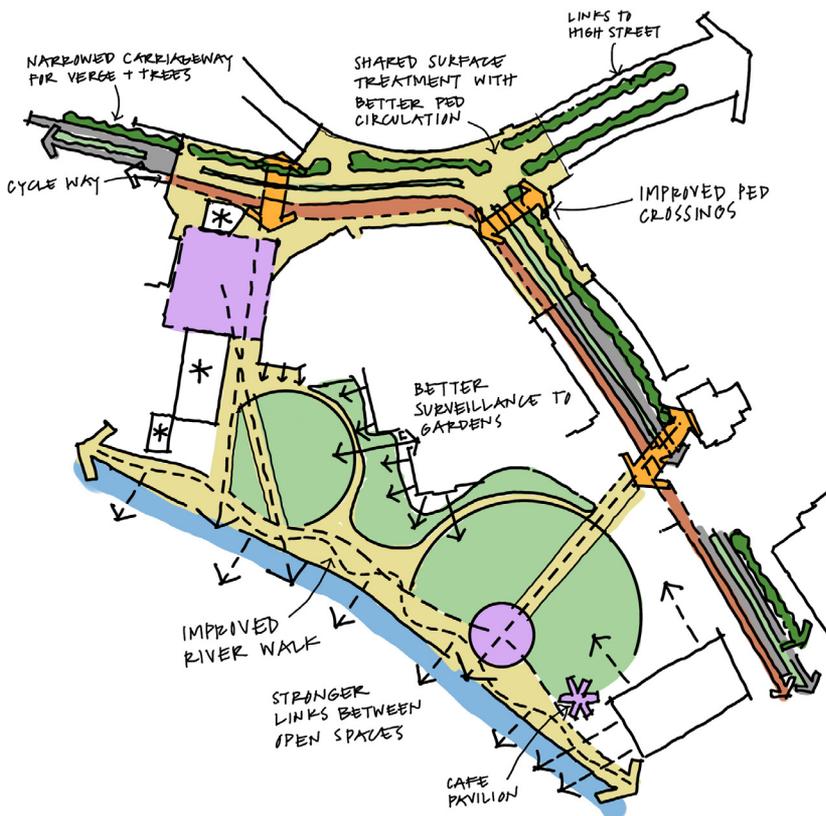
Away from the main vehicle routes, there are opportunities to provide new and higher quality street connections through areas identified as suitable for redevelopment such as at Two Rivers North and the Elmsleigh Centre.



Big Idea Four: New Open Spaces

Staines-upon-Thames currently lacks a variety of open spaces in the town centre. To support an increase in town centre living and create new destination spaces for activities and leisure, the Development Framework sets out the opportunity for a variety of new publicly accessible open spaces, each of different character and intended use, to complement existing provision. These could include green urban squares, riverfront plazas, event space and natural spaces based around the River Colne, creating new areas for informal sports, meeting places, leisure activities, events and street life.

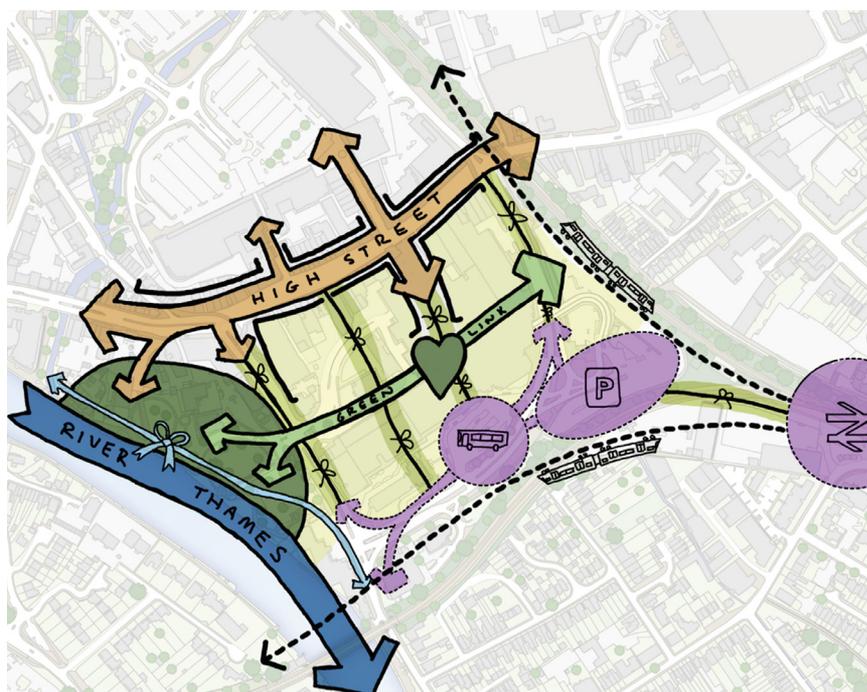
Improved facilities at Memorial Gardens, turning the Riverside Car Park into high-quality open space with new café or community facilities facing onto the park and river, would be an early priority. Coupled with future public space improvements on Thames Street and a redevelopment at the Elmsleigh Centre, this could reactivate and reconnect the whole south-eastern quarter of the town centre.



Big Idea Five: Redevelopment of the Elmsleigh and Tothill Area

Town centres are changing, with the traditional dominance of retail receding in importance and a resurgence in a mix of activity-based uses including community, civic, leisure and residential. Whilst a relatively strong centre, Staines-upon-Thames is experiencing a fall in demand for larger retail spaces, pressure for new homes and local aspirations for a wider variety of uses and facilities.

The Elmsleigh Centre is a successful shopping centre but its design is increasingly showing signs of obsolescence. The area surrounding it, including the car parks, South Street, and the service roads, do not make a positive contribution to the quality and character of Staines-upon-Thames. Redevelopment of this area to provide new streets, open spaces, homes, flexible facilities and commercial/retail space in a new neighbourhood would make a huge contribution to revitalising this part of town and supporting the sustainability of the town centre.



Big Idea Six: Design for Urban Living

The town centre has been identified by the Local Plan as having the potential to accommodate thousands of new homes in a location easily accessible by sustainable means of transport, with most facilities on the doorstep, and with easy access to a variety of open spaces. New residents can provide new vitality and footfall to support a diverse mix of town centre businesses, contributing to ensuring the town centre can continue to cater for its wider catchment.

The Development Framework sets out a series of design principles to ensure that residential schemes deliver great places to live, contribute to the wider town, and avoid creating new problems for new and existing residents. These are grouped into three themes: People-Friendly Streets, Attractive, Long-Lasting Buildings and Quality Homes for All.



How to respond to the consultation:

www.spelthorne.gov.uk/localplan

The full Local Plan and Staines Development Framework documents are available to read on our website along with all of the research and evidence documents which supports them.

You can respond online
www.spelthorne.gov.uk/localplan.

Paper copies of the documents are available to view at the Council Offices and all libraries in the Borough.

The best way to respond is using the website (a response template in available online) but you can also email local.plan@spelthorne.gov.uk or write to us: Strategic Planning, Spelthorne Borough Council, Knowle Green, Staines-upon-Thames, TW18 1XB

Consultation closes at 11.59pm on Tuesday 5 September 2022



SPELTHORNE LOCAL PLAN

OPENING STATEMENT ON BEHALF OF SPELTHORNE BOROUGH COUNCIL

1. Sir, can I first add my own welcome to that of Mr Mouawad, to you and the other attendees, to the opening of the examination hearings into the Local Plan.
2. Of course, a deal of work has already gone on during the written part of the examination. The Council hopes that the answers contained in its hearing statements have assisted to narrow a number of the issues the examination is tasked with considering. The Council looks forward to continuing to assist your examination through the hearing sessions and afterwards.
3. A Spatial Portrait of Spelthorne is set out in Appendix A to the Local Plan. Spelthorne had a population of 99,000 (now 103,000 – census) and is home to over 7,500 businesses. It covers approximately 19.75 sq miles. Spelthorne is located where the continuous built-up area of London gives way to a more dispersed pattern of urban areas and villages. It benefits from good transport links to both London and the South East. The urban area of the Borough occupies 35% of the land. The balance of 65% is designated as Green Belt. This Green Belt land has an important strategy role in containing the outward spread of the capital and protecting the countryside from encroachment, as well as separating some of the existing settlements. Within the Green Belt are five major water supply reservoirs and a water treatment works at Ashford Common. Spelthorne adjoins the River Thames and is low lying. Spelthorne contains areas of national and international significance for nature conservation. Most of its major reservoirs form part of the South West London Waterbodies SPA, in recognition of their international significance as a habitat for two particular species of birds. In addition, Staines Moor forms a substantial SSSI.

4. Development plan preparation in such a constrained area is challenging. The Council has adopted an overarching strategy which meets this challenge, addressing the issues both general and particular that are identified in the Spatial Portrait. Following the various public consultations which have taken place since 2018, and which led to this stage, the strategy has been formed by listening to the local community. It is based on choice and balance: The choice to decide where development should take place, and the balance between meeting need against the adverse impacts of doing so. The Government intends that the planning system should be plan led. Having an up-to-date, evidence based Local Plan allows the Borough to take a proactive approach to planning for and managing growth in a way that most benefits its present and future residents, while protecting what is most important.

5. The overarching strategy of the Council seeks to meet its identified development needs in full, in a way consistent with Government guidance, whilst protecting strategically important Green Belt. To optimise density of new building in developed areas where character allows, while reducing some building heights and densities in the most sensitive areas of Staines. It will preserve publicly accessible open spaces in the urban area. Additional provision will be made for family homes and affordable housing, with appropriate levels of community facilities and other infrastructure. Lastly, but no less importantly, the Local Plan will respond to the climate emergency.

6. The Local Plan contains a suite of 24 policies to effectively bring forward and deliver those benefits. The policies include Strategic Policies setting out the needs of the Borough; Place Shaping Policies to ensure high standards of design in development and the protection of heritage assets; Spatial Policies to guide development in the settlements, protect the Green Belt, support the Colne Valley Regional Park; and to recognise the importance and opportunities provided by the River Thames.

7. Specific Housing Policies will provide a wide choice of homes to address a range of accommodation needs, including provision of Affordable Housing, Accessible Homes and Specialist Accommodation, as well as meeting the needs of the travelling community.
8. Specific Environmental Policies will make provision for high standards of Green Infrastructure and, in appropriate locations, Blue Infrastructure; they will enhance biodiversity, improving the natural environment of the Borough; managing flood risk, and supporting strategic flood relief measures including the River Thames Scheme; they will protect, maintain and enhance existing open spaces, securing appropriate on-site open space provision within new developments. In doing so, the Local Plan will provide high levels of protection to the Local Green Spaces it designates those spaces, having been identified following consultation with the community.
9. Policies supporting economic growth will maintain and intensify the use of the Borough's employment floorspace offer, protecting in particular the five designated Strategic Employment Areas. Local centres and shopping parades will be protected and supported, recognising their value to the communities they serve. The policies of the plan make provision for appropriate levels of infrastructure to support new development, and ensure that opportunities to facilitate sustainable and active modes of travel will be taken up.
10. Heathrow Airport lies immediately north of the Borough. Some 7% of Spelthorne's population (3,525 people) work at the airport. A concentration of airport supporting facilities is located in the north of the Borough. However, the current position in relation to expansion of the airport is uncertain. In those circumstances Policy SP7 provides a framework for supporting future expansion of the airport, if done in a sustainable and integrated way in accordance with the goals set out in that policy, in recognition of the potential economic benefits and

opportunities that an expanded airport could bring to Spelthorne, the wider South East, and the UK as a whole.

11. To take forward the policies of the Local Plan, Chapter 10 makes some 55 specific and detailed allocations of land to address the identified needs arising to 2037.
12. In doing all this the Local Plan is supported by a proportionate evidence base, and represents an appropriate strategy for the way forward to 2037.
13. Drawing these threads together, the Council considers that the submitted Plan is legally compliant and sound. It has struck an appropriate balance, in seeking to proactively and positively resolve the inevitable tensions in planning considerations that arise in highly constrained Boroughs. The Council commends the Plan to the Inspector, but welcomes any guidance in relation to modifications that he considers necessary in order for the Local Plan to be found sound, and capable of adoption.

WAYNE BEGLAN

CORNERSTONE BARRISTERS