



**To:**  
**All members of the**  
**Environment and Sustainability**  
**Committee**

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Date: 14 April 2022

## Supplementary Agenda

### **Environment and Sustainability Committee - Tuesday, 26 April 2022**

Dear Councillor

I enclose the following reports which refer to the item on the agenda for the Environment and Sustainability Committee meeting to be held on Tuesday, 26 April 2022. Please note that the attached report replaces the one previously issued and Appendix A1 is additional information.

**4. Pre-Submission Publication Version of the Local Plan and Draft Staines Development Framework Publication 3 - 22**

To consider publication of the Draft Local Plan and Staines Development Framework for public consultation (Regulation 19).

Yours sincerely

Chris Curtis  
Corporate Governance

To the members of the Environment and Sustainability Committee

Councillors:

I.J. Beardsmore (Chairman)	T. Fidler	V.J. Leighton
O. Rybinski (Vice-Chairman)	N.J. Gething	S.C. Mooney
M.M. Attewell	K.M. Grant	J.R. Sexton

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N. Islam  
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Substitute Members:

Councillors: S.M. Doran, R.D. Dunn, H. Harvey, R.A. Smith-  
Ainsley, B.B. Spoor and J. Vinson

# Environment and Sustainability Committee



26 April 2022

<b>Title</b>	<b>Pre-Submission Publication Version of the Local Plan and draft Staines Development Framework publication</b>
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Ann Biggs, Strategic Planning Manager
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	Community Affordable housing Recovery Environment Service delivery
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ul style="list-style-type: none"> <li>• Consider referral of this committee's resolutions on this item to Council for final decision</li> <li>• Agree that the Pre-Submission Publication Version of the Local Plan be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)</li> <li>• Agree the draft Staines Development Framework for public consultation</li> <li>• Agree that public consultation for both the Pre-Submission Publication version of the Local Plan and draft Staines Development Framework run from 15 June 2022 to 5 September 2022</li> <li>• Agree that the Local Plan Task Group and the Staines Development Task Group consider the specific requirements around the most appropriate public consultation mechanisms</li> <li>• Authorise the Strategic Planning Manager to make minor changes and corrections to the documents prior to publication, in consultation with the Chair and Vice Chair of this committee</li> </ul>

<p><b>Reason for Recommendation</b></p>	<p>The draft Spelthorne Local Plan 2022 – 2037 and the draft Staines Development Framework have reached key milestones in the preparation process.</p> <p>For the Local Plan, this is known as the Regulation 19 stage where the Pre-Submission Publication Version is published for consultation before submission to the Planning Inspectorate for an Examination to be held, after which it is expected the Council can then adopt it.</p> <p>For the Staines Development Framework, the recommendation seeks agreement to a second round of public consultation on the draft Framework itself, after which the feedback will inform the final version that will be submitted to the Planning Inspectorate with the Local Plan. This is because both documents are intrinsically linked.</p> <p>It is a committee level decision to agree to publish planning documents for public consultation but in view of the significant amount of public interest, it is recommended that the resolution of this committee is referred to Full Council.</p>
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## 1. Summary of the report

- 1.1 Both the Pre-Submission Publication version of the Local Plan and the draft Staines Development Framework have reached a key milestone. They are ready for their final stages of publication and public consultation before submission to the Planning Inspectorate for examination and eventual adoption. (Appendices B and C).
- 1.2 The decision to publish now is key to ensuring delivery of an adopted Local Plan by summer of 2023, before a government-imposed deadline of December 2023. Failure to adopt by then runs the very real risk of control of its production being taken away from Spelthorne (and passed to the Secretary of State or a body such as Surrey County Council). This is an incredibly difficult decision for councillors to make, but it does need to be made now.
- 1.3 The journey of the Local Plan began back in 2014 with work starting on the Framework in earnest back in 2020 (Appendix A). Both documents have been a collaboration between 21 Members on a cross party basis, via two Task Groups. Since June 2020, the ‘collective team’ have spent over 100 hours in task group meetings (Tables 1 and 2 below) and debated matters at 9 Cabinet and Environment and Sustainability Committee meetings (Table 3 below).
- 1.4 To reach this point, the Publication version of the Local Plan has been through three rounds of extensive public consultation. There has been one round of public consultation on the draft Staines Development Framework, and the document will be subject to a further round of public consultation before submission (Table 4 below).
- 1.5 Pivotal to a lot of councillor debate has been whether or not the Borough should meet its housing need in full. This has been debated vociferously by councillors throughout the development of the documents. Each time, councillors have reached the conclusion that the right approach is to meet our need. Throughout preparation of both documents, the Council has made

continued and compelling attempts to central government to have our housing number reduced. If the standard method is revised this year, which has been suggested, we would still be able to revise the Plan before submission.

<b>Overarching strategy - Local Plan and Staines Development Framework</b>
1 Meet housing need (618 per year)
2 Minimising loss of green belt (just 0.7%)
3 Looked to increase density in developed areas to protect green belt
4 Reduce impact on Staines as a result of above to avoid additional housing allocations in the town beyond those already identified
5 Reduce some building heights in Staines through zoning
6 More family homes with gardens

- 1.6 The documents appended to this report are considered to represent the best, most robust and most defensible position. The Plan is positively prepared, based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; is justified by robust evidence; can be delivered; and is consistent with national policy. We have also carried out our responsibilities under the Duty to Cooperate and engaged effectively with our neighbouring authorities. As such, the Plan is considered to meet the test of soundness and is therefore a step closer to examination and eventual adoption.
- 1.7 If the committee agrees to progress, consultation on both documents is expected to commence on 15 June 2022, ending on 5 September 2022. Prior to this both task groups will need to agree bespoke strategies for each and will include physical events again plus a dedicated 8-page section of the summer edition of the Bulletin

## **2. Key issues**

### Decision making point

- 2.1 The Pre-Submission Publication Version of the Local Plan and the draft Staines Development Framework have reached a key milestone in their production. They are now ready for their final stages of publication and public consultation before submission to the Planning Inspectorate for examination and eventual adoption (targeted for Summer 2023).
- 2.2 The decision to publish the Pre-Submission Publication Version of the Local Plan and draft Staines Development Framework now is key to ensuring progress can be made to deliver an adopted Local Plan in the summer of 2023. It is crucial that the plan is in place before deadline of December 2023 which has been imposed on all councils by central government. Failing to do so runs the very real 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).
- 2.3 The Pre-Submission Publication Version of the Local Plan represents the most reasonable option for meeting our housing need (which councillors on

the E&S committee have agreed has to happen). Both documents deliver for our important areas of green belt by minimising the loss of Green Belt that we have to accept (just 0.7%), they reduce the impact on Staines as far as possible (within the constraints we have to work within) by not including an additional housing allocation, provide opportunity to reduce some building heights in Staines through zoning proposals and allow for more family homes with gardens to be built. It prevents the process from becoming a battleground between those that want to preserve all our Green Belt and those who do not want overdevelopment in Staines. It prevents landowners and developers of the least preferred sites from taking advantage of our inaction and it allows us to keep control of our Plan.

- 2.4 The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The Pre-Submission Publication Version of the Local Plan is positively prepared, based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; is justified by robust evidence; can be delivered; and is consistent with national policy. We have also carried out our responsibilities under the Duty to Cooperate and engaged effectively with our neighbouring authorities. As such, the Plan is considered to meet the test of soundness and is therefore a step closer to examination and eventual adoption.

#### Background

- 2.5 **Appendix A1** sets out in full the background and journey so far for both the Pre-Submission Publication Version of the Local Plan and the Staines Development Framework. It is particularly important for those few members of the Environment and Sustainability Committee who do not sit on either of the task groups to understand fully the in-depth work that their fellow councillors have undertaken to get the Local Plan and the Staines Development Framework to this point.

#### Member cross party working and officer support

- 2.6 This work has been a collaboration between Members on a cross-party basis over several years, supported by officers in the Strategic Planning Team. The Local Plan Task Group comprises 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 comprises 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 have been directly involved in this process.
- 2.7 In addition to the work undertaken by previous iterations of the task groups, the current Local Plan Task Group and Staines Development Task Group have met on 57 occasions since their inception in June 2020, equating to over 100 hours of meetings. This is a considerable amount of involvement in plan preparation in comparison to other authorities but demonstrates the commitment to achieving the task with as much input from every ward and every political grouping as possible.
- 2.8 Table 1 sets out more detail around the work of the Local Plan Task Group, whilst Table 2 sets out the work of the Staines Development Task Group

**Table 1**

<b>Local Plan Task Group</b>	<b>Number of Meetings</b>	<b>Time</b>
Since inception June 2020	34	61 hours
<b>Discussion Topic</b>	<b>No. of meetings per topic</b>	
Sites	15	26 hours
Strategy	7	13 hours
Policies	5	8.5 hours
Infrastructure Delivery Plan	2	3.5 hours
Other	5	10 hours

**Table 2**

<b>Staines Development Task Group</b>	<b>Number of Meetings</b>	<b>Time</b>
Since inception June 2020	24	44.5 hours
<b>Discussion Topic</b>	<b>No. of meetings per topic</b>	
Analysis	2	3.5 hours
Objectives and Options (including consultation)	4	6.5 hours
Objectives and Options (feedback)	3	5 hours
Locations for higher densities (zoning)	6	13 hours
Riverside	2	3 hours
Infrastructure Delivery Plan	2	3 hours
Other	5	10.5 hours

- 2.9 In addition to the work of the Task Groups, decisions have been made by councillors at all key stages of the development of both the Local Plan and the Staines Development Framework. This has been a critical part of the process, ensuring that all the relevant information has been provided to councillors to ensure open, transparent and informed decision making. It has also enabled an ongoing, robust debate to be held within a public arena. This process has enabled councillors to periodically check and review the direction of travel.

**Table 3**

<b>Councillor Decision</b>	<b>Body</b>	<b>Date</b>
Consult on 4 options for the <b>Local Plan</b>	Cabinet	24 April 2018
Agreed consultation response document for the <b>Local Plan</b>	Cabinet	26 September 2018
Agreed the fourth option (combination) for the <b>Local Plan</b> for consultation	Cabinet	25 September 2019
Agreed the appointment of consultants for the <b>Staines Development Framework</b>	Cabinet	8 April 2020
Agreed the consultation response document on Preferred Options for the <b>Local Plan</b> for publication	Cabinet	23 September 2020
Agreed to proceed with the lower provisional housing figure for the <b>Local Plan</b> in anticipation it would be formally adopted	Cabinet	4 November 2020
Agreed the Analysis and Review report, the Objectives and Options report, and the Objectives and Options consultation questionnaire for the <b>Staines Development Framework</b>	Cabinet	29 March 2021
Agreed the revised strategy for the <b>Local Plan</b> (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 publication of the consultation response document for the <b>Staines Development Framework</b>	E&S Committee	6 October 2021

### Public consultation

- 2.10 All the documents leading up to this point 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 (see Table 3 above). 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. Table 4 below sets out the formal consultation steps to date and the level of engagement



**Table 4**

<b>Consultation</b>	<b>Dates</b>	<b>Number of people or organisations responding</b>
<b>Local Plan</b> Issues & Options	14 May – 25 June 2018	247
<b>Local Plan</b> Preferred Options	5 November 2019 – 21 January 2020	437 plus seven petitions of several hundred signatures each
<b>Staines Development Framework</b> Objectives & Options	18 May – 29 June 2021	745

2.11 Consultation strategies have been agreed by Members of the respective task groups, which have aimed to reach as many people in the Borough as possible through a variety of methods. These have included pull-out sections of the Bulletin or leaflets sent to every household in Spelthorne, physical events such as public meetings at the Council Offices and stalls in areas of high footfall (prior to COVID-19), and making use of social media, especially during pandemic restrictions when physical interaction was more limited.

Housing need number

2.12 Throughout preparation of both documents, the issue of housing need has been prevalent. **Appendix A1** sets out how the Council’s housing need figure has altered as we have progressed through the various stages of plan preparation. The Council has made continued and compelling attempts to have the standard method for calculating need amended to reduce the figure for Spelthorne.

2.13 Correspondence setting out our efforts can be found here: [www.spelthorne.gov.uk/article/20561/Council-challenge-the-Government-and-local-MP-on-housing-numbers](http://www.spelthorne.gov.uk/article/20561/Council-challenge-the-Government-and-local-MP-on-housing-numbers). Without a change to the method itself and with our current rate of under-delivery against objectively assessed need, the strategy has remained to aim to meet our need in full and that balancing the benefits of doing so against the limited harm of releasing just 0.7% of our Green Belt amounts to Exceptional Circumstances to allow us to amend the boundaries. Evidence produced for the Local Plan shows that whilst the need figure is high, we can deliver on this number without resulting in adverse impacts such as to the highway network, the environment or local infrastructure and services, subject to investment identified through the Infrastructure Delivery Plan. **However, in the event that the standard method is revised this year, we would be able to revise the Plan accordingly before submission or at any point before adoption by the Council.**

2.14 It is also worth noting that the zoning proposals for Staines are only likely to be considered sound by the Inspector if we are meeting the housing need in full throughout the Plan period. Zoning effectively limits potential housing supply by stipulating maximum heights and densities in certain more sensitive

locations in the town, which could be seen as contrary to national policy on optimising development opportunities in urban and sustainable locations such as Staines. Our defence to this is that overall we will be meeting housing need and therefore this allows us the choice to consider limiting development potential in some areas where justified.

#### Current position

- 2.15 The Pre-Submission Publication Version of the Local Plan is now complete and ready for the Regulation 19 stage of the process. It is accompanied by a 'Destination and Objectives' section, which aligns the Plan to the Council's current corporate priorities (adopted by Corporate Policy and Resources Committee on 29 November 2021), and shows a vision of the future once the objectives have been met at the end of the Plan period.
- 2.16 The Publication Version of the Local Plan accords with the strategy agreed in July 2021 to meet our housing need (now 618 dwellings per annum), release approximately 0.6%<sup>1</sup> of Green Belt, and no longer include an additional housing allocation for Staines. In order to achieve this, the Pre-Submission Publication Version of the Local Plan sets out a number of green belt site allocations which are included at the end of the document (debated and agreed by the LPTG). Many of these sites will be brought forward in the early years to front-load the Plan to take account of previous under-delivery and they bring with them the prospect of a greater percentage of affordable homes, family housing and open space provision.
- 2.17 The draft Staines Development Framework is also ready for its next stage of consultation, after which the consultation feedback will inform a final version of the Framework for submission with the Local Plan to the Planning Inspectorate. The two will be submitted together as they are intrinsically linked, even though the SDF as a supplementary planning document is subordinate to the Local Plan and would not normally require examination before adoption.
- 2.18 Whilst the Pre-Submission Publication Version of the Local Plan has to focus on development opportunities in Staines-Upon-Thames, the draft Staines Development Framework demonstrates how the town can grow in a sustainable and sensitive way, and deliver on '6 Big Ideas' – connecting to the rivers, development that respects character, healthy streets for people, new open spaces, redevelopment of Elmsleigh and Tothill area and design for urban living. The concept of zoning has been developed to afford greater 'protection' to those areas which merit it, whilst ensuring the town as a whole has the capacity to grow. Critically, in order to demonstrate that it can deliver the growth required for the Local Plan, the framework is rooted in commercial reality.
- 2.19 A Pre-Submission Publication Version of the Local Plan is attached at **Appendix A2**. A copy of the draft Staines Development Framework is attached at **Appendix B**.
- 2.20 The Strategic Planning Team has been responsible for producing and commissioning the full evidence base to support the Local Plan, which has

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<sup>1</sup> The marginal increase of 0.1% from the 0.6% in the strategy agreed by E&S Committee on 13 July 2021 to 0.7% now proposed is a result of changes to sites selected and recommended for release by the Task Group

required updating at various points of the process due to the passage of time. The volume of work produced is indicative of just how much supporting evidence is required for the production of a Local Plan and the difficulty in keeping the evidence up to date when there are delays in production. The full list of evidence is attached at **Appendix D**.

### **3. Options analysis and proposal**

#### Option 1 - Agree the Publication Version of the Local Plan and the draft Staines Development Framework for publication

##### **3.1 This is the preferred option.**

3.2 The decision to publish the Pre-Submission Publication Version of the Local Plan and draft Staines Development Framework now is key to ensuring progress can be made to deliver on the timetable set out in the approved Local Development Scheme (LDS) **Appendix E**. It is crucial that the new Local Plan is in place before deadline of December 2023 which has been imposed on all Councils by central government. Failing to do so runs the very real risk of control of its production being taken away from Spelthorne.

3.3 The LDS was updated last year (in part due to the early stages of COVID when the team resource was reallocated to assist with the Council's pandemic response, but also as a result of changes in the political leadership). Even so, key milestone dates have already slipped as a result of additional time needed by the relevant task groups to agree elements of both documents, and the time taken to review the Members' 'vision' that was later dropped from further consideration. The LDS gives an adoption date of June 2023, although this is dependent on keeping to the timescales, and the lead-in time and length of the examination (this is largely out of our hands).

3.4 This overall delay of 18 months has unfortunately held up completion of key pieces of evidence that relied on a decision being made on the overall strategy and selection of sites, such as the transport assessment, viability assessment and the Infrastructure Delivery Plan. Whilst these have now been completed, they and other evidence will only remain current for a limited period of time before they need updating again.

3.5 Different options for the Local Plan strategy have been considered at various stages of its preparation, as set out above. We are now at a crucial point of needing to agree the Pre-Submission Publication Version of the Local Plan as drafted so that it can be consulted upon and examined. This allows for an independent inspector to assess the soundness of our Plan, test the evidence and hear from those parties who have been integral to its production and from those who may oppose it. Essentially, the time for discussing alternatives has passed and after so many years we must now advance to the next critical stage, having demonstrated that through numerous task group meetings, committee meetings and consultations we have now reached the point where discussions should give way to decisions.

3.6 The Pre-Submission Publication Version of the Local Plan represents the most reasonable option for meeting our housing need. It proposes only a small loss of Green Belt (just 0.7%), reduces the impact on Staines by not including an additional allocation, provides opportunity to reduce some building heights in Staines through zoning proposals in the draft Staines

Development Framework and allows for more family homes with gardens to be built. A brownfield-only strategy would have delivered some 98% of new units as flats.

- 3.7 Both the Pre-Submission Publication Version of the Local Plan and draft Staines Development Framework deliver for our important areas of Green Belt, for the future of Staines and for the needs of our residents. It prevents the process from becoming a battleground between those that want to preserve all our Green Belt and those who do not want overdevelopment in Staines. It prevents landowners and developers of the least preferred sites from taking advantage of our inaction and it allows us to keep control of our Plan. It is positively prepared, based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; is justified by robust evidence; can be delivered; and is consistent with national policy. As such, the Plan is considered to meet the test of soundness and will withstand the rigours of examination and be capable of eventual adoption.

Option 2 – do not agree the Publication Version of the Local Plan and the draft Staines Development Framework and amend so that we do not fully meet our need

- 3.8 This is not recommended.
- 3.9 It is important to re-state that this Local Plan should aim to meet our housing need. Officer advice, confirmed by legal counsel advice, is that whilst it is appealing to consider producing a Plan that does not meet our need in full this will not be a sound strategy and would be rejected by the Planning Inspector.
- 3.10 As Officers we understand that this is an incredibly difficult decision for councillors to make. The Local Plan is the one document which has the most impact on how the Borough will look, and what facilities it will provide for future generations of residents and businesses. Whether or not the Borough should meet its housing need has been debated vociferously by councillors over a considerable period at numerous LPTG meetings, Environment and Sustainability Committees (including the one on 13 July 2021 which agreed the strategy), as well as motions to Council on an alternative 'Vision' for the borough. Each time, councillors have reached the decision that the right approach is to meet our need.
- 3.11 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. Plans that have had a lower number accepted were submitted under the regime that preceded the standard method. Our housing need is high, we have years of under-delivery against the latest objectively assessed need figures and we have areas of Green Belt that are not performing against its stated aim, that have already been built on and that could bring additional benefits to our communities. The possible sites are not what many people would even recognise as Green Belt in character and visual amenity value.
- 3.12 Whilst it may be tempting to submit a Plan which does not meet our housing need and allow the Inspector to reject our Plan rather than progress a sound

strategy ourselves, this would result in a delay of at least a year to 18 months. That runs the significant risk of having production of our Plan handed to the Secretary of State or a body such as Surrey County Council as it will be clear by that stage that there is little prospect of meeting the December 2023 deadline. It also opens up the very real potential for larger, more important and highly performing Green Belt sites to come forward for development with greater prospect of success without a sound Local Plan progressing. Recently, planning inspectors have given significant weight to the Council's under delivery of housing in allowing appeals against our decisions. This situation will only be exacerbated the longer the Local Plan takes to be adopted – taking decision making increasingly out of 'local hands'. Furthermore, the zoning approach to sensitive areas of Staines in the SDF is only likely to be found sound if overall the Local Plan is meeting our housing need, as reducing the potential yield of sites in town centres could be considered contrary to national policy on optimising densities in sustainable locations.

- 3.13 The committee will be aware of the recent decision made by Elmbridge Borough Council on their Regulation 19 Local Plan, which was to only meet two thirds of their housing need, and not to release any Green Belt. Their public consultation will run very slightly ahead of ours (if the documents are agreed by this Committee and Council). As an authority we will need to consider our position on their unmet need, but are currently minded to object to the overall soundness of their Plan. 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, as happened at Waverley Borough Council where housing need from Woking and London was imposed.

Option 3 – Agree the Publication Version of the Local Plan and the draft Staines Development Framework for publication but with amendments

- 3.14 This is not recommended.
- 3.15 It should be noted that any significant amendments sought to the Pre-Submission Publication Version of 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.
- 3.16 Amending even one element will require a review against the evidence base to see if there is a justification for a change in approach, an assessment of the knock-on effects to other policies, and possibly also require a review of wider issues such as the overall viability of the plan or conceivably some of the potential site allocations. They may also require evidence to be updated. All this would take time, when the clock is counting down to December 2023.
- 3.17 The two task groups have challenged robustly throughout the process, and have worked tirelessly on finessing these documents to reach this stage. It is now for this committee to agree or disagree that they can be published for consultation as drafted.

#### **4. Financial implications**

- 4.1 Delays in agreeing the Publication Version of the Local Plan and the draft Staines Development Framework, and therefore the plan-making process as

a whole, will incur additional financial costs as evidence becomes out of date and needs refreshing. This could amount to tens of thousands of pounds.

- 4.2 If the recommendations are not agreed, and a version of the plan is pursued which does not meet housing need, then the abortive costs would run to tens of thousands of pounds, without any certainty of success. This would be in addition to the costs already incurred to date on the Local Plan review (c£100k), and the costs that are yet to come.

## 5. Other considerations

### Weight to be attached in decision making

- 5.1 The emerging **Pre-Submission Publication Version of the Local Plan** Local Plan will begin to have limited weight in decision making from the Regulation 19 stage, but this will depend on the extent of objection to policies and allocations. So, for example a policy which generates no objections and some support will have more weight attached to it than a policy which generates significant support but also significant objection. The latter example will carry less weight as it is clear that there is no consensus or agreement, and it is a matter which the Inspector will need to probe thoroughly during the Examination.
- 5.2 The level of weight will increase throughout the examination stage to the inspector's report on the soundness of the Plan. In general terms, policies will only be given only significant or substantial weight once they have successfully emerged from the examination stage. Full weight in terms of decision making on planning applications can only be given on adoption of the Local Plan.
- 5.3 The Staines Development Framework is a Supplementary Planning Document (SPD) which hangs off policy SP1 in the publication version of the Local Plan ('parent and child' relationship).

### **Extract from SP1 – strategy**

**Recognising its size, location and significant opportunity for further regeneration, Staines-upon-Thames will be a key focus for housing, employment and retail development in the Borough. The guidance for how the town grows sustainably and coherently will be provided within a new Staines Development Framework (the Framework) to deliver development to meet need**

- 5.4 The SDF as SPD, would not by itself benefit from the application of guidance within the NPPF 2021, which allows "relevant policies in emerging plans" to be given weight in accordance with the three criteria set out. Until its adoption any weight that could be given to the SDF would be very limited, and could not be greater than the levels of weight accorded to emerging local plan policy SP1, on which it depends. It is anticipated that there will be a lot of comment on this policy and the SDF.
- 5.5 The Planning Development Management team will seek expert external legal opinion on major applications which are submitted between now and the adoption of the Local Plan and the Development Framework to ensure the

appropriate weight is given to emerging policies when determining applications. This will be set out in any committee reports for clarity.

### Delivering on the Council Corporate Priorities

- 5.6 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.

<b>Corporate Priorities</b>	<b>A Local Plan example (paraphrase)</b>
<b>Community</b>	<p>Policies are aimed at encouraging social and cultural wellbeing as well as requiring a high standard of design to create attractive spaces.</p> <p>DS1 – proposals need to create places that are attractive with their own identity, should incorporate landscape to enhance the setting of development, and maximise opportunities for creating new public realm</p>
<b>Affordable housing</b>	<p>Policies and key allocations will ensure delivery of significantly higher levels of affordable housing than we are currently achieving</p> <p>H1 – development to meet identified housing need with type and size, designed to be adaptable</p> <p>H2 – at least 40% affordable housing on all schemes of 10 units or more. Greenfield will be expected to deliver at least 50% (subject to final viability work on the Local Plan)</p>
<b>Recovery</b>	<p>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</p> <p>EC1 – protect strategic employment areas, encouraging innovative re-use of space</p> <p>EC2 – supporting development which improves vitality and viability</p>
<b>Environment</b>	<p>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</p> <p>DS2 – providing walkable and cyclable neighbourhoods, integration sustainable design and construction into all developments, proposals for zero carbon development are strongly supported</p>

<b>Service Delivery</b>	Many of the policies referred to above will enable services to better deliver some of their core outcomes (e.g. more affordable will assist with reductions of those in need of a home)
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Viability considerations for the Local Plan

- 5.7 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.
- 5.8 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 at appeal than under the current policies.

**6. Equality and Diversity**

- 6.1 An Equalities Impact Assessment is being 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.

**7. Sustainability/Climate Change Implications**

- 7.1 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. The Destination and Objectives of the Plan set out how this will be achieved.

<b>Response to climate change emergency</b>
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 encouraging waste prevention and promote recycling
Implementing Local Plan policies to promoting 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

## 8. Timetable for implementation

- 8.1 For the upcoming consultation, the task groups will agree bespoke strategies for each and will include physical events again plus a dedicated 8-page section of the summer edition of the Bulletin. If agreed to progress, the consultation on both documents is expected to commence on 15 June 2022, ending on 5 September 2022.
- 8.2 **Appendix E** sets out the current LDS timetable for adoption though it should be noted that this will need to be formally amended to reflect the revised timelines should the Published version of the Local Plan and the draft Staines Development Framework be agreed by this committee and Council for publication.

## 9. Contact

- 9.1 Ann Biggs, Strategic Planning Manager ([a.biggs@spelthorne.gov.uk](mailto:a.biggs@spelthorne.gov.uk))  
Jane Robinson, Local Plan Manager ([j.robinson@spelthorne.gov.uk](mailto:j.robinson@spelthorne.gov.uk))

**Background papers:** There are none

### Appendices:

**Appendix A1:** Background and Journey so far for producing the Spelthorne Local Plan and Staines Development Framework

**Appendix A2:** Draft Spelthorne Local Plan 2022 – 2037

**Appendix B:** Draft Staines Development Framework

**Appendix C:** Evidence Base

**Appendix D:** Current Local Development Scheme timetable

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## Background and Journey so far for producing the Spelthorne Local Plan and Staines Development Framework

Stage	Decision date	Key information	Housing pa
<b>Local Plan Issues and Options</b>	Cabinet - 24 April 2018	Four options 1) to intensify brownfield (previously developed) sites in the urban area, (2) release Green Belt (3) maximise development opportunities in Staines upon Thames or (4) a combination of these approaches.  Consultation May – June 2018	NPPF places great emphasis on meeting housing need  Between 552 and 757*
<b>Local Plan Issues and Options</b>	Cabinet - 26 September 2018	Agreed response document - published September 2018	Between 552 and 757 pa*
<b>Local Plan Preferred Options</b>	Cabinet - 25 September 2019	Agreed fourth option – combination of approaches  Releasing 1.6% of green belt and a further 100 units per year in Staines (identified through Staines Development Framework)  Consultation November 2019 – January 2020	606 pa**
<b>Staines Development Framework</b>	Cabinet 8 April 2020	Agreed the appointment of David Lock Associates  DLA appointed May 2020	
<b>COVID19</b>	<b>March onwards 2020</b>	<b>National lockdown and move to remote working</b>	
<b>Local Plan Preferred Options</b>	Cabinet - 23 September 2020	Publication of consultation response document.  Rearward assessment of response only – no decisions on future direction of the Local Plan	606 pa**

Stage	Decision date	Key information	Housing pa
<b>Staines Development Framework</b>	Task Group Autumn – Winter 2020	Developed an Analysis and Review Paper  Considered elements to be included within the Objectives and Options consultation  (1) Sustainable and inclusive growth  (2) Resilient and inclusive town centre  (3) People friendly streets and spaces  (4) Sustainable access  (5) Integrating riverside with open spaces  (6) Access to useable and attractive recreation facilities	
<b>Local Plan – revised housing figure</b>	Cabinet - 4 November 2020	Local Plan Task Group wanted to consider a ‘brownfield only’ strategy  Decision to proceed with the lower provisional housing number to determine level of development  December 2020 – Government do not proceed with lower figure	Government consultation dropped figure to 489 pa***  618 pa****
<b>Local Plan</b>	Task Group Autumn – Winter 2020	Examined scope to increase density and yield assumptions on brownfield sites to lower the deficit to be met by Green Belt sites  Call for Sites exercise (developers and landowners)	618 pa****
<b>Staines Development Framework</b>	Task Group	Considered whether there was scope to identify further opportunity sites	

Stage	Decision date	Key information	Housing pa
<b>Staines Development Framework</b>	Cabinet - 29 March 2021	Agreed the Analysis and Review report  Agreed the Objectives and Options report, and consultation questionnaire  Consultation 18 May to 29 June 2021	
<b>Local Plan – revised strategy</b>	E & S Committee 13 July 2021	Meet small deficit by releasing 0.6% <sup>1</sup> of Green Belt  No longer include an additional allocation for Staines  Considered a list of further potential Green Belt sites	618 pa****
<b>Staines Development Framework</b>	E&S Committee 6 October 2021	Agreed the publication of the consultation response document	
<b>Local Plan</b>	Task Group Autumn 21 – Spring 22	Further consideration of site allocations  Developing and reviewing the draft policies	618 pa****
<b>Staines Development Framework</b>	Task Group Autumn 21 – Spring 22	Developing proposed zoning areas for the town.  Developing 6 big ideas:  (1) Connecting to the rivers (2) Development that respects character (3) Healthy streets for people (4) New open spaces (5) Redevelopment of Elmsleigh and Tothill (6) Design for urban living	
<b>Staines Development Framework</b>	Task Group 31 March 2022	Concern around time to read and digest document – advised key elements has been discussed at various TG	

<sup>1</sup> The marginal increase of 0.1% from the 0.6% in the strategy agreed by E&S Committee on 13 July 2021 to 0.7% now proposed is a result of changes to sites selected and recommended for release by the Task Group

Stage	Decision date	Key information	Housing pa
		<p>meetings and the document was a compilation of these</p> <p>TG would have preferred to see a desk top version of the document for ease</p> <p>Re-assured SDF would come back to the task group after consultation for further amendments to be considered and included to take account of feedback from the public and stakeholders</p> <p>Agreed the draft SDF could proceed for consideration by E&amp;S Committee.</p>	
<b>Local Plan</b>	Task Group 6 April 2022	<p>Review of publication draft of the Local Plan</p> <p>Discussion on climate change (low to zero carbon) and accessible homes</p> <p>Whether Plan could be amended should the standard model for housing need change</p> <p>Concerns remain over the zoning approach in the SDF</p> <p>Whether allocations could be separated from the policies in the plan – answer is no as sites cannot be added in or dropped out without undermining the strategy and evidence</p> <p>Agreed by majority to support the draft Local Plan for consideration by E&amp;S Committee</p>	621 pa****

\* Figure from Strategic Market Housing Assessment which was the way of calculating need at the time

\*\* Figure derived from government standard methodology

\*\*\* Figure derived from revised provisional government standard methodology

\*\*\*\* Figure derived from government standard methodology - higher due to annual calculation