



**To:
All members of the
Council**

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Date: 6 September 2023

Supplementary Agenda

Council - Thursday, 14 September 2023

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 14 September 2023:

3. Spelthorne Local Plan

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Report to follow.

Yours sincerely

Karen Wyeth
Corporate Governance

To the members of the Council

Councillors:

D. Saliagopoulos (Mayor)
E. Baldock
M. Arnold
M.M. Attewell
C. Bateson
S.N. Beatty
M. Beecher

J.R. Boughtflower
J. Button
J. Caplin
R. Chandler
D. Clarke
J.T.F. Doran
S.M. Doran

M. Gibson
K.M. Grant
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D. Geraci
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K. Rutherford
O. Rybinski
J.R. Sexton
J. Turner
B. Weerasinghe

Substitute Members:

Councillors:

Council



14 September 2023

Title	Spelthorne Local Plan
Purpose of the report	To make a decision
Report Author	Ann Biggs, Service Lead for Strategic Planning and Enterprise
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Affordable housing Recovery Environment Service delivery
Recommendations	<p>To make a decision on the future direction of the Local Plan examination, based on the following options from the Critical Friend report:</p> <ol style="list-style-type: none"> 1. Continue with the plan as drafted but introduce robust risk management measures to help address some of key risks identified in the review, or 2. Seek a further pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before agreeing next steps, or 3. Withdraw the Local Plan from examination and prepare a new Local Plan
Reason for Recommendation	<p>The Spelthorne Local Plan examination is currently paused, following a motion agreed by Council on 6 June 2023 as follows:</p> <p>“Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.”</p>

	The actions required by the motion have been undertaken (see main report for full information) so the Council is now required by the motion to decide what action to take.
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1. Summary of the report

This report sets out the background to the current Local Plan position, the actions undertaken during the pause and the options available for Members to agree in terms of how to take the Local Plan forward, now that the requested three-month pause has expired. It provides an overview of the key findings from the ‘critical friend’ review carried out during the pause and an officer review of that report. It also explains the risks associated with the options provided to Members, as well as the financial implications of each option.

2. Key issues

Background

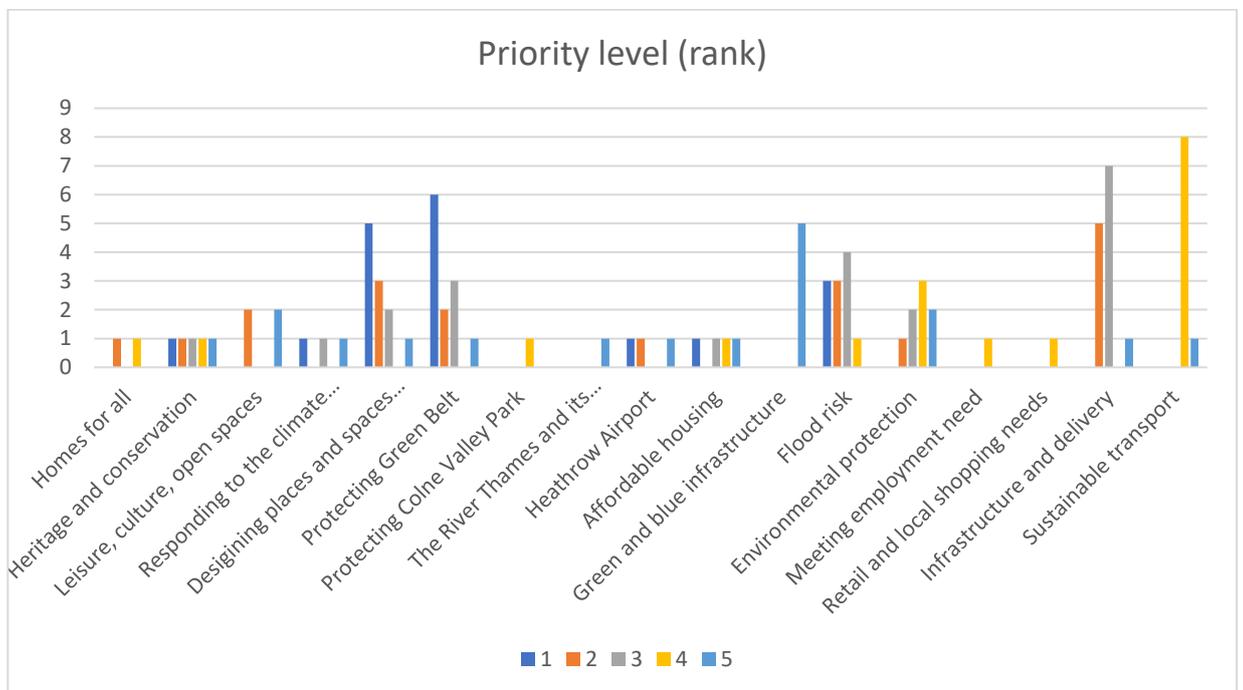
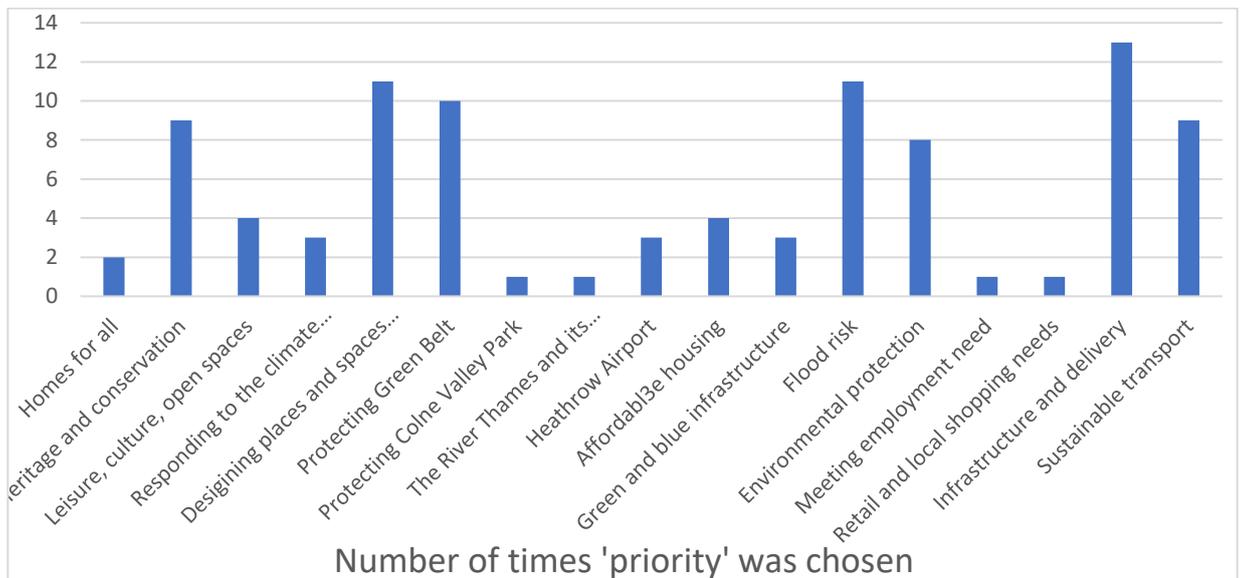
- 2.1 The Spelthorne Local Plan was submitted to the Secretary of State on 25 November 2022 for examination, following over five years of preparation and public consultation. An inspector was appointed, Mr Jameson Bridgwater, who began examination of the Plan in January 2023. Hearing dates were scheduled over three weeks in May and June 2023. It should be noted that the Inspector is only considering the technical soundness of the Plan as submitted and does so on the basis that the Council has made a political decision on the strategy for the area. ‘All-out’ local elections were held on 4 May 2023, which resulted in 22 out of 39 new councillors being elected. The first week of Local Plan hearings took place, commencing on 23 May and covering issues such as the overall strategy, legal compliance and the duty to cooperate. Before the next hearings could take place, an Extraordinary Council meeting was called on 6 June 2023 to consider the motion referred to above, which sought a pause to the remainder of the hearings. This has then resulted in a review of the Council’s decision as to whether Spelthorne’s strategy is right for the Borough and if it delivers positive change for place. Members may feel that not enough emphasis has been given for the provision for a strategy that delivers “a positive vision for the future of each area” in accordance with the National Planning Policy Framework (para 15).
- 2.2 The motion was agreed and the Chief Executive wrote to the Inspector, Mr Bridgwater, the following day to formally request the pause in line with the motion. The letter is available to view [here](#). Mr Bridgwater replied on 8 June to agree, under the specific circumstances, to the pause in the hearings. That response can be viewed [here](#). Officers have been updating the Programme Officer throughout the pause to advise on the activities being undertaken and the likely timeframe for Council to reconvene at the end of the three months.
- 2.3 A training schedule was proposed and agreed by the Group Leaders (minus the Conservatives) to take place in July. Alongside the training, Members of the Corporate Policy & Resources Committee agreed on 26 June 2023 to appoint a ‘critical friend’ to carry out an external review of the Local Plan. The full specification of the work was then agreed by Council on 19 July and Catriona Riddell Associates (CRA) were appointed.

Training

- 2.4 Officers in the Strategic Planning team ran two training sessions for all Members. These were held on 5 and 24 July and were well attended, totalling around 7 hours including opportunities for questions and answers. The topics covered were as follows:
- National planning policy and guidance
 - Development plans and the process of preparation and adoption
 - Proposed changes to the national planning system
 - The existing Spelthorne Core Strategy 2009 and guidance documents
 - The proposed new Spelthorne Local Plan
 - The proposed Staines Development Framework
 - Future work associated with the Local Plan
 - The role of councillors in plan-making
 - The role of officers in plan-making
 - Key planning issues affecting the Local Plan, including (but not limited to) housing and employment need, Green Belt, flood risk, biodiversity and infrastructure.
- 2.5 The presentations from the training were made available for Members who couldn't attend or who wished to read back through the material after the sessions.

Critical friend review

- 2.6 As part of the Local Plan review, CRA held two sessions with Members, and with officer attendance, on 11 July and 16 August. Between these sessions there was a public engagement exercise undertaken with local residents associations. This took the form of a focused 'sense-check' survey on what they feel are the most important concerns for their area that will be impacted by the new Local Plan. It was explained to participants that this was not a formal consultation and we could not guarantee that this would have any influence on the draft plan, given the late stage in the process. It was intended to provide greater clarity for the Council going forward in terms of the priorities for our local communities. The survey was open between 13 and 30 July and the full results can be found at Appendix B, with the summary graphs below:



2.7 The first of the CRA Local Plan Assessment sessions, held on 11 July, focused on providing the national context on the changing planning regime and how it could affect the Spelthorne Local Plan, including how other local authorities were navigating the current position in their own Plans. It covered the following key points:

- The **balance between meeting development 'needs' and compromising other national policy priorities** (as set out in the NPPF) and how other councils are addressing this.
- The **changing national planning system and government priorities**, especially in relation to housing numbers, Green Belt, design and quality of development, the environment and climate resilience (e.g. net zero, floodrisk, nature recovery) – to be updated.

- The **role of the Examination process** and how changes to draft local plans can be managed through this – as well as some of the risks attached.
- 2.8 The second CRA Local Plan Assessment session on 16 August covered the feedback from the engagement exercise with residents associations via the survey and consider the advice provided by the critical friend around options for taking the plan forward. It included a high level review of the Staines Development Framework by Andy von Bradsley, former Government Chief Architect, and its relationship with design codes.
- 2.9 CRA produced a report following the sessions, which can be found in full at Appendix A. The key conclusion derived from the review work is that the Spelthorne Local Plan, as currently drafted, does not provide sufficient confidence that it will provide a place shaping strategy that delivers ‘good’ growth, enabling positive outcomes for people and places. Although it will inevitably result in changes to existing places and more development, the ambition should be to meet the needs of its area and communities, especially in relation to new homes, whilst improving the overall quality of the natural and built environment. The report goes on to give reasons for this conclusion:
- The **lack of a clearly articulated long term spatial vision** for Spelthorne to help guide key issues, such as how much new housing could be accommodated without compromising other national priorities and objectives around improving overall quality of places, reducing flood risk and protecting the Green Belt.
 - The **potential weaknesses in the approach to ensuring high quality development** across the Borough but particularly through the plans to transform Staines Upon Thames.
 - The **impact the spatial strategy may have on the strategic role of the Metropolitan Green Belt**, particularly when the cumulative effect of local plans is taken into account.
- 2.10 Before considering these conclusions in more depth, it is worth noting that the CRA report does not, and was not intended to, assess technical matters of soundness or review the evidence base. As CRA point out, it is for the Inspector to assess and conclude on whether the Plan is legally compliant and technically sound. CRA also explain that the Inspector can only suggest modifications to the Plan on the basis of soundness and legal compliance, i.e. those changes required to make the Plan sound. More significant changes, especially those that are fundamental to the overall strategy, are likely to require withdrawing the Local Plan and preparing then resubmitting a new Plan.
- 2.11 The conclusions outlined above have led CRA to suggest three options for how the Council could take the Plan forward. These represent the possible ways that the conclusions could be addressed, and it is for Members to consider the benefits and risks of each before deciding upon which to pursue. Officers have reviewed the options and will comment on these in this report to Council. CRA have not recommended one option over the others and neither have officers. It will be for Members to exercise their judgement based on the review and in light of officers’ comments in this report. The options are set out below and the consideration of the CRA conclusions will refer to these.

OPTION 1	Continue with the plan as drafted but introduce robust risk management measures to help address some of key risks identified in the review
OPTION 2	Seek a further pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before agreeing next steps
OPTION 3	Withdraw the draft local plan from Examination and prepare a new local plan

Officer review of CRA conclusions

Lack of a clearly articulated long term spatial vision for Spelthorne

- 2.12 The CRA report advises that Spelthorne would benefit from a long-term vision for the Borough with spatially specific priorities. The submission version of the Local Plan contains a section titled 'Destination and Objectives', which sets out the how the Plan and its policies will deliver on the corporate CARES priorities. These priorities are due to be revisited as the Corporate Plan expires in 2023. This would present the Council with the opportunity to address any need for a longer-term vision for Spelthorne and spatial priorities. A vision of this nature will cover far more than a Local Plan can deliver and will encompass wider strategies for the local authority, including the Council's own investment and regeneration plans, affordable housing and climate change. As CRA point out, this would provide the opportunity to address last year's Local Government Association Peer Challenge recommendation to develop a longer-term vision and strategy to provide an agreed direction for the Council.
- 2.13 CRA consider the new corporate vision could be used to guide implementation of the Local Plan, other supplementary documents and future reviews. Whilst Local Plans should cover 15 years, they are required to be reviewed every five years and are often updated at that point to address changes in circumstances or national policy. As such, developing a vision can be achieved under Option 1 without needing to withdraw the Local Plan, although producing a new Local Plan as per Option 3 would mean the vision can be incorporated from the outset. Under Option 2, this would depend on the timescales for the vision and whether any significant changes are proposed as a result, which would be down to our Inspector as to whether they can be accommodated without triggering withdrawal of the Plan. Officers' view is that a vision is not required for technical soundness of the Local Plan and it can continue to be examined. The Inspector has not made comments so far on the absence of a vision or similar overarching strategy in his Matters, Issues and Questions or on Day 1 of the hearings which addressed Main Matter 2: Spatial Development Strategy. That is not to say he has reached any conclusions on whether such a vision would be helpful to the

Local Plan and the implementation of its policies and future supplementary work.

- 2.14 It will be for the Members to decide whether a new corporate vision is produced and integrated into a new corporate plan as a way of guiding the strategic priorities for the Council over the next four years, or whether it is a fundamental requirement for the Council to demonstrate a clear break in its strategic approach and vision before the Local Plan examination hearings proceed.
- 2.15 As part of CRA's consideration of a clear vision for Spelthorne, the report discusses the issue of a housing target for the Local Plan. It is recognised that the Borough is highly constrained in terms of Green Belt and flood risk particularly, which presents challenges to meeting development need in full. A change to the strategy following reconsideration as to whether Spelthorne could or should meet its housing need is likely to require withdrawal of the Local Plan as per Option 3, a risk also highlighted by CRA in the report. CRA make the point that other authorities have sought to capitalise on the proposed changes before they have been published, providing examples of specific Local Plans. Whilst going on to say that there is no guarantee this approach will be successful, CRA explain that all these areas have different challenges and councils have made different judgements as to how they interpret national policy, as well as how best to use the Local Plan to deliver their own place-making visions, without compromising the character and quality of their areas. They have also exhausted any possibility of their neighbours helping to meet any unmet needs through the Duty to Cooperate, as they are all in a similar situation.
- 2.16 Officers have reviewed the proposed changes to the National Planning Policy Framework (NPPF) and presented their findings to Environment and Sustainability Committee on 31 January 2023, which can be found [here](#). The conclusion by officers, which was 'noted' by the majority of the committee at the time, was that whilst the Council could take the opportunity to seek to rely on the changes and withdraw the Plan, there were positive reasons to continue with the Plan as submitted to release a small amount of Green Belt in order to deliver affordable housing, family homes with gardens, and community benefits. The presentation explains that a lower housing target would not necessarily mean fewer homes delivered in Staines as this is a sustainable town centre and the target would not act as a 'cap' to development here. There would need to be a policy reason to restrict further buildings in urban areas as applications can continue to come forward without being allocated in the Local Plan, whereas the Green Belt allocation sites require the Plan to be adopted in order to amend the boundaries and release them from this designation. Not meeting need in full could risk the 'zoning' approach in Staines, where some areas of the town would have height and/or density limitations. Members should be mindful of these issues when considering Option 2 to seek a further pause to the examination hearings in order to wait for the NPPF changes to be published.

- 2.17 As CRA point out, and as expressed earlier in this report, if fundamental changes are then proposed as a result of the new NPPF, this is also likely to require withdrawal of the Local Plan and the preparation of a new Plan. In officers' view, even minor changes would not be required on a soundness issue as the Plan is considered to remain sound under the proposed NPPF. It will be for the Council to make a positive decision on whether it wants to change the strategy in light of the NPPF, rather than the Inspector requiring modifications. Therefore, there is considerable risk that any changes made on a voluntary basis rather than soundness that affect the strategy will trigger withdrawal. Members should consider carefully the pros and cons of delaying the Local Plan examination further (option 2) as set out in CRA's report before making any decision.

The potential weaknesses in the approach to ensuring high quality development across the Borough and Staines in particular

- 2.18 It is recognised that Staines is an area of considerable development opportunity, and this would be the case with or without the new Local Plan. There are a number of sites available for redevelopment that are likely to come forward at high density, given this sustainable town centre. Earlier in the preparation of the Local Plan it was proposed that Staines could accommodate a further 100 dwellings per year over and above the identified sites but this proposal was dropped after the Preferred Options stage (Regulation 18). Nonetheless, there will be further development of higher density buildings coming forward in Staines. This led to the production of the Staines Development Framework (SDF) to help shape the town, which in turn led to the proposal for zoning, whereby height and density limits would be applied to more visually sensitive areas of the town.
- 2.19 The CRA review has highlighted weaknesses in the SDF, which is planned to be adopted alongside the Local Plan. These were that it lacks a clear vision for the future of Staines and does not contain the necessary 'teeth' to provide a robust mechanism for managing development in Staines in order to protect the character of the town. It should be noted that the SDF was produced as supplementary planning guidance, with Policy SP1 in the Local Plan as the 'parent' policy. It was not developed as a design code, but design guidance is a key feature of the document. The CRA report highlights that 'public engagement was very limited'. Officers carried out 11 consultation events in Staines town centre including two drop-in sessions with the SDF consultants in the Elmsleigh Centre. The SDF was developed with the nine Staines Ward Councillors plus the chair of Environment & Sustainability Committee. With hindsight, Members may agree with the CRA report that this lacked in community engagement.
- 2.20 The CRA recommendation is that design codes, which can be more prescriptive and binding, be accelerated for Staines. Design codes can be produced on a borough-wide basis or focus on individual settlements or towns. It would be a decision for Members if they wished to prioritise a design code for Staines over other areas. A design code can take between one to two years to complete, depending on available resources and the scope of the code, i.e. borough-wide or prioritising specific settlements such as Staines. The work already carried out on the SDF on characterisation and

typologies could reduce the timeframes for a Staines design code, especially if the same consultants were engaged, but this would be a matter for the procurement exercise. The cost is estimated to be around £120,000 to £160,000, depending on the scope of the project and the level of input required by consultants rather than officers. There is limited information on the cost and timescales of design codes at present as only a few authorities are involved in the pilot tranche and many others are not yet complete. An officer from Strategic Planning is attending a 3-day Design Code School the week of the Council meeting so updated information can be provided verbally at the meeting.

- 2.21 The Strategic Planning team had already planned to progress design codes following adoption of the Local Plan when there would be the available officer resources for the project but in light of discussions at the first week of examination hearings, initial scoping and training is already in progress. This work can be further accelerated, with the SDF acting as a starting point for some of this work for the Staines design code, which the CRA report also notes. The work can be accommodated within each of the three options, although officer resources would be more limited with Option 3 as the team would be focusing on preparing a new Local Plan.
- 2.22 Further work was already planned for Staines on the delivery and implementation of the SDF, particularly around transport and highway improvements by working with Surrey County Council to bring forth the proposals within it to improve public realm, accessibility and prioritising pedestrians and cyclists. A Green and Blue Infrastructure (GBI) Strategy is planned for the Borough, which will consider urban areas as well as less developed areas. Ideas for Staines include using GBI as a mechanism for reducing local flood risk by introducing green enhancements that will improve the visual environment as well as surface water drainage, along the lines of the Grey to Green project in Sheffield city centre. This could also be incorporated into the design code work. Key to these projects will be early community engagement and the CRA recommendations around citizens panels or assemblies can be integral to this, not just for Staines but across the Borough.
- 2.23 It is anticipated that a phased approach will be taken to the development of design codes for the Borough, with the initial phase focussing on training and the establishment of a demographically representative citizens' panel. Key to successful design coding is community engagement and a collaborative approach. With this in mind it is proposed that training will be provided for officers, Members and those participating in the citizen panel to allow design coding work to progress from a base of shared knowledge and understanding, to enable a successful outcome. The scale of the training and engagement that can be progressed will depend on the available funding and a bid is being prepared for the Government's Planning Skills Delivery Fund to help kickstart design code work, focusing on training and public engagement (Phase 1 of the design coding process). The deadline for submission is 11 September 2023 and if successful any work funded by the bid must be completed by the 31 March 2024. It is considered that this timescale is sufficient for the first phase of the design coding project, with regard to officer resources, however, if the Council is not successful in its bid consideration will need to be given to possible alternative funding sources.

- 2.24 The risk management measures set out in Option 1 in the CRA report relating to Staines, in respect of design codes, greater community engagement and strengthening the Local Plan policies relating to Staines and design more generally, can be implemented, in officers' view. The strengthening of Policy SP1 in the Local Plan had already been raised by the Inspector in the first week of hearings and officers suggested amended wording ahead of the later hearings. Modifications can be proposed to the Inspector to include further reference to design codes and strengthen the requirements for design panel reviews for more major development – this already features in Policy PS2: Designing Places and Spaces and as a result of the Regulation 19 consultation officers had suggested modifications to the Inspector to highlight the specific allocations where this would be required, including the major sites in Staines. It will be for the Inspector to consider whether he agrees to these modifications but on the basis that he has already sought amendments to the policy wording, it is likely he would be supportive. Options 2 and 3 also offer the opportunity to put forward these amendments, either to the Plan as submitted (Option 2) or within a new Local Plan (Option 3).
- 2.25 Officers consider it is important for the SDF to remain on track and not be set to one side in favour of design codes and/or rewritten as this would mean losing or significantly delaying the zoning proposals and leave Staines just as vulnerable to high rise development in unsuitable locations as it is today.
- 2.26 All three options allow for the design code work to be accelerated. In making their decision, Members should consider the risk around the delay to the timescales for adoption with Options 2 and 3. If Members wish to proceed with Options 1 or 2 and keep the Plan at examination and either progress with the hearings or seek a further pause, then they need to decide whether they develop the design codes in parallel with the policy in the Local Plan and the SDF or whether they rely on the design codes alone.
- 2.27 The CRA report also refers to concerns over flood risk implications for Staines in particular and notes that there is not yet an agreed position with the Environment Agency (EA). Members will recall that the EA updated their flood risk modelling for the Thames during the Regulation 19 consultation so our consultants, AECOM, updated the Strategic Flood Risk Assessment (SFRA) with the new modelling. When this new SFRA was sent to the EA, they advised that the new data had not yet been published and remained draft, so in order to progress the Local Plan, it was agreed that the previous modelling would be used by AECOM. The other changes made to the SFRA to ensure it incorporates the Aug 2022 updates to the Planning Policy Guidance remain. Officers and AECOM have continued to engage with the EA on this issue throughout the summer and we are still awaiting a formal response from the EA at the time of writing. Had the pause to the examination not taken place, these issues would have been discussed during the hearings with the Inspector and the EA and it is not unusual to have an outstanding Statement of Common Ground by the time the hearings commenced. However, officers have taken the opportunity during the pause to give further consideration to the developments in Staines and the Sequential and Exceptions Tests, which provide the justification for including sites within the Local Plan where flood risk is present.

- 2.28 The updated draft Thames modelling has worsened the flood risk in some parts of Staines so officers have revisited the sites proposed for allocation. This would mean some sites are removed from the Local Plan as allocations where the risk is highest, reducing the delivery of homes by approximately 300 units (comprising three sites closest to the River Thames in Staines, although two others in Knowle Green were removed before the examination hearings commenced). Some other sites would be pushed back in the Plan to a later delivery period (e.g. from years 1-5 to years 6-10, or from years 6-10 to years 11-15). These are sites where the flood risk of the site itself is not significant but there are concerns over safe access/egress to a 'dry' location in a flooding event, largely as a result of the pinch points in Staines caused by the railway lines that limit exit routes. The allocation of those sites would be contingent on finding practical solutions and interventions to facilitate safe access/egress, together with enhanced Green and Blue Infrastructure that can reduce surface water flooding, as part of a collaborative piece of work with other departments at Spelthorne, such as Assets, Surrey County Council as the highway authority and Lead Local Flood Authority, and the Council's emergency planning consultants. This would not only benefit new development but having a holistic management plan for Staines would also benefit existing residents as well as the potential for funding from new development for the mitigation measures. Initial scoping work has begun on the management plan.
- 2.29 This revised approach to sites has been discussed with the EA and we are awaiting their response, anticipated by 14 September. This update can be reported verbally at the meeting. Officers and AECOM consider this approach to be a positive and proactive way forward that achieves betterment for Staines and is preferable to the current situation where individual applications are assessed and determined in isolation, often at appeal. The EA have advised that the safe access/egress issues are largely for the local authority to consider and resolve after they have identified the risk. The approach would reduce the impact of development on Staines by reducing the number of homes by 300 units but with a technical reason on soundness grounds to do so, namely to address concerns from a statutory consultee which means officers can propose these changes for the Inspector to consider as Main Modifications to the submitted Local Plan rather than necessarily requiring withdrawal as a fundamental change to the strategy.
- 2.30 Officers consider the Plan would still be able to meet Spelthorne's overall housing need for the 15-year life of the Plan whilst reducing impacts on Staines with this approach but it would affect the trajectory in terms of when the sites would be delivered, which requires justification for the Inspector to consider. It should be noted that modelling data for the River Thames Scheme (RTS) is beginning to be shared with local authorities and initial comments indicate that there would be a degree of improvement to Staines from the flood alleviation measures, although these have not been analysed by Spelthorne's officers yet. The five-year review stage of the Local Plan would present the opportunity to review housing delivery at that stage if the RTS is operational by then. Officers would seek to establish an agreed position with the EA on all these matters before any hearings are recommenced. Although flood risk was discussed with Members at Local Plan Task Group meetings during the development of policies, the latest modelling

was not issued until the Regulation 19 stage so this was not available for discussion at those meetings.

The impact the spatial strategy may have on the strategic role of the Metropolitan Green Belt

- 2.31 CRA considers that the evidence to support 'exceptional circumstances' to release Green Belt appears to be comprehensive but expresses concerns over the impact on the strategic Green Belt. This is not necessarily an issue that can be addressed at a local authority level and requires more strategic thinking around a wider review of Green Belt. CRA are of the view that no further review of Spelthorne's Green Belt should take place for the life of the Local Plan (15 years) and that compensatory measures to maximise the multi-functional use of remaining Green Belt should be considered.
- 2.32 Throughout preparation of the Local Plan, there has been significant discussion and concern over the loss of any Green Belt. The Council has responded by reducing the number of Green Belt allocations proposed at Regulation 18 to the currently proposed 0.7% loss that would result in the submission version of the Local Plan. It is clear that there will always be those who object to any loss of Green Belt, however it is these sites that can deliver affordable housing at a much greater level (50% rather than up to 30% on urban sites due to viability), family homes with gardens and the community benefits such as improvements to sports and recreation facilities, a replacement community centre and a new sixth form college. We would also fail to meet our need for Gypsies, Travellers and Travelling Showpeople as no sites in the urban area were identified.
- 2.33 Respondents to the residents association survey highlighted protection of the Green Belt as a key priority, although from the narrative answers some considered that protecting the areas of Green Belt not proposed for removal was the priority rather than all Green Belt and that the Local Plan as submitted would provide that protection and should continue without delay.
- 2.34 Officers agree with the CRA view that Green Belt assessments should be conducted at the strategic level, although there has not been the political will from London or Surrey to commit to a wider review, potentially due to the implications for those authorities who may be concerned it could lead to wider release than they are prepared to consider in their own areas. This should be taken up at a Leader/Chief Executive level.
- 2.35 The CRA report recommends proposing a modification to Policy SP4: Green Belt in the Local Plan, if Option 1 is taken forward, to make it clear that no further review of the Green Belt will take place for the life of the Plan (15 years) if adopted. It will be for the Inspector to decide whether this policy provision is acceptable as it would tie the Council's hands for a considerable period of time, during which there could be many changes to national planning policy or circumstances. Furthermore, Local Plans need to be reviewed every 5 years. If Members supported this recommendation and opt for Option 1, a modification to the policy for the 15-year life of the Plan could be proposed to the Inspector and it would be for him to consider its soundness. This would have regard to Paragraph 140 of the NPPF and the intended permanence of Green Belt in the long term, allowing for the proposal to be considered through the examination process.

- 2.36 Officers agree with the suggestion that Policy SP4 could be modified to include reference to multi-functional use of Green Belt. This would tie in with planned work on Green and Blue Infrastructure, Biodiversity Net Gain and Surrey's Local Nature Recovery Strategy, as also suggested by CRA.
- 2.37 All three options allow for these changes to be made. It will be for Council to consider the pros and cons around each of the options and how the timeframes might impact on delivering this change.

Conclusions

- 2.38 The above review of the CRA report sets out that the recommendations can be accommodated and supported either in the Local Plan as submitted or within a new Local Plan. The decision for Members is whether they agree with these recommendations and whether they wish to continue with the plan as drafted but introduce robust risk management measures to help address some of key risks identified in the review (Option 1), seek a further pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before agreeing next steps (Option 2), or withdraw the Local Plan from examination and prepare a new Local Plan (Option 3).
- 2.39 The actions within the motion agreed by Council on 6 June 2023 are considered to have been met and the three-month pause is now at an end. Whilst not setting out a preferred option or recommendation, CRA and officers concur that the best course of action for Spelthorne is to have a new Local Plan adopted as soon as possible but this should be the Plan that the Council can support in order to deliver for our communities.

Options	Timescales
<p><u>Option 1</u></p> <p>Continue with the plan as drafted but introduce robust risk management measures to help address some of key risks identified in the review</p>	<p>The risk management measures relating directly to the Local Plan, namely proposing modifications to the Inspector on Policies SP1: Staines upon Thames, PS2: Designing Places and Spaces, and SP4: Green Belt can result in the resumption of hearings later this year, subject to the Inspector's availability.</p> <p>Measures on incorporating the vision into the Corporate Plan, accelerating design codes and setting up community engagement mechanisms would be carried out alongside the remainder of the Local Plan examination process and beyond.</p>
<p><u>Option 2</u></p> <p>Seek a further pause in the Examination timetable until the proposed changes to</p>	<p>There is no date yet for publication of the proposed changes to the NPPF. The timescales are therefore dependent on the Government and</p>

<p>the NPPF have been published (expected in the Autumn) before agreeing next steps</p>	<p>the further pause would not have a specific date as to when this would come to an end.</p> <p>Following publication, Members would then need to consider and agree to next steps. If only minor changes result from that exercise, the hearings could resume in early 2024, depending on the Inspector’s availability. If more fundamental changes to the Local Plan strategy are agreed by Members, this is likely to trigger withdrawal of the Local Plan and preparation of a new one, for which the timescales would be as per Option 3 below.</p>
<p><u>Option 3</u></p> <p>Withdraw the Local Plan from examination and prepare a new Local Plan</p>	<p>Preparing a new Local Plan would take appx 18 months to 2 years in order to update or produce the necessary evidence to support a new strategy, statutory public consultation, engagement with Duty to Cooperate partners and other stakeholders, finalise the publication of the Plan and submission to the Secretary of State.</p> <p>The timescales from submission to examination and adoption would be dependent on the availability of a new inspector and how long the examination process will take.</p>

- 2.40 It is for Members to consider the balance between advancing the remainder of the Local Plan examination and to what extent changes could be accommodated without triggering withdrawal of the Plan or, indeed, whether they wish to start again with a new strategy.

3. Financial implications

- 3.1 The financial implications of each options are set out in the table below, although full details on costs will not necessarily be known at this stage as they will depend on matters such as procurement of external resources and, in the case of Options 2 & 3, what changes would be proposed to the Local Plan or within a new Plan and what evidence would be needed to support the strategy. However, a more detailed breakdown will be provided to Members ahead of the meeting.
- 3.2 Councillors need to be aware that none of the costs below have been factored into the strategic planning budget for 2023/24. The current budget for the examination, which could only be estimated at the time that budget was set, has already been spent on the costs to date, even though the hearings were not completed. If Council decide to move forwards with some of the options outlined above, then a decision will need to be made on how this will be funded at a subsequent Council meeting- through an in-year growth bid, being offset by savings elsewhere across the Council (which would need to be identified) or via an overspend in the budget which would need to be

addressed at the end of the financial year 2023/34. Some costs may be spread over more than one financial year (in particular options 2 and 3). Members should also have regard to the wider financial horizon for Spelthorne and the [report](#) to Corporate Policy & Resources Committee on 11 September on the Council's housing delivery strategy.

Option 1		
Design codes	£120k - £160k	<ul style="list-style-type: none"> • Cost estimate of £120,000 to £160,000 to produce design codes but depends on scope, i.e. Staines focus or borough-wide, and extent to which consultants will lead on this work • This work would have taken place after adoption of the Local Plan so part of this cost would be to accelerate the work and have design codes in place quicker than originally anticipated • Government funding from the Planning Skills Delivery Fund will be sought to cover some of the design code initial training and community engagement costs. If the Council is successful in its bid the funding would cover a reasonable proportion of the cost for Phase 1 of the design code project only (training and initial community engagement). A significant portion of the cost of the project in its entirety would need to be met by the Council. • Further examination costs of appx £30-50,000 (examination fees, cost of appearance at examination by technical consultants and legal representation for hearings not yet held, any further evidence or supplementary work required by the Inspector before the hearings can resume). These costs would be incurred due to the pause even if the CRA suggestions for risk mitigation were not taken forward and the Plan remained as submitted • Setting up citizens panels or similar to facilitate enhanced
Further costs to resume examination	£30k - £50k	
Community engagement	Not yet known (also depends on bid for skills fund)	
Total	£150k - £210k	

		community engagement for plan-making. Some of this cost is likely to form part of the bid for Government funding as above but is not included within the design code work. Further information is being sought from other authorities to give a clearer picture of costs and can be reported verbally to Council
Option 2		
Design codes	£120k - £150k	
Further costs to resume examination	Minimum of £30k to £50k but likely to be higher	
Community engagement	Not yet known (also depends on bid for skills fund)	
Total	<p>Minimum of £150k - £210k if no changes are made or changes don't trigger withdrawal of the Local Plan.</p> <p>Minimum of £620k to £650k if changes trigger withdrawal, in which case the costs are as per Option 3</p>	<ul style="list-style-type: none"> • No initial financial costs, other than for design code work as identified under Option 1 • Further costs will depend the length of the additional pause, whether Members decide to make changes to the Plan as a result and whether further new evidence is required to support the changes (or whether there is any scope to update existing evidence). • Cost to resume hearings would still be incurred if Members do not seek further significant changes as a result of the additional pause but are likely to be higher than Option 1 due to the increased length of time since the original hearings • More financial detail would be provided in a future report to Council if this option were chosen – i.e. once councillors have advised on the extent of the changes desired which officers can then cost up with more accuracy • If the changes are significant and require withdrawal of the Local Plan and submission of a new Plan, the costs will be as per Option 3 below • It is assumed design code work and further community engagement would still be required as a result of this option

Option 3		<ul style="list-style-type: none"> • Estimates of expenditure to date for producing the Local Plan are circa £1million, not including officer salaries • Producing a new Plan will require updating or producing new evidence to support a revised strategy. • Costs will be dependent on what evidence can still be relied upon from the submitted Local Plan and that will depend on how the strategy would differ from it. • Estimated £500,000 as a minimum for a further two years' work in preparing a new Local Plan, producing the evidence to support it, public consultation and examination costs • Design code and community engagement work costs would also need to be added to these costs if these are to run in tandem with a new Plan • Cost of defending appeals for speculative development in the event of refusal, circa £100,000 for each major scheme at public inquiry
Preparation of new Local Plan	Minimum of £500k	
Design codes	£120k - £150k	
Community engagement	Not yet known (also depends on bid for skills fund)	
Total	Minimum of £620k - £650k	

4. Risk considerations

- 4.1 The conclusions of the CRA report explain from the outset that it is always better to have an up-to-date Local Plan in place as it gives the Council more control over where and how development is delivered. The options Members are asked to consider have different implications in terms of how quickly Spelthorne would have a new Local Plan adopted, noting that the existing Core Strategy 2009 is significantly out of date. The CRA report draws out the risks within each options, which then need to be balanced against the advantages of selecting the option, again as set out in the CRA report. The key risks to the options, in comparison to progressing the Local Plan without following any of the options or conclusions identified by CRA, can be summarised in the table below. Members should also take account of the Council's Risk Register, which in the [report](#) and [appendix A](#) to Corporate Policy & Resources Committee on 11 September confirm the risk status to the housing and affordable housing categories (1a and 1b) remain 'Red' and includes commentary around the Local Plan pause.

Risk	Implications
<p>Delay in adopting new Local Plan</p> <p>Option 1 – minimal</p> <p>Option 2 – dependent on whether changes trigger withdrawal and the preparation of a new Local Plan</p> <p>Option 3 – significant</p>	<ul style="list-style-type: none"> • SBC does not have a 5-year housing land supply and risks losing appeals against speculative development • Continued uncertainty for residents • Delay to infrastructure delivery, key community benefits and delivering affordable housing and sites for Gypsies and Travellers, largely through non-release of Green Belt for these allocations • Development in Staines continuing to come forward without the zoning provisions and design guidance in the SDF • Further delay risks some of our existing evidence to support the submitted Local Plan becoming out of date
<p>Cost of additional work that has not been budgeted for</p> <p>Option 1 – much of the work was already planned (e.g. design codes) so additional risk is around the cost of accelerating this work</p> <p>Option 2 – dependent on what changes Members seek after the NPPF changes are published</p> <p>Option 3 – significant</p>	<ul style="list-style-type: none"> • Significant financial implications for Option 3, withdrawing the Local Plan and producing a new Plan or if Option 2 results in the same effect • The perception by communities for having seen to be ‘wasting’ money spent over the past 6 years to reach the current stage of Local Plan preparation • Withdrawing the Local Plan and submitting a new one will result in considerable cost to update or produce evidence to support a different strategy, none of which is currently budgeted for • Cost of defending appeals for speculative development, which is more likely without an up to date Local Plan in place and adoption several years away
<p>Further changes to the planning system beyond those currently proposed</p> <p>Option 1 – minimal as this option is likely to see the Local Plan progressing towards adoption before</p>	<ul style="list-style-type: none"> • Potential for a new national government with a general election expected to take place in 2024 • With under-delivery of homes under the current system, there could be changes that seek to boost supply

<p>any further national planning policy changes can take effect</p> <p>Option 2 – dependent on what changes Members seek to the Local Plan and the resulting timescales for progressing the current Local Plan or if a new Plan is required</p> <p>Option 3 – greater risk due to extended timescales for preparing a new Plan</p>	<p>further than the submitted Local Plan aims to deliver</p> <ul style="list-style-type: none"> Continued uncertainty for residents and concerns over speculative development in the interim without an up to date Local Plan
<p>Potential for intervention by Government</p> <p>Option 1 – low risk if progress is made to resume the hearings and complete the examination</p> <p>Option 2 – dependent on what changes Members seek to the Local Plan and the resulting timescales for progressing the current Local Plan or if a new Plan is required</p> <p>Option 3 – no significant risk but will require a new Local Development Scheme timetable to meet key milestones to avoid intervention</p>	<ul style="list-style-type: none"> Not currently a likely threat as many local authorities have paused due to the Government’s own proposed changes that have created uncertainty If the NPPF changes are agreed, there will be deadlines put in place for Plans to be submitted, plus transition arrangement for Plans at an advanced stage

5. Procurement considerations

5.1 None directly related to this report. However, all options have procurement implications in respect of producing design codes in particular, which would be discussed with the Procurement Team once a decision has been made on this report.

6. Legal considerations

6.1 Legal implications in terms of examination of the Local Plan, proposed planning reform and legal requirements to have an up to date Local Plan are covered in the CRA report and this report.

7. Other considerations

7.1 See report to Council on [6 June 2023](#) for other considerations related to the pause to the Local Plan, which remain relevant to this report.

8. Equality and Diversity

8.1 These matters have been addressed throughout the development of the Local Plan, including the production of an Equalities Impact Assessment that was submitted with the Local Plan.

9. Sustainability/Climate Change Implications

9.1 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.

10. Timetable for implementation

10.1 See above timetable at Para. 2.39.

11. Contact

11.1 Ann Biggs, Service Lead for Strategic Planning and Enterprise
(a.biggs@spelthorne.gov.uk)

Background papers: There are none

Appendices:

Appendix A – Catriona Riddell & Associates report, Aug 2023

Appendix B – Local Plan Priorities Survey Report

Spelthorne (Draft) Local Plan Critical Friend Review

AUGUST 2023

Catriona Riddell BA(Hons) Planning FRTPI
Director, Catriona Riddell & Associates Ltd



Summary

In July 2023, Spelthorne Borough Council agreed to pause the Local Plan Examination to allow some time for new Members (following the Local Elections in May) to understand and consider the draft plan, particularly against the current national planning context. A report setting out options for taking the plan forward following the pause will be considered by the Council on the 14th September. To supplement the training and advice provided internally by officers, Catriona Riddell (of Catriona Riddell & Associates Ltd) was asked to undertake a critical friend review to inform the options.

The conclusions of the review are set out in this report. They are based on a high level review of the plan, two workshops with both councillors and officers, as well as some discussions between the critical friend and officers. It was not a detailed analysis of the plan's evidence base and it has not considered any issues around legal compliance or technical soundness as these will be tested through the Examination process. It has focused on the main potential risks for the Council in taking the current draft plan forward.

According to national policy, the purpose of the planning system is to achieve sustainable development. Within this context, a local plan's role is to provide a place shaping strategy that delivers 'good' growth, enabling positive outcomes for people and places. Although it will inevitably result in changes to existing places and more development, the ambition should be to meet the needs of its area and communities, especially in relation to new homes, whilst improving the overall quality of the natural and built environment. **The key conclusion of the critical friend review is that the Spelthorne Local Plan, as currently drafted, does not provide sufficient confidence that this can be achieved** for the following reasons:

- The **lack of a clearly articulated long term spatial vision** for Spelthorne to help guide key issues, such as how much new housing could be accommodated without compromising other national priorities and objectives around improving overall quality of places, reducing flood risk and protecting the Green Belt.
- The **potential weaknesses in the approach to ensuring high quality development** across the Borough but particularly through the plans to transform Staines Upon Thames.
- The **impact the spatial strategy may have on the strategic role of the Metropolitan Green Belt**, particularly when the cumulative effect of local plans is taken into account.

Getting the future of Staines right will be a vital measure of the plan's overall success given that it is the main town in Spelthorne and is expected to deliver a significant proportion of the overall development proposed. Ensuring that development contributes positively to making it an attractive place with a thriving town centre is not only essential for the residents and businesses within Staines but will benefit all residents, as well as those working and visiting the Borough. A key concern highlighted through the critical friend review was the weaknesses in the tools that would enable this to happen, both in terms of the local plan policy framework and especially the (draft) Staines Upon Thames Development Framework. Underpinning this concern was the apparent **lack of effective engagement with local communities in relation to the major transformation of Staines** proposed in the plan. Residents know the town best in term of how it looks, functions and feels and will have to live with the consequences of the plan, yet there was virtually no engagement (outside of the formal consultation process) on the Development Framework as it was prepared.

It is important to recognise that the plan has been prepared during a period of relative instability in the statutory planning system as a result of successive changes to the existing national policy requirements and changing proposals for reform over the last three years. At the time of the critical friend review, there was still no clarity around some of the key elements of national policy, particularly in relation to setting local plan housing targets and the use of Green Belt to meet housing needs. This uncertainty has not only impacted on the content of the plan but has clearly been damaging to the relationship between the Council, councillors and local communities. This was acknowledged in the Foreword of the Pre-submission plan where the (previous) Leadership of the Council reflected that the process had been “*divisive, bruising and at times, unpleasant*” and had “*fractured communities and turned councillors against each other*”. The Council has repeatedly made its concerns about the current system known to the Government, concluding (again in the Foreword) that the “*the net effect*” of the housing numbers proposed in the plan would be to “*make Spelthorne a less attractive place to live*”.

The Council has been clear that it is in everyone’s interests to have a new, up-to-date local plan in place as soon as possible so that it can have much more control over development, particularly in relation to speculative applications and in terms of supporting good design and quality development. The options in this report therefore attempt to reflect the continuing uncertainty around what is expected to comply with national policy, the need to provide more certainty for local residents and developers, and the need to deliver a planning framework that will help improve the overall quality of Spelthorne as a place.

Three options are set out, all of which are considered to be credible and are accompanied by suggested risk management measures (in the main report). However, a preferred option has not been recommended as all three have different degrees of risk attached and it will be for the Council to decide the weight given to the risks and therefore what this means in terms of the next steps. It is also important to note that Options 1 and 2 do not take into account any issues of soundness (or legal compliance) identified through the Examination process which would need to be addressed. A particular issue already highlighted is the potential flood risk in Staines which has yet to be resolved between the Council and the Environment Agency. This could have a major impact on the overall strategy for the plan as over half of the new housing proposed is currently planned for Staines.

Option 1 is to carry on with the Examination Hearings with some Main Modifications to the plan alongside other important mitigation measures focused on the Staines Development Framework and on the Green Belt. **Option 2** would mean waiting to see whether the Government is moving ahead with its proposed changes to the NPPF (expected this Autumn) which is then likely to mean some further, potentially more significant Main Modifications to the plan. However, this comes with two important caveats. The changes proposed could be considered by the Inspector to be beyond the scope of the Examination because of the impact on the overall strategy and the plan would then have to be withdrawn further down the line. The time lost in the process would then mean that it is very unlikely that a new plan could be prepared and submitted in time to meet the Government’s deadline of 30th June 2025 for all plans being prepared under the current system. **Option 3** would mean withdrawing the plan and preparing a new plan. This is the only real course of action if the changes needed to meet any concerns or risks go beyond soundness issues (e.g. they would change the overall strategy of the plan) and therefore cannot be ‘fixed’ through the Examination process with Main Modifications. Option 3 is time dependent as a new plan could potentially be prepared and submitted within the government deadline of 30th June 2025 if the decision to withdraw the current plan from Examination is made as soon as possible.

For all three options, the Council would have to discuss the implications of the preferred approach with neighbouring authorities and the relevant statutory consultees under the Duty to Cooperate. For Options 1 and 2, the Council would have to discuss the implications with the Planning Inspector.

Background

- 1 In November 2022, Spelthorne Borough Council submitted its draft local plan to the Government's Planning Inspectorate with the first Examination Hearings held in May 2023. In June, the Inspector appointed to examine the plan agreed to a [request from the Council](#) for a short pause to the Hearings. This was to allow time for the Council to understand and review (where necessary) the policies and implications of the plan, following the change in councillors as a result of the local elections held in May. On the 26 June, [the Council agreed to appoint Catriona Riddell & Associates Ltd\) to provide 'critical friend' support](#) to the Council. The Council is expected to decide on the next steps for the plan at its meeting on the 14th September.
- 2 The critical friend review has been undertaken by the Director, Catriona Riddell, who has extensive experience in this field (see Annex 4). The review was intended to complement the training sessions on the local plan provided by the officers. During this time, the Council also undertook a short survey of its residents' associations and groups to provide a 'sense check' of the key issues local communities see as a priority for the new Council.
- 3 This report sets out the final conclusions of the critical friend review process which comprised a high level review of the plan and two local plan assessment sessions for both officers and councillors¹ which were held on the 11th July and the 16th August 2023. The first session focused on the national context, including how other local planning authorities (LPAs) are managing their plans through the current uncertainty around national planning policy, particularly in relation to housing targets and the use of Green Belt for development. The second session focused on the results of the residents' survey and the provisional conclusions from the critical friend review. At this session, some initial feedback was also given on a high level (informal) critique of the draft Staines Upon Thames Development Framework. This was provided by architect Andy von Bradsky (of Von Bradsky Enterprises) who is the Government's former Chief Architect and was the lead civil servant responsible for commissioning, managing and delivering the [National Design Guide](#) and [National Model Design Code](#). He is currently working on a consultancy basis with a number of LPAs, helping them to develop their own approach to design coding to embed quality in local plans.
- 4 It is important to note that this review was not an assessment of the technical soundness of the plan and the evidence base or of legal compliance, all of which will be tested by the Inspector through the Examination process. It was a high level review of some of the critical issues and potential risks for the Council which will be considered alongside the officers' professional advice and recommendations for taking the plan forward.
- 5 Three options are set out at the end of the report, all of which are considered to be credible and are accompanied by suggested risk management measures. However, a preferred option has not been recommended as all three have different degrees of risk and it will be for the Council to decide the weight given to them and therefore what this means in terms of the next steps.

¹ All councillors were invited to attend in person or virtually. A recording of both workshops was made available to those that could not attend at the time.

The National Context

The overarching objectives of national planning policy

- 6 The National Planning Policy Framework (NPPF) makes it clear that the **purpose of the planning system is to achieve sustainable development**. [Paragraph 11 of the NPPF](#) sets out what this means in relation to meeting development needs and for plan-making this means that:
- (a) *All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
 - (b) *Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area (including habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological; and areas at risk of flooding or coastal change) ; or*
 - (ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 7 Given the significance of this paragraph, its interpretation has been critical in developing the foundations for local plan strategies and through the testing process at Examinations, particularly in relation to what the balance is between meeting objectively assessed housing needs and what can be considered a 'strong reason' for not meeting this in full.

The role of Local Plan Examinations

- 8 The Examination is the last key stage in a local plan's preparation and is where an independent Planning Inspector examines the draft plan in terms of its technical soundness and legal compliance. The [Procedure Guide for Local Plan Examinations](#) provides practical guidance for anyone involved in Examinations, setting out general principles and guidance. A summary of the key points to note are:
- a. Inspectors enter into a contract with the local planning authority (LPA), therefore, within reason, **how the examination is managed at every stage is a matter for the Inspector and the LPA.**
"...many of the detailed procedural aspects of the examination are not prescribed in legislation, allowing the Inspector a degree of flexibility in conducting the examination. This enables the Inspector to adapt the procedures to deal with situations as they arise, so as to achieve positive outcomes in a range of different circumstances."
 - b. The Inspector's role is to examine whether the submitted local plan meets the **tests of soundness defined in the National Planning Policy Framework (NPPF), ensuring the plan is positively prepared, justified, effective and consistent with national policy and is legally compliant.**
"The Inspector will always bear in mind that the plan belongs to the LPA, and subject to the duty to ensure the plan's soundness, will not seek to impose his or her own views on its vision"

or its content.” But “It must not be assumed that examinations can always rectify significant soundness or legal compliance problems.” Before submission “the LPA must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan, including any raised by statutory undertakers and government agencies.”

- c. Any major changes - Main Modifications (MMs) - needed to make the plan sound/ legally compliant can be suggested by the LPA, by representors and hearing participants or by the Inspector but there is **no provision in the legislation which allows the LPA to replace all or part of the submitted plan with a revised plan during the examination.**

“LPAs sometimes submit to the examination a list of proposed changes to the published plan that have not been the subject of consultation. The Inspector will not treat those proposed changes as part of the plan to be examined. However, the Inspector may consider it appropriate for some or all of the LPA’s proposed changes to be discussed at the hearing sessions, and in appropriate circumstances they may form the basis for MMs.”

- d. **There is some flexibility within the process to amend the Examination timetable to allow for more work to be done by the LPA** to address soundness or legal compliance issues. This can add a significant amount of time to the Examination process but is aimed at ensuring the plan meets any concerns raised by the Inspector (or others).

Any proposed changes “arising from the additional work carried out during a pause in the examination will usually need to be the subject of consultation, equivalent in scope and duration to that carried out at Regulation 19 stage. SA and, in some cases, HRA will also be necessary if the proposed changes are significant. Further hearing sessions are likely to be required to consider the outcome of the further work, any proposed changes to the plan, and the consultation responses.”

- e. The **post-hearing timetable is largely in the control of the LPA**, as the LPA works with the Inspector to prepare the proposed MMs and is then required to undertake a sustainability appraisal [SA] and Habitats Regulations Assessment [HRA] as necessary, and public consultation on the proposed MMs. Hearing sessions can be reopened, for example, to resolve a major soundness issue or because of “*significant representations*” in response to the MMs consultation. The Inspector can also ask for further work to be undertaken at this point which is why some Examinations have ended up taking a few years!

9 It is clear from the guidance that any major changes the Council wishes to make to the plan at this stage should be to address issues of soundness and/or legal compliance. Other major changes, especially if they fundamentally change the overall strategy, are likely to require a withdrawal of the plan from the Examination so that it can be amended and resubmitted, with all the relevant updated evidence and required consultations undertaken.

10 Although Planning Inspectors will try to be as pragmatic as possible to help LPAs get a plan adopted, they will have to weigh up the need to extend the Examination with the benefits of withdrawing the plan and resubmitting it. This was the case recently with the Havant Local Plan which was submitted for Examination in February 2021. The [Inspectors raised serious concerns](#) about the soundness of the plan in terms of delivering the proposed housing, along with concerns about legal compliance with the SA/SEA and Statement of Community Involvement (SCI). They acknowledged that further work would be needed to make the plan legally compliant and technically sound and that if “*the further work found that the Council was unable to meet its housing needs, we consider that it would need to discuss this matter with its neighbours. If they were unable to help with any unmet need, it would be necessary to provide evidence to show that Havant is an authority that cannot sustainably meet its housing needs in accordance with Paragraph 11 b) of the NPPF.*”

- 11 Given that the additional work would take a long time and the outcome of this was unknown, the Inspectors advised the council to withdraw the plan, undertake the additional work and consult on a new plan, concluding that it *“is highly likely that this would prove a more expedient route to adopting a sound plan.”* [The draft plan was withdrawn in March 2022](#) and a new local plan is now being prepared within a very short timescale (the first consultation took place in Oct-Nov 2022 and a Preferred Options Consultation is due to take place early in 2024).
- 12 Another recent example where an Inspector has recommended that a plan should be withdrawn is the [Tandridge Local Plan](#). The draft plan was submitted for Examination in January 2019 and, nearly five years later, the Examination has still not been concluded. The Inspector has repeatedly raised significant issues of soundness, [concluding recently](#) that *“The examination has become very protracted and frustrated to the point where the Council’s inaction has led to its total stagnation. In the context of the Council’s consistent and persistent failure to undertake the work I have identified as being necessary, I do not see how the examination can realistically progress to a positive outcome”*. The [Inspector has now told the Council](#) that he will be writing his report recommending that the plan be withdrawn.
- 13 In both cases the Inspectors have provided a clear steer on the issues of soundness and have tried to work as positively and pragmatically as possible to get up to date local plans adopted. However, they have also made it clear that they can only make changes to address issues of soundness. As the [Tandridge Inspector advised the council](#), he can only recommend changes to the submitted Plan *“which are necessary for soundness, which inevitably shapes the possible options for progressing the Plan to adoption”*. Havant Borough Council will be in a much stronger position than Tandridge District Council, having accepted the Inspectors’ conclusions and initiated preparation of a new plan quickly and not spent years and considerable resources defending a plan that is unsound and ultimately cannot be fixed through the Examination process.

Proposed reforms to the planning system

- 14 In August 2020 the Government [launched a consultation proposing fundamental reforms to the planning system](#). Most of the proposals were later replaced with a new set of comprehensive reforms to be taken forward through the Levelling Up and Regeneration Bill (LURB) and associated changes to the National Planning Policy Framework (NPPF). [The Government consulted on the proposed changes in December 2022](#) alongside a set of proposed policy changes to the NPPF which would be introduced ahead of the Bill. These earlier amendments are expected to be introduced in the Autumn of 2023 and will affect plans being prepared under the current system. In July 2023, the Government set out the direction of travel for the new, post LURB planning system, with a [detailed consultation on the new local plan process](#) and a [long term plan for housing](#).
- 15 The most relevant for the Spelthorne Local Plan, which is being prepared under the current system, are the proposed changes to the existing NPPF, due to be published this Autumn. However, the direction of travel for the new, post LURB system and the long term plan for housing provide some important contextual issues for the Council to consider in relation to the current plan.

Proposed changes to existing national planning policy

- 16 The main changes proposed to the NPPF as part of the current system (with regards to plan-making) are set out in Annex 1. Although these changes are not substantial in scale, they could have a significant impact on local plans in terms of how housing targets are reached and many LPAs are therefore waiting for confirmation of the changes before progressing their plans.

- 17 A key change proposed is around how the national [standard methodology](#) (SM) for assessing housing needs should be applied. Currently, there is an expectation that this should be treated as a minimum number provided it can be delivered within the wider policy objectives of the NPPF (see Paragraph 6 above). The proposed changes would delete the reference to ‘minimum’ and clarify that the SM target should be treated as an ‘advisory starting point’ and not a mandatory target which is currently how some LPAs (and Inspectors) have interpreted it.
- 18 In a [Ministerial Written Statement on the 6 December 2022](#) which introduced the consultation document, Secretary of State, Michael Gove, confirmed that the Government would be retaining the SM formula but stated the number should be *“an advisory starting point, a guide that is not mandatory”* and that it is up to *“local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area - be that our precious Green Belt or national parks, the character or an area, or heritage assets. It will also be up to them to increase the proportion of affordable housing if they wish.”*
- 19 This is not a change in national policy, however, as this policy position was [clarified in April 2021](#) when the Government responded to a consultation on proposed changes to the SM formula (the proposed changes to the formula were not then taken forward). This made it clear that this should be considered as a starting point for LPAs to determine their own local plan target – a ‘policy off’ number which may change after other national policies have been applied to give a ‘policy-on’ target for the local plan. The proposed changes in the December 2022 consultation document could therefore be considered as the revisions to provide clarity on this, as promised in April 2021 (see below).

*“Within the current planning system **the standard method does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF or our strong protections for the Green Belt. It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints. In order to make this policy position as clear as possible, we will explore how we can make changes through future revisions to the National Planning Policy Framework, including whether a renaming of the policy could provide additional clarity.”***

- 20 The December 2022 consultation document also makes clear that, for now, the methodology set out in the national [Planning Practice Guidance](#) (PPG) which provides the targets would continue to use the 2014 based household projections and not the later 2018-projections. The Government has, however, made a commitment to review the implications of new household projections based on the 2021 Census, which are due to be published in 2024. Many LPAs are concerned about this approach as, prior to the introduction of the SM for assessing needs in 2020, the PPG made it clear that **the most up to date information should be applied in ‘objectively’ assessing housing needs**. This was the position recently taken by the [Inspector examining the North Hertfordshire Local Plan](#) adopted in November 2022, although it should be noted that the plan was submitted for Examination before the SM was introduced so the objectively assessed need was based on the council’s own evidence.

“The Council says that the 2018-based OAN figure represents a meaningful change in the housing situation when considered against the OAN of 13,800 upon which the Plan as originally submitted was founded. I agree. It is a reduction of 2,300 dwellings, amounting to a change of around 17%. As I see it, this is significant, and I regard it to be meaningful in the context of the figures involved. Consequently, the original OAN figure of 13,800 is not justified, and I consider the OAN for North Hertfordshire to be 11,500 homes for the period 2011 to 2031.”

- 21 Several LPAs are now arguing that the later projections are a material consideration in setting the local plan target, regardless of whether these are applied universally to the SM or not. In Surrey, Mole Valley District Council is currently in the late stages of its Examination and has factored in the changes to the household projections as part of [its case to the Inspector for deleting all Green Belt allocations](#). The 2018-based target would result in an annual housing need of 195 compared to the 2014 based SM annual target of 458. Similarly, [Epsom and Ewell Borough Council has recently agreed to pause the work on its emerging local plan](#) (apart from some key workstreams) until the national picture is clearer, with part of its case being that the 2018 projections would significantly reduce the objectively assessed needs for the Borough from an annual need of 573 to 253.
- 22 Another proposed change to the NPPF in the December 2022 consultation document is to continue to emphasise the ‘brownfield land first’ approach to allocating sites in local plans. The changes confirm that Green Belt sites are only to be released where the LPA has concluded that there are exceptional circumstances but states that *“Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period.”* Again, this is more of a clarification of existing policy, as demonstrated in the [legal challenge on the Guildford Local Plan](#). The Judge in this case concluded that the case for exceptional circumstances (which could include meeting housing needs in full) is a matter of planning judgement and is one that only the decision-maker (i.e. the LPA) can make.

“There is no definition of the policy concept of “exceptional circumstances”. This itself is a deliberate policy decision, demonstrating that there is a planning judgment to be made in all the circumstances of any particular case. It is deliberately broad, and not susceptible to dictionary definition” “...exceptional circumstances can be found in the accumulation or combination of circumstances, of varying natures, which entitle the decision-maker, in the rational exercise of a planning judgment, to say that the circumstances are sufficiently exceptional to warrant altering the Green Belt boundary.” [see Para 66-72]

- 23 A further proposed change to the NPPF is to strengthen references around ‘beauty’ to re-enforce the Government’s priority to improve the overall quality and design of new development. The Government introduced the National Design Guide in 2019 and has since included several national policy requirements in the NPPF on design and quality, largely [in response to the Building Better, Building Beautiful Commission’s recommendations](#). The NPPF has since been amended to specifically refer to the National Design Guide and National Model Design Code and to the need for design policies in local plans to be *“developed with local communities so they reflect local aspirations and are grounded in an understanding and evaluation of each area’s defining characteristics.”* The NPPF further requires all LPAs to *“prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.”*

- 24 The latest proposed changes are aimed at further strengthening references to achieving ‘well designed and beautiful places’. An important proposed amendment to Paragraph 11 of the NPPF which sets out the framework for achieving sustainable development, states that any adverse impacts of meeting development needs in full should now include densities that are “*significantly out of character with the existing area*” (as demonstrated through design guides or codes).

Proposed reforms to the post LURB planning system and the Government’s long term housing plan

- 25 Although the latest proposals for reform, published in July 2023, will not directly impact on local plans being prepared under the current plan-making system, there are some important contextual issues which set the direction of travel for local plans. The Government’s long term plan for housing sets out the priorities for ‘levelling up’ the country and how these will inform the approach to housing delivery (and planning). Key points worth noting are:

- The focus will be on delivering an “urban renaissance” targeted at inner cities (with more Green Belt protection to help focus on the cities).
- More use of permitted development to maximise the potential use of brownfield urban sites (with the use of Design Codes!)
- Commitment to regeneration of town and city centres but through proactive engagement of local residents - “*Development should proceed on sites that are adopted in a local plan with full input from the local community, unless there are strong reasons why it cannot.*”
- Much more community engagement generally to secure well designed and beautiful places- “*To deliver housing anywhere, all new homes built will need to be accepted by the community- they will need to be beautiful, well-connected, designed with local people in mind and be accompanied by the right community infrastructure and green space. Communities must have a say in how and where homes are built.*”
- More funding to support LPAs, including increased planning fees, capacity funding and direct support.

- 26 The consultation on the proposed new plan-making system (to be introduced from 2024 onwards) sets out the need for ‘vision-led’ local plans that have been prepared proactively with local communities. The consultation document confirms that **all local plans being prepared under the current system must be submitted for Examination by 30 June 2025 and adopted by 31 December 2026.**

Implications for local planning authorities of the recent proposed planning reforms

- 27 The last three years of uncertainty in relation to changes being proposed to the planning system and timescales for their implementation has resulted in a significant number of LPAs pausing or withdrawing their local plans (see Annex 2). All are at different stages in the plan preparation process, with some already at Examination. In June 2022 [Castle Point Borough Council agreed to withdraw its local plan](#), despite the fact it had been found legally compliant and technically sound by the Planning Inspector. The Council was also under threat of government intervention for not having a local plan in place but felt that the plan that had been found sound by the Inspector was not the right plan for Castle Point. The Council is now preparing a new local plan. Neighbouring [Basildon Borough Council also withdrew its plan](#) in March 2022 as a result of the changing national policy landscape after three years at Examination, largely due to concerns about the housing target and implications for the Green Belt and Basildon Town Centre.

- 28 More recently, some councils have agreed a pause to their Examinations with their Inspectors until the outcome of the Government’s latest consultation on the NPPF is known. Mole Valley District Council submitted its draft plan for Examination in February 2022 with the first hearings taking place in June 2022. The Council was already proposing to meet 75% of the SM target which includes some Green Belt releases but, as a result of the proposed changes to the NPPF published in December 2022, the Council is now proposing to delete all Green Belt site allocations. [The Inspector has agreed an indefinite pause](#) to the Examination to allow the Council to fully take into account any changes as a result of the latest government policy, when published.

“Given the Council’s position, that it considers that changes to the NPPF based on the indicative changes to the NPPF for consultation published on 22 December 2022 may have implications for its Plan, and that the final NPPF changes are yet unknown, it seems reasonable to agree to the Council’s request. The extended pause will enable the Council to fully consider the implications of any revised national policy. However, it will inevitably delay the Plan’s adoption.”

- 29 Similarly, the Inspector examining the Solihull Local Plan has agreed a pause until the outcome of the Government’s consultation is known. The draft plan was submitted for Examination in May 2021 but in February 2023 the Council expressed concerns about the need to release Green Belt sites and about the housing target in light of the proposed changes to the NPPF. [The Inspectors agreed](#) that a pause in the Examination was the best course of action.

“...we note your request to provide an opportunity to consider the implications of revisions to the NPPF. Given that the proposed revisions are subject to consultation and may well change as a result, it would be appropriate to wait until the finalised version is published. With this in mind we propose a pause to the examination until the revisions to the NPPF have been finalised and published. We will reconsider the situation at that time, but it would seem likely that we would provide an opportunity for the Council and other interested parties to set out their position on the implications and way forward. As this may raise some fundamental issues, it is likely that further hearing sessions would be required and the discussion on some of the strategic issues would need to be re-opened. You will appreciate that this will inevitably involve some further delay to the process.

- 30 The Inspector examining the West Berkshire Local Plan [has also agreed to a pause](#) to the start of the Examination hearings but acknowledged this will delay the start for some months. However, the Council felt this was necessary as it has *“many new members that need to be brought up to speed on the Local Plan Review, which will guide development in our District for the next fifteen years.”* and that *“This is something that should not be rushed”*.

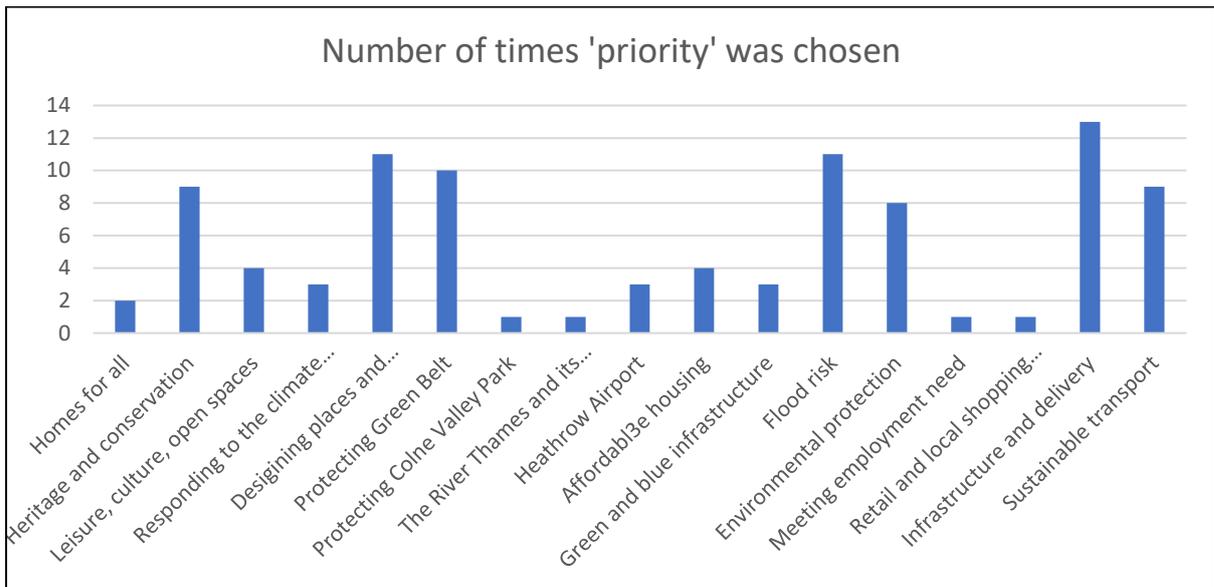
Implications of a General Election

- 31 The proposed new planning system which will be introduced following enactment of the LURB is expected to be implemented in late 2024/25. During next year there will be a General Election with a potentially different Government and a very different approach to planning reform. whilst it is important to acknowledge that this is a potential risk, it is very unlikely to impact on the current Spelthorne Local Plan. This review does not, therefore, provide any speculation or risk assessment that might arise from a new Government following a General Election.

Spelthorne Local Plan: Risk Assessment

- 32 At this stage in the process of plan preparation, there are three key questions that need to be answered;
- Is the plan legally compliant?
 - Is the plan technically sound?
 - Does the plan still provide the right strategy for Spelthorne in terms of the Council's priorities and the changing national policy context?
- 33 It is for the Planning Inspector to answer the first of these two questions through the Examination process and help the Council address any potential weaknesses, if possible, before the plan can be adopted. The last question is only one the Council can answer at this point. Local plans are expected to set out 'an appropriate' strategy, not necessarily 'the most appropriate' strategy, reflecting the fact that there are different choices and judgements to be made by the LPA depending on its own priorities for local communities. The worst case scenario would be that the plan is found sound and technically compliant at the end of the Examination process, yet the Council does not feel confident that the plan's strategy is the right one for Spelthorne, as happened in Castle Point and to a certain degree, Basildon (see Paragraph 27).
- 34 To answer the last question, the Council will therefore have to consider carefully the two main issues that appear to be at the heart of the concerns that have been raised throughout the consultation processes and have '*fractured communities*' and resulted in a '*plan that pleases no-one*', as captured in the Foreword of the Pre-submission Local Plan (see Annex 3). The first is the overall number of new homes the Council is being asked to deliver through the Government's formula and the second, which is linked to the first, is the spatial distribution set out in the plan, particularly in relation to the impact on Staines and on Green Belt. Even if the plan's strategy as currently proposed is found technically sound, the plan is just the start of the process and if some of the significant differences in views are not reconciled at this point (as far as possible), there is likely to be continued challenges in implementing the plan over the next 15 years and beyond. **It is therefore vital that the Council is confident that this is the right strategy to pursue for Spelthorne and its communities at this point in the process.**
- 35 Alongside the critical friend review, the Council has also recently undertaken a short survey of local residents' groups as a 'sense check' on what their priorities are, following the local elections in May 2023 which resulted in a significant change in councillors and new Leadership arrangements. The results of this are summarised in Figure 1 below and will be used to inform the officer's report setting out the next steps. These confirmed that the main concerns generally are around the impact of new development proposed on local infrastructure and more specifically, are around the major transformation proposed for Staines and the loss of Green Belt. A number of residents groups also highlighted concerns about the ongoing uncertainty of the plan-making process.

Figure 1: Summary of priorities from Residents' Survey (August 2023)



36 Three main risks have been identified as part of this review, all of which are related to the levels of development proposed in the plan and its spatial strategy (and distribution of growth). These are:

- The **lack of a clearly articulated long term spatial vision** for Spelthorne to help guide key issues, such as how much new housing could be accommodated without compromising other national priorities and objectives around improving overall quality of places, reducing flood risk and protecting the Green Belt.
- The **potential weaknesses in the approach to ensuring high quality development** across the Borough but particularly through the plans to transform Staines Upon Thames.
- The **impact the spatial strategy may have on the strategic role of the Metropolitan Green Belt**, particularly when the cumulative effect of local plans is taken into account.

A clear Vision for Spelthorne

“A strong vision provides a chance to agree on a future for a place without predetermining the means by which you will get there, it is the foundation of any policies or plans that follow. It allows for a much wider discussion than those we have in plan making and the process of setting a strong vision can be the best place to engage the public and others with a role in delivery and implementation. Asking any individual how they want a place to work, look and feel in 20-30 years allows for a wide ranging and creative process which doesn’t happen if you start the conversation with constraints and rules. The vision is what all policies and plans should be designed to deliver and yet it is often an afterthought, agreed only within the Council.”

[Anna Rose, Head of the Government’s Planning Advisory Service]

37 A clearly articulated vision for any local planning area is vital as this sets out how the area will be shaped over the next 15 years and beyond, what the priorities will be and how the plan’s policies and site allocations are expected to contribute to this. It tells the story of how a place will change

over time. In September 2021, the Council acknowledged the value of having a clearly articulated vision to provide important context for the emerging local plan and initiated work on developing one. However, [the need for a shared vision was rejected by the Council](#) in December 2021 and no further work has been done to develop a new vision for Spelthorne since then.

- 38 The Council’s Corporate Plan (2021- 2023) sets out five overarching priorities (CARES) but this does not include a long term vision for the Borough or any spatially specific priorities. This was identified in the November 2022 [Local Government Association Peer Challenge](#) as a weakness in relation to how the Council operates. The Peer Review Team concluded that *“Whilst there is a Corporate Plan that runs between 2021-2023 and covers relevant priorities and ambitions, there is now an opportunity to develop a longer-term vision and strategy to provide an agreed direction for the council beyond the elections in May 2023 and for which there is greater councillor leadership, supported by officers. The resulting strategy should have objectives that are outcome oriented and easily measurable in order to evidence that they have been delivered”*.
- 39 The Government has also recognised the need for much clearer place specific visions in local plans, developed in partnership with local communities. This will form a key plank of the new planning system once the LURB has been enacted. The July 2023 consultation document (referred to in Paragraph 14 of this report) states that *“A core component of plans is a vision, which should set out the main aims and objectives of the plan over the plan period. Visions can be an important means of setting the wider context and detailing the planning authority’s key aims and priorities, and to lay the foundations for a plan in a way that can be clearly understood by communities and other stakeholders before they engage with the full detail. However, visions in existing plans often fall short of these principles. They tend to be too long, generic and high level, and do not sufficiently capture the uniqueness of the places they describe or the views of the communities that they serve.”*
- 40 The Corporate Plan’s five priorities are repeated in the draft local plan to help set some context for the strategy. However, these are not considered to provide a clear long term vision for Spelthorne with objectives and priorities that are spatially specific to the different parts of the Borough. It is here, for example, you would expect to see what the Council’s ambition is for Staines and what the vision specifically means for the major transformation envisaged by the local plan, particularly as the Council has a significant vested interest through its own land and property assets, yet the Corporate Plan is silent on this. This could then provide a clear link between the corporate priorities, the local plan and the Staines Development Framework which is to be used to guide the transformation of the town.

Local Plan housing target

- 41 The [current local plan](#) (Core Strategy 2009) was prepared within the context of the regional spatial strategy (South East Plan) and set an annual housing target of 151 new homes. This reflected the significant constraints the Borough faces and was therefore based on an urban capacity approach. The Borough was considered one of the most constrained local planning areas in the South East due to its size, proximity next to London and Heathrow Airport, and its considerable national policy (e.g. Green Belt) and environmental constraints (especially in relation to the extent of water bodies).
- 42 The new local plan is being prepared within a very different context, with a very different approach to setting housing targets based on meeting the objectively assessed needs (OAN) of the Borough (and any additional needs of neighbouring authorities, where agreed through the Duty to Cooperate). The OAN of the Borough is set nationally with the detailed calculations and approach set out in national guidance (PPG). This provides an annual target of 618 for Spelthorne which is

over four times greater than the current plan proposes and therefore, inevitably, requires a very different strategy and some difficult choices if this is to be met in full.

- 43 The NPPF encourages LPAs to meet the target set by the SM as a minimum but, as set out in Paragraph 6 of this report, this has to be done in a way that does not compromise other national objectives and priorities. The Council has throughout the plan-preparation process, taken the view that the SM is effectively a 'rigid target' with little flexibility to deliver anything below this. As such, it has [written to successive Ministers and the local MP, Kwasi Kwarteng, on several occasions](#) to express its concerns as the plan has been prepared, stating that the scale of new development expected to be delivered will "*irrevocably change the face of Spelthorne*" [Letter to Robert Jenrick MP on 5th November 2019].

"...the concern is that the use of Green Belt, open spaces and high density development will adversely affect the special character of this borough forever. We are seeking to produce a Local Plan that meets our reasonable needs but without compromising the quality of life experienced by our communities. A reduction in the housing need we are expected to meet would give us more choice and control over which areas are developed and ease the burden on towns such as Staines upon Thames, which has seen a rapid increase in built and planned high rise developments in recent years."

[Letter to Kwasi Kwarteng MP from Ann Biggs (officer) on behalf of the Council, Sept 2021]

- 44 As a result, there has been a reluctant acceptance that there is no choice but to meet the target set through the SM in full which has therefore clearly framed any debate around the plan's strategy and spatial distribution as it has been developed, including through the formal consultations. This is the message local residents have been given throughout the process (see Annex 4) and could therefore have had a significant influence on the responses received.
- 45 This is not a criticism of the Council but is largely the result of a confused interpretation of national policy due to mixed messaging from the Government and in the way it has been applied through Examinations. This has not been helped by the significant instability in the plan-making due to changing proposals for reform over the last three years. Preparation of local plans is a very difficult technical and political process anyway, but has been made even more so by the constantly changing and confused national policy context.
- 46 Meanwhile, some councils have already attempted to interpret national policy more flexibly, the most recent of which has been Worthing. The local plan was adopted in March this year with an annual housing target of 230 compared to the SM target of 855 (meeting 26% of SM) after [the Inspector concluded](#) that the Council had "*done all it could realistically do to identify potential sites*". Although not yet found sound and still with significant issues to address, the Mole Valley Local Plan aims to deliver 75% of the SM (annual requirement of 340 compared to 458). Two further draft local plans are just about to be examined with less than the SM target proposed. [Crawley's Submission Local Plan](#) proposes 40% of the SM target (annual target of 314 compared to 745), despite help from neighbouring authorities, concluding that "*there is simply no space left*". Spelthorne's neighbouring authority, Elmbridge Borough Council, [has also just submitted its draft plan for Examination](#) with a proposed annual housing target of 465 which is 72% of the SM target (647) but is considered to be a significant boost to housing as it is double the current annual local plan target of 225.

- 47 All these areas have different challenges and councils have made different judgements as to how they interpret national policy, as well as how best to use the local plan to deliver their own place-making visions, without compromising the character and quality of their areas. They have also exhausted any possibility of their neighbours helping to meet any unmet needs through the Duty to Cooperate, as they are all in a similar situation. There is no guarantee that Mole Valley, Crawley or Elmbridge Local Plans will be found sound but the Worthing Local Plan clearly demonstrates that it is possible to have a sound plan that does not meet its needs in full (and any shortfall is not being met by neighbouring authorities). The most important factor in all of these cases is that, whilst the SM was considered a target they should aim to deliver, the final housing number has been assessed against other national policy requirements, the need to deliver a plan that is sustainable and will provide a positive place-shaping framework for their areas, and the need to demonstrate that they have considered all other reasonable options.
- 48 As well as how the SM is applied in developing a local plan target, there is provision within the NPPF for LPAs to [use their own formula to determine objectively assessed housing needs](#) under 'exceptional circumstances'. However this is limited to where there have been anomalies in the demographics used in the SM specific to the local planning area, for example, due to the impact of student populations in small cities, as evidenced by a [review by the Office of National Statistics](#) in 2021.
- 49 A final contextual issue impacting on debates about local plan housing targets is the concern that the SM targets are based on out of date demographic data as the formula uses the 2014 household projections and not the later 2018 projections. As referenced in Paragraph 20 in relation to the North Hertfordshire Local Plan, before the SM was introduced there was an assumption that the OAN would be based on the most up to date demographics. The Government has acknowledged that there is more up to date data but feels that the later projections due to be published in 2024 will provide a more accurate picture of trends, particularly in relation to migration and the early impact of the Covid Pandemic as these will be based on the 2021 Census.
- 50 Again, the Council has attempted to raise this issue with the Government, especially in relation to a previous government consultation on the SM formula which would have seen the OAN figure for Spelthorne reduced from 603 homes per annum to 489. The Council considered this still to be large but felt *"it represented a more proportionate level of need that we felt we could accommodate in the borough without causing significant harm to our towns and green spaces"* [see [letter from Cllr Jim McIlroy to Robert Jenrick MP](#), 12 January 2021].
- 51 It is clear from the consultations and supporting information, from the various letters to the Government and government officials, from the Forward of the Pre-submission local plan, that the Council feels it has been backed into a corner with the housing targets. What is not clear is whether the target set through the SM is something the Council would aim for (as part of a clear long term vision) anyway or whether there would have been a different approach and therefore a different spatial strategy, if the flexibility now being set out by the Government was much clearer as the plan was developed. To decide this and in the absence of a clear long term vision for the Borough, **the Council needs to be confident that the benefits of the proposed spatial strategy set out in the draft plan will outweigh any costs in terms of other national policy objectives and impact on local communities.**

Local plan spatial strategy

- 52 Much of the concern expressed by local communities throughout the plan preparation process has been about the proportion of new development being proposed in Staines as well as the use of Green Belt sites. Some of these concerns are clearly linked to the fact that local communities were advised that the target set through the SM was effectively mandatory. The pre-publication plan was the last time local communities were formally consulted and the Foreword stated that this is “for all practical purposes a rigid target”. This has inevitably caused friction between communities across different parts of the Borough, with concerns that ‘if they do not take it, we will have to’ or more specifically, if Staines does not accommodate a large proportion of the housing provision, more Green Belt land will need to be released.
- 53 From the evidence presented (and without undertaking a detailed analysis of the evidence), there are three key issues that the Council will need to address in relation to the spatial strategy before deciding what the next steps are for the plan and any potential consequences for the Examination process (these do not exclude other issues being identified, especially by the Inspector). These are:
- (1) The Green Belt
 - Is the case for exceptional circumstances to release (any) Green Belt in the Borough sufficiently robust having undertaken an updated cost-benefit analysis, taking into account the Government’s latest proposed clarifications to the NPPF, the additional weight being given to open land as a result of experience during the Covid Pandemic and increasing concerns about climate change and the need to take a long term view on building climate resilience?
 - Has there been sufficient consideration through the Duty to Cooperate to examine the impact of the proposed changes to the Green Belt, together with other authorities, on the integrity of the strategic role of the Metropolitan Green Belt?
 - (2) The role of Staines Upon Thames
 - Whilst Staines is the largest of the towns in Spelthorne, is the scale of transformation proposed for regenerating the town a direct result of the need to meet the SM target or is this something that the Council would have pursued regardless to help address housing needs and as part of its proactive approach to regeneration?
 - Can the significant issues around flood risk be properly mitigated to provide confidence that the future health, wellbeing and safety of residents, and the security of local businesses can be protected now and in the future?
 - Does the Staines Development Framework provide a sufficiently robust mechanism to ensure that that the design and quality of future development will protect the character and integrity of the town?
 - (3) Implications of not meeting the national set housing target in full
 - If the local plan target is reduced as a result of (1) and (2) and specifically because of the adverse impact on other national policies and priorities, is there sufficiently robust evidence to justify Main Modifications to the current draft plan or would this have too great an impact on the plan’s strategy to be ‘fixed’ through the Examination process?

The Green Belt

- 54 The case for releasing Green Belt as part of the Spelthorne Local Plan is set out in Local Plan [Topic Paper 3](#). This refers to the process for deciding whether there are 'exceptional circumstances' for releasing Green Belt. [Paragraph 141 of the NPPF](#) makes it clear that before deciding whether there are exceptional circumstances, the LPA must consider whether maximum use of brownfield sites has been used, whether the optimisation of densities has been made and all options for neighbouring authorities helping has been exhausted. However, although perhaps implied by the NPPF, it does not stipulate that Green Belt must be released to meet development needs if these other options have been exhausted. It is at this point that the Council should do a full cost-benefit analysis of other factors in order to satisfy the requirements of Paragraph 11 of the NPPF. This is one of the main reasons the Government has proposed amending the NPPF, to clarify any misunderstandings that, as made clear through the Guildford Local Plan Legal Challenge mentioned in Paragraph 22, it is then a matter of judgement as to whether Green Belt should be released to meet development needs that cannot be met otherwise.
- 55 The overarching case for exceptional circumstances set out in Topic Paper 3 concludes that land from the Green Belt is required to meet needs but particularly to meet the specific needs of family and affordable housing, for Gypsies and Travellers, and for community uses. The case for releasing the specific sites is set out in the [Officer Sites Assessment](#). In total 15 Green Belt sites are proposed allocations in the plan, providing an estimated 855 new residential units, together with community facilities, including a sixth form college and community centre. In most cases, the sites proposed are within areas that are considered to be 'strongly performing Green Belt', as defined in Stage 1 of the [2018 Green Belt Assessment](#) undertaken by consultancy ARUP. However, all sites were then subject to a second and third review stage to refine the selections at which point most were considered to be weakly or moderately performing, with some also on previously developed land.
- 56 The evidence base to support the case for exceptional circumstances appears to be comprehensive. However, there is only one Green Belt around London (the Green Belt in Spelthorne is part of the Metropolitan Green Belt within and surrounding London) and it is therefore important that the overall strategic integrity and role of the (Metropolitan) Green Belt is not undermined by individual LPAs taking radically different approaches. This was an issue identified by the [Inspector examining the Runnymede Local Plan](#) who concluded that *"the longer-term needs can best be addressed by a Surrey-wide approach, as committed to by the planning authorities. This will enable full account to be taken of the nature of the Green Belt in Runnymede and other districts and its importance in protecting the regional function of the wider Green Belt."*
- 57 This was also an issue identified through the last review of [the London Plan](#) which does not propose any release of Green Belt within London. [The Inspectors examining the 2019 London Plan concluded](#) that *"Any exercise [to review the MGB] should consequently take account of cross-boundary issues relating to the coherence and durability of the Green Belt on the periphery of the capital as well as across London itself. Therefore, a key part of an effective review in London is likely to involve joint working and positive engagement with adjoining authorities and boroughs."*
- 58 The London Plan also acknowledges the multi-functional value of land within the Green Belt, beyond its primary roles, even where the land is of poor quality. The supporting text of the plan states that *"Openness and permanence are essential characteristics of the Green Belt, but, despite being open in character, some parts of the Green Belt do not provide significant benefits to Londoners as they have become derelict and unsightly. This is not, however, an acceptable reason to allow development to take place. These derelict sites may be making positive contributions to biodiversity, flood prevention, and climate resilience."*

- 59 The Greater Manchester joint local plan (Places for Everyone) also promotes the multi-functional value of Green Belt land, recognising that if it has a Green Belt policy designation to protect it, all efforts should be made to sweat its wider assets (or potential assets). [This is in the final stages of the Examination](#) process but the Inspector has supported a Main Modification to the policy framework which states that *“Development which involves the removal of land from the Green Belt (including allocations proposed in this plan) will be required to offset the impact of removing land from the Green Belt through identifying and delivering compensatory improvements to the environmental quality and accessibility of remaining Green Belt in the vicinity of the site.”*
- 60 There is currently no mechanism within the current planning system that facilitates a strategic review of the Metropolitan Green Belt, beyond the collaboration envisaged through the Duty to Cooperate. It is therefore down to each individual LPA to make their own judgement calls on whether the benefits of releasing Green Belt outweigh the costs and these will inevitably be different depending on the local priorities identified. In the context of the latest proposed changes to the NPPF, however, the weight given to the different factors that have influenced the case for exceptional circumstances may have changed, with meeting housing needs in full no longer an automatic trigger for Green Belt release, as it has been interpreted by many LPAs and by some Inspectors.
- 61 A new cost-benefit analysis should therefore be considered in order to inform any decision to retain or change the current strategy. This may result in the same decision as currently, that the benefits of releasing Green Belt in Spelthorne continue to outweigh the costs, particularly in terms of provision of affordable housing and other community benefits. It should be made clear in the plan and to local communities that this then sets the extent of the Green Belt for the duration of the Local Plan and that it will not be reviewed again as part of the five yearly review of the Local Plan. Compensatory measures to maximise the multi-functional value of Green Belt should also be considered, anchored in the local plan but with further detail with regards to implementation set out in the Green and Blue Infrastructure SDP which is currently being scoped by officers.

The Role of Staines

- 62 A large proportion of the Spelthorne’s development needs will be met in Staines, with over 50% of the proposed new housing allocated on sites within the town. Staines is the largest town in the Borough and therefore inevitably has the greatest opportunities to meet development needs. However, local communities have consistently expressed considerable concerns about the scale of proposed new development which will transform the character of the town. Concerns have also been raised about the potential flood risk, although, at the time of reporting, the final outcome of the latest Strategic Flood Risk Assessment (SFRA) was not available and the environment Agency had yet to sign a Statement of Common Ground with the Council.
- 63 Putting to one side any potential soundness issues identified by the Inspector through the Examination process, the key question for the Council is whether the significant growth of Staines and the major transformation envisaged by the local plan is a direct result of the approach taken to meeting the housing target set through the SM or whether this is something the Council would have pursued regardless. If it is the former, the Council will need to decide whether the change envisaged is still the right approach for Staines, especially in relation to delivering the right type of development and the impact on the character. If it is the former, the Council will need to be confident that the right tools are in place to ensure it is delivered in a way that improves the overall quality of Staines as a place to live and do business.

- 64 In order to reduce the impact of development on the town and ensure as far as possible that it provides positive outcomes in terms of design and quality, the Council has prepared the [Staines-Upon-Thames Development Framework \(SDF\)](#). This is supplementary planning guidance and is therefore not part of the statutory local plan but will be a material consideration for planning applications. As such, the Council has submitted it as part of the Core Documents being examined by the Inspector.
- 65 The Government has put a great deal of weight on good design principles through the NPPF, the National Design Guide and National Model Design Code to support Councils in achieving high quality places. As set out in Paragraphs 23 and 24 of this report, further changes are being proposed to the NPPF to emphasise the importance of this, making it a requirement that all LPAs have design codes for their areas. A strong and clear approach to design in local plans is essential for Councils to be able to push back on poor design at the application stage but is also important for applicants as it reduces risks of having an application refused. Key to the success of this is having a clear vision for places that has been developed with local communities. It is local residents that know their area best, especially in relation to how it functions as a place but they will also have to live with any changes as the plan is implemented. Strong collaboration with communities (residents, businesses and stakeholders) is therefore vital in both the development of any design codes and as the plans are implemented.
- 66 There is no doubt that the scale and height of development envisaged in the plan and the SDF will transform the town into a very different place with a very different feel. Getting the future of Staines right will however, be a vital measure of the plan's overall success given that it is the main town in Spelthorne and is expected to deliver a significant proportion of the overall development proposed. Ensuring that development contributes positively to making it an attractive place with a thriving town centre is not only essential for the residents and businesses within Staines but will benefit all residents, as well as those working and visiting the Borough. A key concern highlighted through the critical friend review was the weaknesses in the tools that would enable this to happen, both in terms of the local plan policy framework and especially the (draft) Staines Upon Thames Development Framework. Underpinning this concern was the apparent lack of effective engagement with local communities in relation to the major transformation of Staines proposed in the plan. Residents know the town best in term of how it looks, functions and feels and will have to live with the consequences of the plan, yet there was virtually no engagement (outside of the formal consultation process) on the Development Framework as it was prepared.
- 67 It is clear that the SDF has not been prepared collaboratively with local communities and engagement was very limited. Supplementary planning documents are not subject to the same rigorous rules around consultation and engagement that local plans are, there was therefore no commitment in the local plan [Statement of Community Involvement](#) around what level of engagement local communities affected by the proposals could expect to see. Prior to the development of the SDF, the Council consulted on objectives and options for the transformation and regeneration of the town. [Two reports were published](#), setting out the responses, a detailed analysis prepared by officers and a summary of the responses by the consultants preparing the SDF, David Lock and Associates. It was clear from those responses that there were considerable concerns about tall buildings, particularly as the Council had already been facing speculative development proposals for developments that were much higher than many other buildings in the town and that the transition between low density, characterful areas was not being sufficiently considered nor managed.

- 68 Higher density development in town centres like Staines is inevitable as this offers the greatest opportunity for delivering sustainable development due to use of brownfield sites and accessibility to public transport and other forms of sustainable travel. However, high density does not necessarily mean tall buildings and has to be well designed, addressing other concerns, including mitigating the impacts of climate change and managing flood risks, all of which are captured within the strategic policies in the plan. Putting aside any outstanding concerns about flood risk in the town centre, the greatest ‘fear factor’ amongst residents is that the plan and SDF will result in a large number of very tall buildings which will negatively impact on the character of the town and that there is nothing robust either in the plan (through draft Policy PS2), in draft Policy SP1 for Staines or in the SDF to prevent this. Whilst the zoning approach set out in the SDF provides some clarity around what height new buildings would be acceptable in different parts of the town, it does not help local residents and businesses to understand what this will look like in practice, or offer alternative high density models.
- 69 The Inspector examining the draft local plan has already stated (during the first hearings in May) that more should be included within the plan itself to provide a more robust approach for decision-making. However, this is unlikely to be sufficient to ensure that the plan and the SDF provide sufficient teeth to ensure high quality development in the town. To assess the potential risks with this, a high level critique of the SDF has been undertaken. This was done by experienced architect, Andy von Bradsky, who is the Government’s former Chief Architect and was responsible for developing the national approach to design and has since been working with several LPAs, helping them to develop their approach to Design Codes.
- 70 Although this was not a formal review of the SDF, the critique has highlighted some concerns about the policy and guidance framework which would weaken the Council’s ability to ensure high quality transformation of the town. The Council needs to have the right tools available to be confident in saying that development is good enough to permit. As part of any option going forward, the Council should therefore seriously consider a full review of the SDF and how this could be strengthened. Some suggestions from the informal critique undertaken for improving the overall approach include:
- Articulate a clear Vision for the town centre
 - Strengthen the character appraisal – define ‘Staines-ness’
 - Address conflict between respecting existing character and the proposed transformation of the town through increased density and height
 - Address loosely described expectations to provide more definitive requirements, for example, the use of ‘must’ instead of ‘should’, ‘could’ or ‘expected’
 - Define what ‘high rise’ is in terms of design – the SDF currently just refers to heights constraints
 - Determine density by standards for open space and private amenity, car parking etc
 - Clarify expectations for architectural character and local identity
 - Strengthen sustainability requirements, climate change, energy and carbon reduction
 - Strengthen active travel requirements, reference to the [Healthy Streets for Surrey Design Code](#)
 - Evidence community engagement in developing the framework
- 71 In the absence of clear design and quality criteria, the town centre will continue to be developed to the maximum height and density that the SDF permits, with consequent loss of local character and identity, loss of diversity of housing typologies and mix, and the impact this may have on quality of life of existing and new residents.

- 72 Officers have indicated that there will be an opportunity to develop design codes for local areas, working closely with the local communities, after the plan has been adopted but that Staines is unlikely to be a priority because the SDF has already been prepared. However, given the weaknesses identified in the approach set out in the SDF (and local plan policy framework) and the consistent concerns raised by residents who will have to live with the consequences of the plan, **the Council should consider escalating work on design codes and prioritise Staines, particularly as the SDF is a good starting point to develop further and faster, and upon which the majority of new development in Spelthorne will depend.**

Conclusions

- 73 It is always better to have an up-to-date local plan in place as it will give the Council more control over where development goes and how it is delivered. This will help protect Spelthorne from speculative and unwanted development; will reduce uncertainty for local residents in how their communities will change over time; will provide stability and certainty for stakeholders who have a role to play in the plan's implementation, especially in relation to infrastructure delivery; and will build confidence in Spelthorne as a place to invest in. The objective should therefore be to get the plan through the Examination process and adopted as soon as possible.
- 74 However, **it has to be the right plan for Spelthorne** and, as the elected representatives of the local communities in the Borough, this is a judgement that only the Council can make. The Council needs to own the plan and be confident that the plan that comes out the other end of the process is the plan it would like to see shape Spelthorne over next 15 years and longer as a place to live and work. Vitally, the Council will have to be confident that it will improve the quality of Spelthorne as a place and not *"as a less attractive place to live"* as stated in the Foreword of the Pre-submission Plan.
- 75 According to national policy, the purpose of the planning system is to achieve sustainable development. Within this context, a local plan's role is to provide a place shaping strategy that delivers 'good' growth, enabling positive outcomes for people and places. Although it will inevitably result in changes to existing places and more development, the ambition should be to meet the needs of the areas and local communities, especially in relation to new homes, whilst improving the overall quality of the built and natural environment. The key conclusion of the critical friend review is that the Spelthorne Local Plan, as currently drafted, does not provide sufficient confidence that this can be achieved.
- 76 To keep the plan within the Examination process, any proposed or potential major changes to the plan will have to be framed within the context of 'soundness issues' in order for the Inspector to agree Main Modifications. This might be made easier if the Government confirms its proposed changes to the NPPF, due this Autumn. However, if this is not possible because the proposed changes are not addressing issues of soundness or the changes needed are too fundamental to the strategy, it is very likely that the plan will have to be withdrawn and a new plan prepared and resubmitted. If this happens, the risks of speculative development applications that do not fit within the Council's vision and objectives for Spelthorne are likely to be higher. The material weight given to a local plan increases with each stage in the preparation process, therefore a plan that is at Examination stage carries more weight than one that is still to be submitted.
- 77 There is also a significant risk that, even if a new draft plan can be prepared and submitted relatively quickly, the Planning Inspectorate will not be able to deal with it quickly (and it is likely to be a different Inspector), especially if there is a flood of local plans being submitted for Examination when there is clarity around national planning reforms later on this year and to meet

the 30th June 2025 deadline. That said, the Inspector should take a pragmatic view to any proposed changes and, as we have seen for other councils, there has been an acknowledgement that the current proposed changes to the NPPF are important context for considering soundness issues.

- 78 Key to deciding what changes (if any) are needed, the Council will have to take a view on whether the changing national context with regards to the housing targets provides sufficient flexibility to take a different approach. If the answer is yes, the Council will then have to decide what changes are necessary and how much these are likely to change the overall strategy of the plan. Regardless of whether these can be addressed as Main Modifications to the plan or not, further work would have to be undertaken to inform both overall development needs and any consequential changes to the spatial strategy, as well as on wider issues such as the viability of the plan. This would require a delay to resuming the Examination Hearings and if the scale of proposed change is significant, the Inspector could recommend that the Council withdraws the plan and resubmits a new version rather than enter into a protracted Examination process.
- 79 Three suggested options for the plan are set out below but these will have to be considered more fully by Members alongside a full risk assessment and management plan (prepared by officers), including any legal considerations sought by the Council. All options aim to address the key risks to different degrees, are considered to be credible and are accompanied by suggested risk management measures. However, **a preferred option has not been recommended as all three have different degrees of risk and it will be for the Council to decide the weight given to them and therefore what this means in terms of the next steps.**
- 80 It is also important to note that Options 1 and 2 do not take into account any issues of soundness (or legal compliance) identified through the Examination process which would need to be addressed. A particular issue already highlighted is the potential flood risk in Staines which has yet to be resolved between the Council and the Environment Agency. This could have a major impact on the overall strategy for the plan as over half of the new housing proposed is currently planned for Staines. For all three options, the Council will have to discuss the implications of the preferred approach with neighbouring authorities and the relevant statutory consultees under the Duty to Cooperate.

Suggested Options

OPTION 1: Continue with the plan as drafted but introduce robust risk management measures to help address some of key risks identified in the review.

If the Council believes that the plan, as drafted, could be amended (through Main Modifications to address issues of soundness or legal compliance) with appropriate risk management measures to mitigate some of the key concerns, the Examination process should be resumed as soon as possible, following discussion with the Inspector.

Pros:

- This would allow the Council to potentially make some changes (Main Modifications) to the current draft plan to mitigate some of the key risks without withdrawing it from Examination and therefore ensure it is adopted as soon as possible, minimising the risks of speculative development.
- This would help maximise the Council's ability to manage implementation of the plan effectively in relation to quality of new development (provided suggested risks management measures are implemented), infrastructure delivery and other community benefits.
- This would provide much more certainty for residents.

- Although additional resources would have to be invested in some of the suggested risk management measures (particularly in relation to developing a more robust approach to design and quality and to community engagement) this would be much more cost efficient than preparing a new plan.

Cons:

- This would not address some of the key issues of concern raised by residents, particularly in relation to use of Green Belt and the impact of development on Staines, and opposition to the plan as it is implemented is likely to continue and impact on relationships between the Council and local communities.
- The Council may conclude later on in the Examination process that the risk management measures are not sufficient to overcome concerns about the plan being the right plan for Spelthorne and the plan would then have to be withdrawn (see Option 3). It is highly unlikely in this case that a new plan could be prepared and submitted by the Government's deadline for plans under the current system (30th June 2025), due to the time lost in coming to this conclusion.
- The Inspector might conclude that the proposed changes to the plan cannot be managed through Main Modifications (i.e. they are not addressing issues of technical soundness or legal compliance) and the Plan would have to be withdrawn.

Should the Council be minded to implement Option 1, it is recommended that a clear risk management plan is prepared and discussed with the Planning Inspector as soon as possible. Suggested risk management measures could include:

(1) Develop a strong, coherent Vision for Spelthorne.

Although it is unlikely to be possible to retrofit this into the plan's strategy at this stage in the process, an immediate priority should be to **develop a corporate 'Vision for Spelthorne' setting out the Council's priorities and how these will be managed**, as recommended by the recent Local Government Association Peer Challenge. This should be 'outcome focused' with clear objectives around addressing climate change, meeting the different needs of different communities, improving health and wellbeing and maximising the potential of the high quality environment. The vision could then be used to guide implementation of the current local plan (and any supplementary guidance documents) and to frame any future review.

In order to develop the vision and to support implementation of the plan, **a much more effective mechanism for engaging local communities should be established**, for example, citizens assemblies or other similar formalised structures. The initial priority should be to focus on the relationship between the Council and residents of Staines to support the additional work needed to strengthen the draft Staines Development Framework (see 2 below). Over half of the new development proposed in the plan is expected to be built in Staines and any future applications will inevitably be contentious, therefore it is essential that the relationship between Council and residents is based on trust and positive collaboration as the plan is implemented. The Council should also explore opportunities for building stronger collaboration between the Council and other stakeholders, particularly developers. This would be a prerequisite for developing new design codes for Staines, as suggested in (2) below.

The **new vision should also be embedded into the Local Plan Monitoring Framework** which should set out how local communities and stakeholders are to be engaged in the implementation of the plan. It is the existing residents that will have to live with the changes to Spelthorne and are in the best position to monitor implementation, ensuring it is delivering what it says it will and to highlight where it is not.

(2) As a matter of urgency, develop a more robust approach to quality and design through the use of Design Codes with initial priority given to Staines Upon Thames.

Officers have indicated that new Design Codes will be developed as part of the Plan's implementation after it has been adopted. Currently, the intention is that Staines would not be a priority given that the Staines Development Framework Supplementary Planning Document has already been prepared (in draft). However, as part of the critical friend review process, an informal and high level critique of the draft Development Framework (by the Government's former Chief Architect, Andy von Bradsky) has been undertaken. This has highlighted a number of weaknesses in the Framework as currently drafted, with the conclusions that it is unlikely to be sufficiently robust for the Council to ensure that the major transformation of Staines will deliver positive outcomes in terms of design and quality. In order to manage the risks associated with this, the following measures (as a minimum) should be implemented:

- The Council should accelerate the timetable for work on design coding with Staines being treated as a priority. This could be done through the further development of the draft Staines Development Framework which is considered to provide a good starting point. The current draft Framework should not be adopted until this additional work has been undertaken.
- Draft Policy SP1 (Staines Upon Thames) and supporting text should be modified to strengthen references to the design and quality of new development (through design codes) and community engagement in relation to implementation and monitoring of the policy framework and SDF.
- Further thought should also be given as to how the wording of Policy SP1 could be amended to ensure that, whilst the SDF is developed to include new codes which would ensure that new development contributes positively to Staines, limits would be placed on the heights of new buildings that are considered to be significantly out of character with the existing town.
- Draft Policy PS2 (Designing Places and Spaces) should be modified to strengthen references to design and quality through design codes and the role of design panels. The Council should consider making it mandatory for design panels to be included in all major developments (as defined through design codes or other guidance).
- The language used in Policy PS2 and in the Staines Development Framework should be more definitive in relation to what is being asked for (e.g. use of 'must' instead of 'should' where specific outcomes such as height, density, amenity space and parking arrangements are considered essential to deliver high quality outcomes).
- A Staines Citizens Assembly or similar model for engaging local communities more proactively on an ongoing basis should be established as a matter of urgency to support the implementation of Policy SP1 and the SDF. It is local communities that will have to live with the consequences of the plan and are also best equipped to advise on how Staines feels and functions as a place which should be core to any approach to design.
- The Council should commit to leading by example, with positive community engagement in all council owned development proposals in Staines and to using design panels as part of this process.

(3) Develop a more robust approach to protecting the Green Belt

Although this option is unlikely to sufficiently address concerns raised by residents about the loss of Green Belt, some risk management measures should be implemented to allay any fears about the further erosion of the Green Belt across Spelthorne. These should include:

- Modification of draft Policy SP4 (Green Belt) and supporting text to make it clear that, once the proposed changes to the Green Belt have been implemented through the current plan, the new boundaries will endure for the long term i.e. they will not be reviewed within the lifetime of the current plan's strategy (15 years) or until a strategic review of the Green Belt has been undertaken with partners.
- Changes to Policy SP4 should be made to include reference to the multi-functional value of Green Belt and set out how this will be managed, including how poor quality Green Belt land could be improved (e.g. measures for improving the quality and multi-functional value of Green Belt land should be

included in the Green and Blue Infrastructure SPD currently being prepared, with reference to the emerging [Surrey Local Nature Recovery Strategy](#)).

- Proactively engagement with neighbouring authorities, especially within Surrey, to agree a shared position on the future of the Metropolitan Green Belt and its strategic role as soon as possible.

OPTION 2: Seek a further pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before agreeing next steps.

A number of local planning authorities have paused their plan-making process until there is more clarity around some of the key proposed amendments to the NPPF, particularly in relation to housing targets and use of Green Belt to meet housing needs. In some cases (e.g. Mole Valley and Solihull), Inspectors have paused local plan examinations to allow for this as it will impact on how soundness issues are assessed. For example, if the Government confirms its proposed changes to the NPPF with regards to how housing targets in local plans should be set and the use of the Green Belt, potentially major changes to a local plan could be made to reflect these in the context of ‘soundness’.

Option 2 is similar to Option 1 as it relies on keeping the existing draft plan in the Examination process but would require a further pause in the process to allow time to take the forthcoming amendments to the NPPF fully into account. The key risk associated with this option is that it may become evident following a further pause that the changes needed to address concerns or soundness issues are too great to be managed through Main Modifications and the plan would have to be withdrawn. This would then risk being able to prepare a new plan and still meet the Government’s deadline of 30th June 2025 for submission of plans under the current planning system.

Pros:

- This would allow the Council to potentially make some changes (Main Modifications) to the current plan’s strategy and approach to housing without withdrawing it from examination, providing these can be agreed with the Inspector.
- This would help balance the need to respond to some of the greatest concerns by local communities (around housing numbers and Green Belt) with the need to get an up to date plan in place as soon as possible.
- This would help maximise the Council’s ability to manage implementation of the plan effectively in relation to quality of new development (provided suggested risks management measures are implemented), infrastructure delivery and other community benefits.
- Although additional resources would have to be invested in some the suggested risk management measures (particularly in relation to developing a more robust approach to design and quality and to community engagement) this would be much more cost efficient than preparing a new plan.

Cons:

- Further work would need to be undertaken to ensure a robust case is made for any proposed Main Modifications which would inevitably result in a delay to the adoption of the plan and therefore increase the risks of speculative development, particularly on sites currently allocated in the plan.
- This would continue a period of uncertainty for local residents.
- This could risk delivery of key infrastructure and other community benefits currently proposed in the Plan if the strategy is changed.
- The Inspector might conclude that the proposed changes to the plan cannot be managed through Main Modifications and the Plan would therefore not be found sound and would need to be withdrawn. The additional time delay is likely to mean that a new plan could not be prepared and submitted in time to meet the Government’s 30 June 2025 deadline for plans prepared under the current system.

Should the Council be minded to implement Option 2, it is recommended that a clear risk management plan is prepared and discussed with the Planning Inspector as soon as possible. In addition to the suggested risk management measures to support Option 1 which equally apply to Option 2, the Council should commence work immediately to explore whether the proposed changes to the NPPF would result in reconsideration of the housing target and/or spatial strategy, to ensure that the Council has a clear position to discuss with the Inspector if the proposed changes to national policy are confirmed (including any provisional timescales for undertaking the additional work).

OPTION 3: Withdraw the draft local plan from Examination and prepare a new local plan

Before choosing any option, the Council must be satisfied that the draft plan will deliver positive outcomes for Spelthorne, making it a better place to live and work. If the Council is not confident that this can be achieved, or could be achieved through Main Modifications to the plan and/or with the appropriate risk management measures put in place, then it is unlikely that the draft plan could be amended sufficiently through the Examination process to address key concerns. Proceeding through the Examination with a plan that is ultimately 'unfixable' would risk it being withdrawn at a much later date, with valuable time being lost. It is unlikely under this scenario that a new plan could then be prepared and submitted before the Government's deadline of 30th June 2025 for local plans being prepared under the current system. Option 3 is therefore for the Council to withdraw the current draft plan from Examination and prepare a new plan as soon as possible.

Pros:

- This would allow the Council to develop a much clearer, vision-led plan for Spelthorne, developed collaboratively with local communities.
- The opportunity could be taken to strengthen the plan in relation to emerging policy and practice around improving design and quality of development, addressing climate change/ achieving 'net zero' and supporting nature recovery, which are either new national objectives or are subject to new and developing practice since the current plan was drafted.
- If withdrawn immediately, a new local plan could potentially be prepared and submitted before the deadline of June 2025 for submission (if a new 'preferred option' plan is prepared).

Cons:

- This would almost certainly open Spelthorne up to increased risk of speculative development, especially for sites currently allocated in the draft plan.
- This would continue the period of significant uncertainty for local communities and open up more uncertainty for communities that are currently content with the draft plan, especially those communities that are relatively unaffected by the plan's proposals and site allocations.
- This could risk delivery of key infrastructure and other community benefits and would require discussions with key stakeholders and infrastructure providers as a matter of urgency to explore any implications regarding delivery.
- This would be the most expensive option, although the financial costs would have to be weighed up against any potential benefits to local communities from the new plan and a more effective approach to engagement.

Should the Council be minded to implement Option 3, it is vital that the plan is withdrawn from Examination as soon as possible and does not delay initiating work on the new plan to ensure that it can be resubmitted for Examination before the Government's deadline of 30th June 2025. Suggested risk management measures should include:

- (1) **Setting out a new timetable and project plan for local plan preparation** with a realistic assessment on whether the new plan could be submitted before the Government's proposed deadline. This

should be shared as soon as possible with neighbouring authorities to explore any issues relating to the Duty to Cooperate, and with the Department of Levelling Up, Homes and Communities, reducing the (small) risk of government intervention.

- (2) In line with the recommendations in the LGA Peer Challenge of the Council which took place in November 2022, the Council should work with local communities across the Borough to **develop a clearer 'Council Vision'** for Spelthorne with clear spatial context that could be used to guide preparation of the new local plan.
- (3) **Establishing a much more effective and positive mechanism for engaging local communities** in the preparation of the new local plan, for example, citizens assemblies or other similar formalised structures.
- (4) **Working proactively with stakeholders** (developers, infrastructure providers, government agencies) to minimise the risks to infrastructure delivery and of speculative development.
- (5) **Implementing work on design codes or other suitable design guidance**, working in collaboration with local communities. The initial focus should be on ensuring that the draft Staines Upon Thames Development Framework is more robust and is adopted as a supplementary planning document as soon as practically possible.
- (6) **Establishing a clear, shared position on Green Belt with neighbouring authorities** which considers the strategic role of the Metropolitan Green Belt and assesses the multi-functional value that Green Belt sites offer (or could offer), working in close cooperation with Surrey County Council as the new Local Nature Recovery Strategy is prepared.

Catriona Riddell/ 28 August 2023

ANNEX 1: Proposed changes to the National Planning Policy Framework (set out in the [consultation document](#) of December 2022).

- **Changes to Examination Tests of Soundness** (LPs need to be *positively prepared, justified, effective, consistent with national policy*):
 - To take out reference to objectively assessed needs being treated as a ‘minimum’.
 - To delete explicit reference to the need for agreements with neighbouring authorities around meeting any unmet needs.
 - To delete the test that requires local plans to be ‘justified’.
- **Clarification on how the standard methodology for assessing housing needs should be treated** - although the Government has confirmed its commitment to delivering 300,000 new homes a year, the consultation document makes it clear that the SM is an advisory starting point for developing the local plan housing target as it needs to take account of the wider policies within the NPPF. No changes are proposed to the standard methodology for assessing needs although an update to underpinning demographics is expected in 2024. Some councils are continuing to challenge this particularly because the 2018 based projections reduce the overall needs nationally and for many places, largely as a result of assumptions on immigration.
- **Continued emphasis on ‘Brownfield First’ approach** with clarification that it is up to the individual LPA to decide whether meeting housing needs is an ‘exceptional circumstance’ for releasing Green Belt – it is not down to national policy to dictate – *“Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period.”*
- **Increased emphasis on ‘beauty’** – *“Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, (to ensure outcomes support beauty and placemaking)...”* ‘Beauty’ references also added into a number of other sections throughout the NPPF. New reference to in Paragraph 11 to acknowledge that high density development out of character with existing places could be considered as a reason for not meeting full housing needs – see proposed changes to Paragraph 11 below.
- **Changes to housing delivery tests** (5 year housing land supply and Housing Delivery Test) to support local authorities with up-to-date local plans.
- **Increased emphasis on delivering more diversity in housing** e.g. more specialist homes for older people, more small sites, different types of affordable housing.

Proposed changes to Paragraph 11 of the NPPF

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; ~~or~~
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; such adverse impacts may include situations where meeting need in full would mean building at densities significantly out of character with the existing area⁸; or
 - iii. there is clear evidence of past over-delivery, in terms of the number of homes permitted compared to the housing requirement in the existing plan; in which case this over-delivery may be deducted from the provision required in the new plan.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

ANNEX 2: Impact of changing planning reform on local plan progress

Local Plans (formally) stalled, delayed or withdrawn due to uncertainty around planning reform*

Ashfield	Sandwell
Basildon – withdrawn at Examination	Slough
Basingstoke & Deane	Solihull – paused at Examination
Bournemouth, Christchurch & Poole	South Kestevan
Castle Point – withdrawn post Examination	South Norfolk
Central Bedfordshire	South Staffordshire
Chelmsford	St Albans
Cherwell	Stockport
Cotswold	Surrey Heath
Dacorum	Swale
Dorset	Swindon
Dudley	Thanet
East Devon	Three Rivers
East Hampshire	Uttlesford
Epsom & Ewell	Vale of White Horse/South
Gedling	Oxfordshire
Gravesham	Walsall
Havant – withdrawn at Examination	Wealden
Hertsmere	Welwyn Hatfield
Hinckley & Bosworth	West Berkshire – agreed revised start date to Examination Hearings
Horsham	West Suffolk
Isle of Wight	Wolverhampton
Medway	
Mid Sussex	
Mole Valley – paused at Examination	
North Somerset	
Nuneaton & Bedworth	
Runnymede	

Latest state of play for local plan reviews in Surrey

Elmbridge – Draft Local Plan expected to be submitted for Examination in September following Council meeting in July (meeting 70% of SM target with no GB release)

[A pathway to a sustainable and thriving Elmbridge | Elmbridge Borough Council](#)

Epsom & Ewell – Reg 18 Local Plan published for consultation earlier this year but Council is now reviewing the timetable having paused formal progress as a result of the Government’s consultation on the NPPF [Agenda \(epsom-ewell.gov.uk\)](#)

Mole Valley – Currently at Examination but the Inspector has agreed an indefinite pause until things become clearer with regards to proposed changes to the NPPF. [Latest News and Updates – Future Mole Valley](#)

Runnymede – Council agreed (June 2023) to review existing local plan under new planning system to be introduced in 2024 [[Runnymede LDS Programme committee report 2023.pdf](#)]

Surrey Heath – Council agreed to postpone Reg 19 consultation (was due early 2023) until things become clearer with regards to proposed changes to the NPPF. [Agenda for Executive on Tuesday, 14th March, 2023, 6.00 pm | Surrey Heath Borough Council \(modern.gov.co.uk\)](#)

Tandridge – Council has been strongly advised by the Inspector to withdraw the draft LP as it cannot be made sound [[Local Plan 2033 - Tandridge District Council](#)]

* Uncertainty over planning reforms started with August 2020 Planning White Paper but most LPAs are responding to the 2022 reforms which were initiated by PM Liz Truss’ promise to “abolish the top-down, Whitehall-inspired Stalinist housing targets”. Also being impacted by updated demographic projections (2018 based) which see Standard Methodology targets reduced nationally (if applied!).

ANNEX 3 – Examples of how the Council has interpreted the NPPF with regards to housing targets

Pre-submission Spelthorne Local Plan 2022 – 2037: Foreword

Foreword

Spelthorne's Local Plan has been many years in the making, with many bumps along the road. The journey has not just been difficult and challenging, it has gone way beyond that. It has been divisive, bruising and at times unpleasant. It has fractured communities and turned councillors against each other. The reason for the acrimony is easy to discern: the government's brutal housing targets which eclipse everything else in the Plan-making process.

Forget the semantics that it is a 'housing need' figure; it is for all practical purposes a rigid target. Every statement by an MP that it is not mandatory looks increasingly vacuous as authority after authority has seen their plan fail at the housing number hurdle.

We are charged by the government to keep our Plan 'up to date', but to do this we are forced to use data that is now a decade old and we have been specifically banned from using more up-to-date figures. No Spelthorne councillor wants to build on our Green Belt, nor do we want to populate our town centres with sterile, high-rise blocks. But that is what Westminster is demanding.

We all recognise the need for new homes, especially affordable housing, but 618 homes per year, compared to the target of 166 in our Core Strategy from 2009, represents an increase that will damage our environment and ruin the character of our small and highly constrained borough. We have repeatedly and consistently challenged the Government to review its methodology, but to no avail. The Government methodology is deeply flawed and is focused on a misleading algorithm for what is needed without any real consideration of what is possible. So as a Council we are faced with producing a Plan that pleases no one or having no Plan at all. The methodology we are required to use to calculate our housing need uses household growth projections from 2014 but using the subsequent figures would give us a need of 347 homes per year and therefore would have a significantly moderated impact on the Borough.

Other authorities, in trying to find acceptable solutions, have made no progress over years of seemingly futile attempts to advance their Plans that do not meet the imposed housing need. This approach runs the very real risk of leaving planning decisions to be made in a local policy vacuum. The outcome of recent Planning Appeal decisions has demonstrated how vulnerable Spelthorne is when we are unable to demonstrate our progress and ability to meet our housing targets.

The decision of this Council to produce a Plan that does meet the imposed housing target means that we will have policies in place that allow us to defend the Borough against damaging developments in our most precious areas.

Although most of the attention is understandably focused on housing numbers, the Plan also includes important policies that reflect our local concerns and needs.

- A robust Affordable Housing policy that will see us increase significantly the number of homes that meet the needs of our community.
- Actions to address the effects of climate change and protect and enhance local biodiversity.

Pre-submission Spelthorne Local Plan 2022 – 2037: Foreword

- A strategy to make sure that there is infrastructure in place to support existing and future residents, with a delivery plan that sets out how this will be achieved and funded.
- Policies that will support economic recovery and encourage more employment into the borough.
- A new Staines Development Framework will help the Borough's largest town to develop and grow in as sensitive a way as possible and that takes account of its existing assets and distinctive character.

In order to demonstrate the ability to meet the imposed housing targets, it has proved necessary to release some Green Belt land. Our Plan calls for the release of 0.7% of the existing Green Belt area. This is being done with the greatest reluctance and on the basis that it will ensure protection of our largest and most valued open spaces. Before any Green Belt release was contemplated, every possible area of previously developed land was considered in detail.

The focus of our efforts on this Local Plan has been first and foremost to represent the interests of all our residents. Whilst we have had our hands tied by the Government on many aspects of the Plan, we have done our best to minimise the environmental impact and define constructive policies to arrive at a compromise that delivers a workable strategy for this Borough.

It is councillors who are responsible for agreeing the final shape of the Plan, but the massive amount of complex and detailed work has been done by a small group of Council officers. This has taken several years and crossed three political administrations. Our officers have answered hundreds of questions, many of them more than once. The Plan documents have been produced by these officers with great professionalism, considerable hard work and exemplary patience. It is their advice and guidance which will be minutely tested by the Inspector and other interested parties. As councillors we recognise the enormous amount of hard work that the officers have done to get to the Regulation 19 stage, and we thank them for their efforts.

There are no councillors who would willingly endorse every aspect of this Plan and the net effect will be to increase housing densities and make Spelthorne a less attractive place to live. However, on balance we believe that by carefully considering all the available options and the constraints imposed by central government, it is better for all residents that we put forward our proposals, framed by our understanding of local needs, rather than run the very real risk of planning decisions being taken out of our hands.



**Councillor
John Boughtflower**

Leader of Spelthorne
Borough Council and
Leader of the
Conservative Group



**Councillor
Ian Beardsmore**

Chair of Local Plan Task
Group



**Councillor
Ian Harvey**

Leader of United
Spelthorne Group

Local Plan Strategy: Environment and Sustainability Committee, 13 July 2021

[Local Plan Strategy - Report.pdf \(spelthorne.gov.uk\)](#)

2.5 Officer advice, confirmed by legal counsel's advice, is that whilst it may be appealing to consider producing a Plan that does not meet our needs in full this will not be a sound strategy and would be rejected by the Planning Inspector. Those few authorities that have attempted this approach since the introduction of the standard methodology have failed.

Council Meeting, 9 December 2021

[Agenda item - Questions from members of the public - Spelthorne Borough Council](#)

Response from Councillor Ian Beardsmore, Chair of the Environment and Sustainability Committee

“Ministers can make statements and promises, but unless they are supported by a tangible change in policy guidance it is unwise to base a Local Plan on them. Indeed over the years there have been so many such announcements, you could paper the walls with them. Unfortunately none has ever come close to being given enough status to stand up to a public inquiry. That is why our aim has been to have the standard method for calculating housing need amended by the Government rather than taking forward a Plan that does not meet our need, as every authority that has attempted to do so since the methodology was introduced has failed. We have written to the Ministry ourselves, met with its officers and sought the help of our MP in order to try and get the standard method changed to reflect more recent lower projections of household growth, but these efforts have not yet been fruitful. We know that there will be a new white paper on planning reform, which will follow a Levelling Up paper, but the latter has now been pushed into next year, April we believe, so the planning reform paper will be delayed even further. Delay has been the enemy of our Local Plan as we have seen developments allowed on Green Belt in our borough using the fact that we are not meeting our housing as a reason. Indeed even now we are facing another predatory attack on our Green Belt using this same reason. We are trying to resist inappropriate high-rise buildings near the river in Staines, without having the Staines Development Framework in place that could have provided a policy basis to say no. Our best defence against predatory development is to have a Local Plan and framework for Staines in place that meets our need and therefore allows us to make the decisions on what is built where. That means a very small loss of Green Belt, which we know is a difficult concept, but we have selected small sites that do not meet the purposes of Green Belt and can deliver wider community benefits, whilst some have already been built on. We are working incredibly hard with officers to accelerate progress and get our plans in place as soon as we can, as evidenced by having had over 40 task group meetings since last summer. We believe this work will result in a sound Local Plan when we get to examination that the inspector will recommend be adopted. If there is a tangible change on Government policy and guidance before adoption, which is not expected before Summer 2023, we will have time to adjust our plans accordingly.”

Annex 4: Catriona Riddell BA (Hons) Planning FRTPI Biography

Catriona started as a graduate planner with Surrey County Council in 1990 eventually progressing to the Head of Strategic Planning, overseeing the last ever Surrey Structure Plan in 2004. The consultation and engagement process supporting the plan was Highly Commended at the Royal Town Planning Institute's Planning Awards in 2002. In 2006, Catriona became the Director of Planning for the South East England Regional Assembly where her team was responsible for the first ever Regional Spatial Strategy for the region, the South East Plan. Catriona and her team were the recipients of two awards during this time; a national Royal Town Planning Institute (RTPI) Award in 2009 for the engagement process supporting the review of planning for Gypsies and Travellers and a South East RTPI Award for the implementation programme supporting the South East Plan.

In 2011, Catriona established her own consultancy where she now provides professional support on a wide range of spatial planning issues but focuses on local plans and supporting cross boundary arrangements to help manage strategic planning matters. Since then, she has worked with a large number of local authorities and their partners across England to develop bespoke approaches in terms of both governance structures and output and provided 'critical friend' support on a wide range of local plans. Catriona also currently chairs a national 'learning group' of Minerals and Waste Local Planning Authorities.

All of this work has required leadership, creative thinking as well as a huge amount of tenacity but it also needs a platform for debate and discussion to ensure the thinking can actually be delivered on the ground and the learning can continue. As well as her day job, therefore, Catriona has a number of different roles within the profession nationally, including Strategic Planning Specialist for the Planning Officers Society (POS), Vice-Chair of the Town and Country Planning Association (TCPA) and a member of the Royal Town Planning Institutes (RTPI) England Policy Committee. She also contributes regularly to Planning Magazine and the TCPA Journal, speaks at a wide range of events and contributes to a number of different podcasts on various planning topics.

Catriona is passionate about supporting the next generation of planners and is therefore always delighted to support planning schools. She is regular guest lecturer at both Oxford Brookes and Kent Universities and was previously an External Examiner for the University of Liverpool. She is also a mentor with Public Practice which helps people working within the development industry to make the move from the private sector into the public sector.

In 2022, Catriona was awarded an Honorary Doctorate from Oxford Brookes University for her contributions to planning, was made a Fellow of the Royal Town Planning Institute and was included in The Planner's 2022 list of top 50 Women of Influence in planning, citing her as an "intelligent, well-informed champion of strategic planning".

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[Catriona Riddell | LinkedIn](#)



Local Plan Priorities Survey Results

Background

Following the pause of the Local Plan, which was agreed at Full Council, a Motion was brought forward to engage with Resident Associations in the Borough to determine residents' priorities for the future of the Borough. The survey was open from Friday 14 July until Sunday 30 July. Answers could be submitted via an online survey or as a paper questionnaire. They were asked to choose 5 priorities and rank them from a selection provided but were also able to add their own priorities. Two opportunities to include additional comments were available.

Priorities:

- Designing places and spaces (e.g. heights of buildings)
- Affordable housing
- Environmental protection
- Flood risk
- Green and blue infrastructure
- Heathrow Airport
- Heritage and conservation
- Homes for all
- Infrastructure and delivery
- Leisure, culture, open spaces
- Meeting employment need
- Protecting Colne Valley Park
- Protecting Green Belt
- Responding to the climate emergency
- Retail and local shopping needs
- Sustainable transport
- The River Thames and its tributaries

A total of 45 surveys were issued, and we received 20 completed questionnaires (44% return rate)

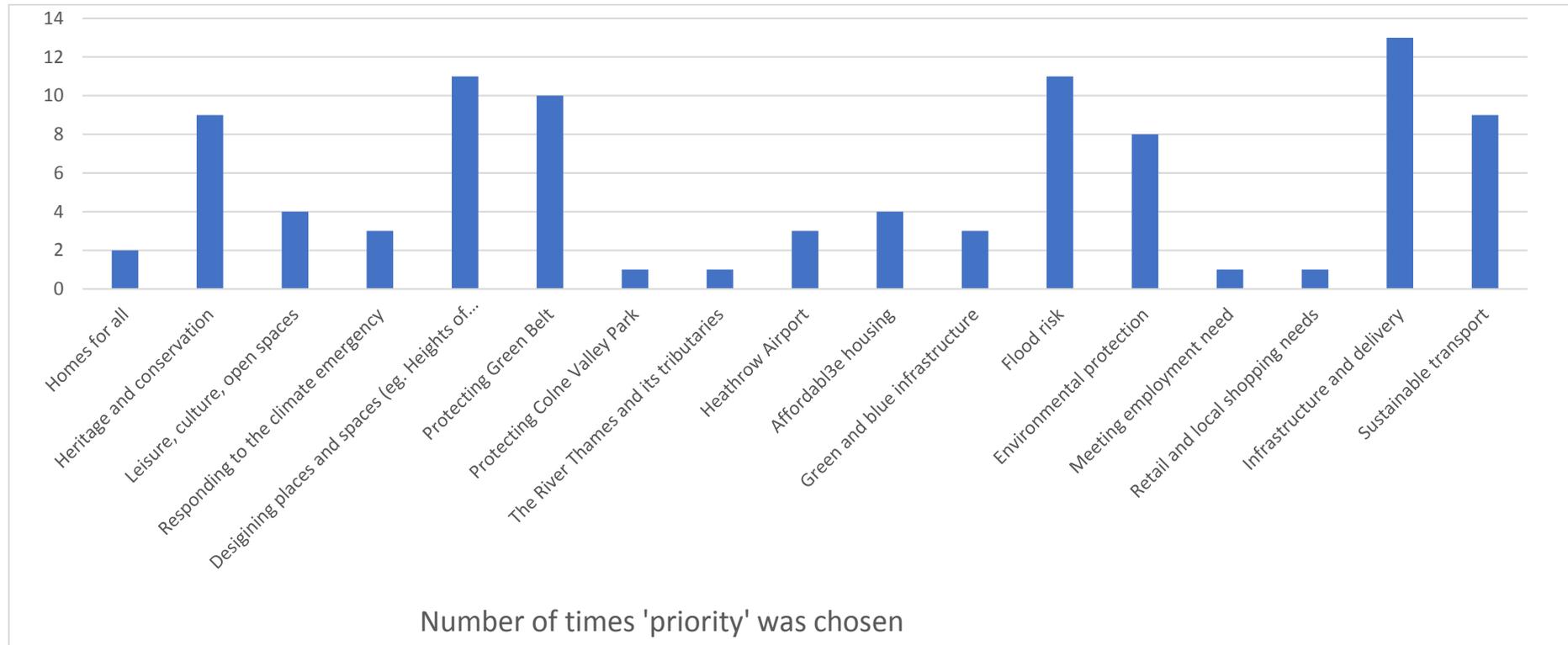
The responses represent:

Keep Kempton Green
Lower River Ash Residents Association
Riverway (Laleham) Management Ltd
Laleham Residents Associations
Shepperton Residents' Association
Wraysbury Gardens Courtyard Residents' Association
Stanwell Moor Residents Association
Lower Sunbury Residents Association (LOSRA)
Littleton Common Residents Association
Staines Village Residents & Traders Association
Richmond Road Residents Association.
Staines Town Society
Station Approach Residents Association
Talking Tree CIC
Spelthorne Residents Association and Spelthorne Green Belt Campaign. JOINT
SUBMISSION
Manor and Priory Residents Association
Charlton Village Residents Association
Penton Hook Association
Thames Edge Management Ltd.

Results

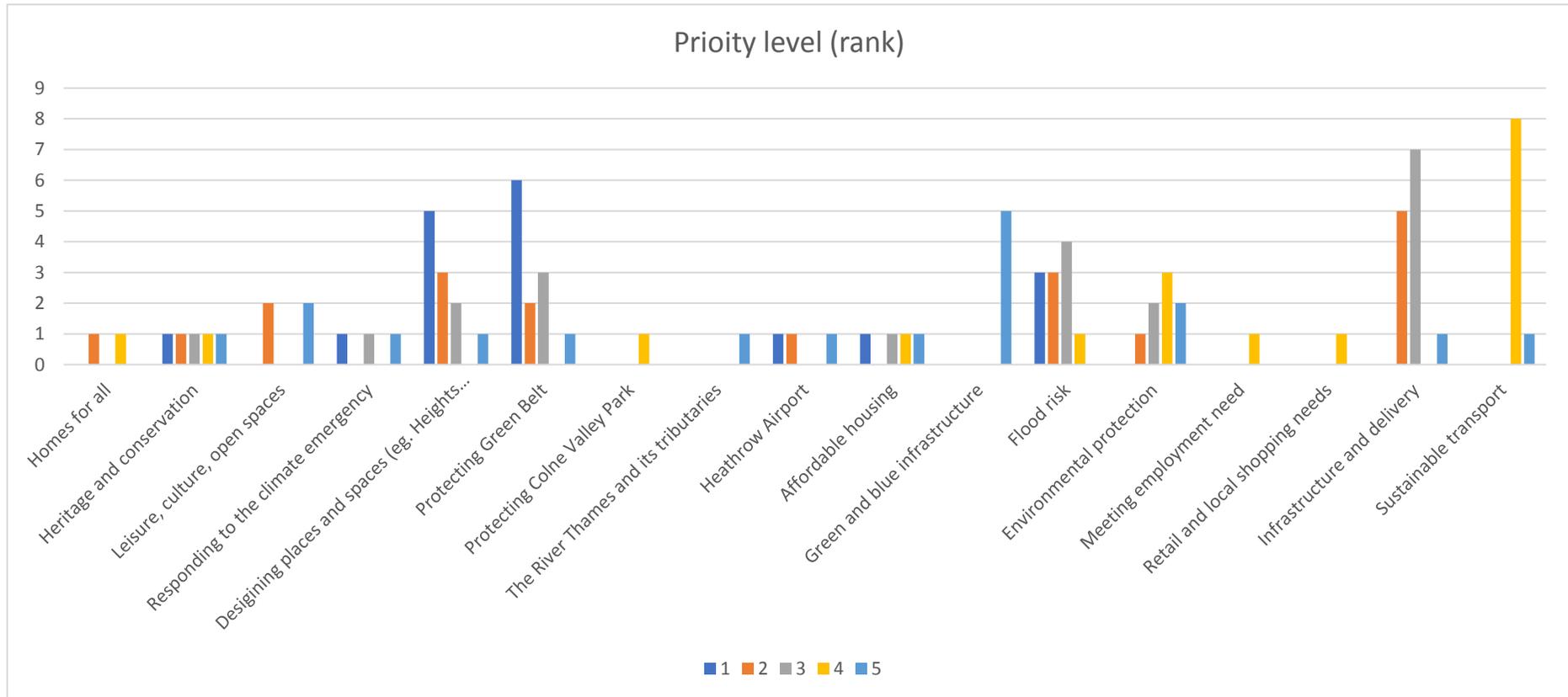
These were the priorities chosen across the 20 RAs that have responded, listed from highest to lowest. This graph reflects how many times each priority was chosen.

- The priority chosen 13 times is Infrastructure delivery
- The priority chosen 11 times, is shared between Designing Places and Managing Flood Risk
- The priority chosen 10 times is Protecting Greenbelt



The graph below reflects how the priorities were ranked from 1 - 5 (1 being the highest)

- The priority that was ranked as number 1 the most was Protecting Greenbelt, followed by Designing Places
- The priority that was ranked as number 2 the most was Infrastructure and delivery, followed by Designing Places/ Flood Risk
- The priority that was ranked as number 3 the most was Infrastructure and delivery, followed by Flood Risk



Free comment section results

The overriding themes in the free comment boxes are listed below in order:

- **pause of the Local Plan**
- **the impact on Staines-upon-Thames and included heights of development**
- **Green Belt protection**

The full comments are detailed in the below table:

Question:5. Do the options listed above include your priorities? (maximum 1000 characters) Comment	Question:6. Do you have any additional comments you would like to make? (maximum 3000 characters)
<p>Our most immediate concern is the “pause” to the progress of our Local Plan through the Examination in Public. Every day we do not have progress towards a valid and adopted Local Plan leaves Green Belt, brownfield and other sites at risk of predatory development. Even sites which are allocated for development are at risk of the Borough losing control of the design aspects of any development.</p> <p>It is totally meaningless to talk about protecting Green Belt or minimising building heights unless you have a Local Plan. No-one likes the present draft Local Plan, but the alternatives are far worse.</p>	<p>Ditto the above in Part 5.</p>
<p>Traffic issues have long been the main concern of Laleham residents. The increasing volume of traffic and the size of HGVs going through Laleham continue to be a blight and this has been exacerbated by the expansion of Shepperton Studios. When complete it will have parking for some 3000</p>	<p>Whilst most people would like no development in Spelthorne the reality is there is a national housing shortage and net immigration of 600,000 last year. Where are these people supposed to live? Spelthorne is not a special case. It is delusional to think that Spelthorne’s housing target will be reduced. The LRA find the action of the councillors by pausing the plan to be</p>

cars in addition to HGVs bringing heavy equipment to and from the site. Ideally a bypass around the centre of Laleham would provide the solution.

Road closures and road works throughout the area as a result of the studios expansion, Esso pipeline and gravel works have led to unacceptable delays and diversions. Whilst knowing this is primarily a Surrey matter Spelthorne seems to have been powerless to mitigate these uncoordinated works and mitigate the impact on residents.

irresponsible and uneducated and is a total waste of time and funds. We are unimpressed as they have no clue as to what it takes to put something like this together and the role it plays within the development of a local area.

Pausing the local plan is likely to have an irreversible adverse effect on development in Spelthorne. The pausing of the local plan was said to enable new councilors to have training in relation to the plan. It was then almost immediately cancelled before subsequently being reinstated under pressure from various quarters. It was further proposed that a 'so-called' independent expert would be called in to review the plan. Do the Councilors have no faith in their officers who have spent some five years drawing up a detailed and widely considered plan? The full council meeting scheduled for 13 July was postponed because a report was not finalized. Shambolic is a word that springs to mind.

The lack of a local plan exposes applications to the jurisdiction of the Panning Inspectorate and is a developers charter as will no doubt transpire in the coming months. Whilst Spelthorne can refuse applications the lack of an agreed plan increases the likelihood of permissions being granted on appeal. No comfort can be taken from the Debenhams appeal. It was a badly constructed design and no doubt there will be further revised applications.

We are alarmed by the superficiality and triteness of this questionnaire. Detailed consultations were carried out in recent years and a sensible plan drawn up by Spelthorne which whilst not perfect took account of all residents' views. We can only assume you have sent this out so you can tick a box to say there has been further communication with residents. This exercise is a waste of space. Being at the start of the holiday period it is not feasible to properly seek the views of members. This is something officers and councillors should have done. They have not.

	<p>We are uncertain what conclusions you are seeking to draw from this questionnaire. The questions do not appear to lead the council to move to any meaningful changes or the affirmation of the support for the plan.</p>
<p>Priorities (not ranked in particular order):- Designing places and spaces (e.g. heights of buildings Protecting Green Belt Affordable housing Environmental protection Infrastructure and delivery</p> <p>Mostly – but I am in disagreement with prioritising the Top 5 - They are all priority 1 – I cannot rate these 1-5</p> <p>There were other “top priorities” that were listed that did not make our Top 5.... These were meeting employment needs; leisure and culture – open space and recreation - which I assume also means provision of Libraries. Managing Flood Risk is also a top priority – but we assume this will be dealt with by the River Thames Scheme. Likewise, further development of Heathrow Airport (3rd runway) is a major issue – but again will probably be a central government topic – except for car parks etc, It is being proposed to move the car parking from the North to the South side of Heathrow, i.e into Stanwell. Hopefully it will not come to that.</p>	<p>We have endeavoured to make some input to this questionnaire, but our Association is concerned as to the need for it. Its very nature implies that the whole of the Local Plan is up for review, i.e. repeating the original consultations, which we think unnecessary and could well induce a great deal of risk of predatory developers’ activities. There has been no mention as to how the council will defend against or refuse predatory developers’ applications during the “paused” period, even more important if the pause/delay is extended. To reduce this process to a series of questions to determine what we would like in the future could mean completely ignoring what will be happening in the meantime.</p> <p>All the submissions to the original consultations were fully considered in producing the Local Plan. Therefore, once the newly elected councillors have all been appraised of its contents, the “pause” should be cancelled and the Local Plan review by the Planning Inspector resumed, as revisions can be made within the duration of the plan. Consequences of delays due to this questionnaire/consultation are well known and impossible to complete, summarise and submit to the inspector before the December deadline which could result in a plan being imposed on the Council by the Planning Inspectorate, making any conclusions from this consultation superfluous. The possibility of the government extending this deadline cannot be taken for granted and used as a reason not to proceed to meet the existing stated deadline.</p>

<p>One of my fellow directors made the following comment, which I'm inclined to agree with and fail to understand why the questionnaire has been presented therefore.</p> <p>"They don't exactly encourage completion when they say they can't promise to even read any of the responses!"</p>	<p>Over time we have watched the upkeep of Staines Town Centre and surrounding areas become an eyesore, due to the poor maintenance now by Surrey County Council. They are slow to respond to anything reported to them, as it is quite evident now they are not equipped to handle maintenance contracts etc.</p>
<p>Stanwell Moor is a small community compared to others in the borough. Many residents feel that we have been abandoned by both Spelthorne and Surrey County Council. There have been numerous attempts to build on green belt land in Stanwell Moor by companies and planning has not been strict in stopping work and they seem to be going ahead in destroying the green belt with no checks from the planning department.</p> <p>Stanwell Moor has flooded several times there are channels and ditches that have not have had any maintenance in years. It is very difficult to get anyone from the council or environment agency to do anything about this.</p> <p>We have many one bedroom properties in Stanwell Moor but they seem to have multiple people living in them. There are no schools, doctors or dentist are people have to go to Stanwell or Staines for these services. If Staines and Stanwell housing increases this will put an extra burden on these services and we might find ourselves out of the catchment zone.</p>	<p>Following on from point 5</p> <p>Since the building of Terminal 5 at Heathrow, we have had increase in traffic in Stanwell Moor this impacts on the health of the residents. They have widen the M25, which most days is at a standstill at certain times of the day. We would like to see better monitoring of air pollution. Taxis park in our village as well as meet and greet and holiday parkers. Heathrow have had twelve years to do something about this and have chosen to turn a blind eye, as well as Spelthorne BC and Surrey CC. This is impacting on residents being able to park their vehicles. We now have the situation where people are parking on pavements which has led to disabled people not being able to go out or been wheeled in the middle of the road. Spelthorne needs to have a closer working relationship with Heathrow to find a parking solution for all involved. I attended a recent local community forum meeting and not one representative from either councils were involved. We have Oakleaf Farm recycling centre, people are concerned about incinerator due to be placed there. There have been numerous complaints about the smell. We are not the wheelie bin of Surrey! We have several large articulated lorries using Horton Road which has a sharp bend, there have been at least two accidents recently. This road is not suitable for large articulated lorries and width restrictions up near the mill also need to be considered as many a lorry just ignore the weight restriction.</p> <p>Shops We currently have a local grocery store, laundrette and an Indian takeaway. There are two shops vacant. We did have a post office but this has</p>

	<p>now closed and we have no ATM so if you want any money you have to travel to either Stanwell or Staines. This can be difficult if using public transport as only one bus an hour.</p> <p>Several years ago a footpath/ cycle way was upgraded. This stops at the junction of Stanwell Moor Road and Horton Road. You can see terminal 5 but you cannot get to it safely either walking or cycling as there is no footpath. You have a busy roundabout which lies in the borough of Hillingdon. There needs to be some collaboration with other councils and Heathrow to improve the infrastructure to get to Terminal 5 if you want more people to cycle and walk. People would have greater access to public transport - underground, Elizabeth line and more buses. If existing footpaths and Bridleways were upgraded and maintained i.e bridleway 50 (runs along the M25) you can cycle from Windsor and Egham, Staines without really touching a road. If you have children you don't really want to cycle along Stanwell Moor Road as you have to cross the crooked billet which is a very busy junction. You can't even cross if the lights aren't working which has happened to some of our residents.</p> <p>Housing Staines does not need to go the way of Woking- high rise structures. We live need an airport. Have people forgotten the Staines air crash. Can you imagine if a plane went into one of those.</p>
<p>This simplistic "list your preferences" questionnaire, is totally inappropriate for such a nuanced issue. It doesn't even include all the relevant issues, e.g. there is no mention whatsoever of the importance of Local Green Space, and therefore is likely to lead to misleading/manipulated conclusions. Given the considerable amount of work already done by LOSRA (and other RAs) it is a somewhat insulting exercise.</p>	<p>This questionnaire does not qualify as a 'consultation' at all – Appendix A in the reports pack of the latest Council meeting confirm this: "5.4 Members are reminded that any consultation with the RAs (whilst valuable as an indicator) falls 'outside' the public consultation as defined within the legislation which determines the local plan-making process."</p> <p>It therefore has no legal standing, and in our view cannot be used to justify any change to the Local Plan. Unlike Section 18, it has no formal status and is must not be used to gainsay the results of the Statement of Community Involvement (SCI) or to impugn the work already completed by Officers into the bargain.</p>

	<p>It should not be necessary to reminded you the SCI has already been prepared and published in accordance with Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). This SCI set out how the Council proposed to involve the community in the preparation of the Spelthorne Local Plan, Supplementary Planning Documents (SPD), other planning documents and planning applications.</p> <p>The Preferred options consultation was published in 2018 and it was Option 4 (Combination) to which this Association gave its support. In brief, this option proposed a combination of the three alternative options by increasing densities in town centres; releasing some weakly performing Green Belt land; making use of a Master Plan for Staines but with housing as one of a range of uses. 'LOSRA, like most RAs, have engaged with this process at every opportunity since spring 2018 (longer than most councillors)...</p> <p>It should be noted that Option 1 (developing brown field) attracted most votes. However, LOSRA saw compromise (i.e. a combination; implying the sacrifice of Green Belt development within Lower Sunbury) as the fairest for the Borough as a whole.</p> <p>Our position is perfectly clear and has been stated publicly many times before. Of course, we wish to defend Green Belt wherever possible, but we have long accepted that to achieve a sustainable Local Plan, and thus secure the protection from opportunistic developers we would wish for, some sacrifices have to be made, evidenced by the fact that we have not objected in principle to several of the Green Belt planning applications already in process in the immediate locality.</p> <p>Nothing we have seen or heard since has altered this opinion.</p>
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	<p>We are most concerned that any delay in progressing the Local Plan as submitted exposes Spelthorne Council to predatory developers submitting opportunistic planning applications which, in the absence of a valid Local Plan, would almost certainly result in rejected applications being overturned on appeal.</p>
	<p>Repairing of pot holes should be high priority as the knock impact to road user vehicles add to running costs of vehicles. Would be a good feature to be able see some sort of quality control inspection as some of the repair work at times looks substandard. Also HGV Watch more visibility of the names of companies who break the 7.5 rule i.e. name and shame. The high number of vehicles who use Spelthorne lane n ignore the signs, the damage these vehicles have made to the kerbs and island is crazy</p>
<p>1. Our greatest concern is the extremely high housing target which the Plan seeks to address and the disproportionate share of this which is allocated to Staines. Agreeing a lower target would provide a context within which many of our other priority issues might be addressed.</p> <p>2. The riverscape of the Thames is a key feature of Staines (and now even part of our name) and we really feel that this is not adequately protected in the Local Plan so as to preserve its character, setting and views. The draft Plan (in the section dealing with the Thames & its Tributaries) requires that “development proposals on the riverside should respect and make a positive contribution to enhance the waterside character, heritage value and setting” but the allocation of sites in Staines for high rise development close to the river and the weakness of the zoning provisions are clearly at odds with this policy objective.</p>	<p>We are very concerned that high buildings will be permitted in zones where height or density restrictions apply because the scope for granting exemptions is too great. The fact that the council itself is already proposing a zone-busting development on its own Thameside House site is clear justification for our concern.</p>

<p>Proximity of High rise developments to existing low rise housing ie why does the Local Plan have a Zone scheme which the Council itself is ignoring in the case of it proposed Thameside House development.</p>	<p>The current Housing target set and its impact on Staines Town is totally disproportionate and can only be met by building high rise accommodation across the town including in sensitive areas (overlooking low-rise residential areas and the riverfront) and which questionably, doesn't meet the true needs for Spelthorne residents for the future.</p>
<p>The priority is submitting a plan which complies with government policy and will be found sound and accepted by the Inspector.</p> <p>This has already been done after five years of dedicated work by our excellent planning team, with full public consultation at all stages. Staines Town Society strongly opposes any attempt to delay or destabilise it.</p> <p>This questionnaire has no legal standing and is not a legitimate part of the Plan process. The choice of 5 priorities is pointless and may change with time. However we have listed 5 in case our response is otherwise disallowed.</p>	<p>We commend the planning team, who in very challenging circumstances have produced a workable Plan which has a good chance of being found to be sound by the Planning Inspector.</p> <p>The challenge has been to find a compromise between the wishes of residents and the requirements of planning law. The soundness of the Plan will be decided by planning law, in which there have been no relevant changes, and not on remarks by Michael Gove or other ministers. If Spelthorne BC submits a non-compliant Plan, it will be rejected by the Inspector, causing long delays while SBC gradually gives in and accedes to the Inspector's requirements, as is happening in Tandridge. During the delay period we will be exceptionally vulnerable to predatory developers, with the old plan out of date and the new plan postponed.</p> <p>Residents who do not understand this tension have naturally objected to items in the new plan, in the mistaken belief that they can be altered without making the plan unsound.</p> <p>Staines Town Society is particularly concerned that Staines will be unprotected from developers proposing more high-rise buildings in Staines during the planless period. The Debenhams application was successfully opposed by planning officers, at the Planning Committee and later in the planning appeal, but their case was not helped by the lack of an up-to-date Plan. The developers will return with an improved, but still unsuitable, proposal attempting to deal with the reasons for refusal, and there is a high risk that they will succeed.</p> <p>Residents have been fully consulted at each stage of the Plan development over the last five years, as specified in the legal plan process. This further</p>

	<p>consultation is a pointless waste of time and money, and seems to be just an attempt to cause further delay, particularly as it provides no explanation of the actual priorities or a timescale for action.</p>
<p>1. Housing Target - Staines should not take a disproportionate 57% of the entire Spelthorne Housing allocation</p> <p>2. Zoning - protecting riverfront, conservation areas and existing residential from adjacent overdevelopment.</p> <p>3. Design Codes - required to ensure good quality, first class architecture.</p> <p>4. Connectivity - to link transport hub, staines town centre and river.</p> <p>5. Communication - improved engagement to ensure all residents are provided clear, graphical and accurate representations of the full context of the plan. E.g. 3D visualisations/virtual reality for areas experiencing the most transformation.</p> <p>6. Consultation - to ensure residents most affected by change have the opportunity to influence decisions.</p> <p>This survey is misleading as all of the above 5 items we consider priority 1 issues and all the following were also considered to be a high priority:</p> <ul style="list-style-type: none"> • Climate Change • Affordable Housing • Environment • Retail and local shopping • Leisure, culture, open spaces 	<p>One of the most contentious issues with the Local Plan is Staines being forced to take a disproportionate and unreasonable 57% share of the housing allocation which will damage the character and identity of the town. This question should be clearly and transparently put to residents. Residents within the Station Approach Residents Association area are particularly concerned about the Oast House Project. They do not want more high rise buildings surrounding their properties.</p> <p>There is an issue around lack of consultation and communication. Every resident we have spoken to has said they do not believe they have been given a clear and complete picture of the planned changes to Staines-Upon-Thames. They are reliant on word of mouth and a 3D visualisation produced by a local resident rather than the Council. There is a lack of engagement, lack of consultation and lack of accurate and transparent communication with regard to the Local Plan. For example, the removal of the NHS medical hub in the Oast House development is still not known by most and was an important factor to local residents.</p> <p>Our residents believe it is really important to upgrade the drainage and sewerage systems in this area. It is struggling to cope at the moment so the expected increase in population would overwhelm it. The developers should not get the go-ahead to build any new housing without being required to make a substantial and realistic contribution to improve the capacity of the local infrastructure (which in addition to schools and doctors surgeries we assume also includes drainage and sewerage).</p> <p>We feel this questionnaire is misleading and the results will be</p>

	<p>misrepresented. Limiting our response to only 5 issues and making us give them all different priorities is misleading. Many of these issues are all of a priority 1 but in this survey we are being forced to make them priority 2,3 4 or 5. This gives the impression that we do not consider them so important when in actual fact our Residents consider flood risk, tall buildings, infrastructure, sustainable transport as all high priority issues and highly contentious because we do not believe they are being properly and fairly considered for Staines-Upon-Thames.</p>
<p>We are aware that we have not completed this questionnaire in the manner requested. The reason for this is that the questionnaire is totally illogical, which in our view sadly reflects the poor standard of consultation throughout the whole local plan process. If you are asking residents to prioritise 5 items from a list of 18 options it would seem to presume that the majority of these options are mutually exclusive. However this is clearly not the case.</p> <p>As Spelthorne's climate emergency centre we are very clear that the Local Plan should respond to the climate and ecological emergency, as required the NPPF, paragraphs 152 - 173. This is particularly important given that the plan covers the time during which we have a last chance to prevent the sort of climate disasters currently being experienced around the world becoming the everyday reality for everyone, including the residents of Spelthorne.</p>	<p>A local plan that prioritises the Climate and Ecological Emergency would include prioritising</p> <ul style="list-style-type: none"> • Designing places and spaces (e.g. heights of buildings) to create 15 minute neighbourhoods, minimise carbon emissions, create new green and blue infrastructure etc. • Heritage and conservation of existing structures to repurpose them for new uses, including housing. Existing buildings should only be demolished under exceptional circumstances. • Protecting Green Belt • Protecting the Colne Valley Regional Park • The River Thames and its tributaries being protected and improved in order to enhance biodiversity. • Green and blue infrastructure (e.g. tree planting, green walls and riverbank enhancements) • Biodiversity • Managing flood risk, which will be significantly increased under the current draft plan. • Environmental protection (e.g. air quality, noise and contaminated land) • Sustainable transport for new developments (e.g. parking provision, walking and cycling improvements, traffic impact) <p>None of the above would be incompatible with</p> <ul style="list-style-type: none"> • Meeting employment need

	<ul style="list-style-type: none"> • Retail and local shopping parades • Leisure and culture, open space and recreation • Infrastructure and delivery (e.g. schools and doctors' surgeries) • Homes for all (e.g. older people housing, type and size of homes, wheelchair accessibility, Meeting the needs of Gypsies, Travellers and Travelling Showpeople) • Affordable housing <p>It is not clear what the inclusion of 'Heathrow Airport' means. For Talking Tree we would see that it is very important that there is no further expansion of Heathrow. Does this mean we should have identified it as a priority, or would this have indicated that we support the expansion of Heathrow?</p> <p>We cannot escape the thought that this questionnaire, like most of its predecessors, is designed to ensure that the council officers can argue that local residents have been thoroughly consulted, whilst at the same time ensuring that no meaningful information is gathered and there is no risk of local residents having any influence on the draft local plan drawn up by the previous administration. It is interesting to note that there is no mention of the housing number targets, even though there has been a significant shift in Government policy since the last consultation and it is now clearer than ever that there is no obligation on the council to use the number generated by the standard methodology. Adopting a lower number is the main factor that would enable the Council to respond more effectively to virtually all the priorities listed in this questionnaire.</p>
<p>Not entirely. We believe that "protection of local green spaces" should have been expressly set out which would be our priority number 2. It appears that this has been subsumed under "Leisure and culture, open space and recreation" and so we have designated this as our priority number 2 although our aim to protect green spaces is not</p>	<p>In relation to the need to protect all remaining protected urban open spaces (PUOS) as Local Green spaces (LGS) within Spelthorne's future Local Plan, we fully rely on our joint submissions to the reg19 consultation of the Council. These were submitted on behalf of the Spelthorne Green Belt Campaign, the Spelthorne Residents Association, Talking Tree CIC, It's Our Spelthorne, Residents for Spelthorne (R4s), Extinction Rebellion Staines, Stanwell's Green</p>

limited to their recreational and cultural value but also environment protection, biodiversity, carbon capture value (to counteract Global heating), air quality, flood risk mitigation etc.

We are also of the view that the questionnaire should have allowed further grading of the remaining priorities especially as a lot of priorities overlap. For us, biodiversity, conservation, the River Thames, Green and blue infrastructure, biodiversity, the mitigation of flood risk and environmental protection are all important.

Lungs and Local Conversation in Stanwell. The submissions have been attached to this email.

In short, we are fully supportive of the sites that the Council has accepted should be taken forward and designated as Local Green Spaces and agree that these sites (set out at section 2 of Spelthorne Borough Council's 'Local Green Space Review of submitted spaces' of January 2022) meet the criteria as Local Green Spaces.

For the detailed reasons set out in our joint response, we do, however, believe that the suggested refusal of the remaining PUOS sites is flawed/unlawful and that substantial parts of the Council's proposed methodology regarding the designation of Local Green Spaces (Local Green Space Assessment Methodology of October 2019) as well as the refusal reasons given by the Council in its 'Local Green Space Review of submitted spaces' (of January 2022) breach Government Guidance and the National Policy Planning Framework (NPPF).

Issue is taken in particular with the Council's blanket exclusion/refusal grounds and failure to carry out individual assessments against Local Green space criteria (set out in para.102 of the NPPF) of at least 43 sites on the basis that the sites were e.g. larger than 10ha (refusal reason for five nominated sites), are Green belt sites (19 sites), allotments (three sites), private playing fields (four sites) or school grounds (12 sites). (Please refer to the attached submissions to see which specific Spelthorne-wide sites we are referring to.)

There is certainly no support for the Council's implied contention that Green Belt sites, private playing fields, school grounds and allotments do not or cannot (also) meet the requirements as Local Green Spaces. In fact, for the reasons set out in Government policy, in our joint submissions and in the initial applications for Green space status, these sites meet the Local Green space criteria and ought to be put forward for designation as Local Green spaces in the Local Plan.

	<p>We hence call on the Council not to endorse the officers’ suggested refusal of the remaining nominated sites (as these refusals are unlawful) but instead to also support their designation as Local Green spaces in the forthcoming Local Plan as a matter of priority.</p> <p>We note in this regard that 3,371 residents have also signed our petition calling on SBC to designate all 71 urban open spaces as ‘Local Green spaces’ (rather than leaving these sites without any protection after the abolition of PUOS status as suggested in the draft local plan).</p>
	<p>Infrastructure and delivery, Sustainable transport provision, and Managing flood risk were also considered important but these did not make the top 5 priorities.</p>
<p>The request to prioritise the above feels like a waste of time and an exercise to “tick a box” as a consultation. This cannot be classed as a consultation with Residents Associations. The fact is that RA’s have been consulted through the construction of the Local Plan, for approximately six years, and whilst not ideal in every circumstance it is considerably better than the alternative. RA’s are now in a perilous position where developers are circling and poised to take advantage of this totally unnecessary “pause”. The priority should be that all councillors accept the Local Plan in its present state and trust the work that has been done by those beforehand and put aside personal views.</p>	<p>CVRA find the pausing of the Local Plan to be unnecessary and irresponsible. Our village is already seeing the consequence of this where a landowner who wants to develop has raised an appeal. Our fears are that with no valid Local Plan in place the Planning Inspectorate will have no guidance and may uphold the appeal.</p> <p>The initial reason for the pausing was to allow new councillors to receive training to fully understand the Local Plan. Now we find that a “Critical Friend” review has been instigated. To the layman this feels that a number of councillors wish to change the plan to reflect their personal preferences.</p> <p>Despite previous detailed consultations we find ourselves having to complete this questionnaire. There was clear agreement for RA’s on the existing Local Plan but despite this we are having to complete this process with no clear understanding to its use. There has been no public statement/information on guidance for planning applications and appeals that take place during this three month pause and</p>

	<p>what defence can be applied. Developers quite rightly feel buoyed to present applications and appeals during this uncertain time.</p>
<p>Warning! A case of “Be careful what you wish for” Unless the existing/long discussed/developed “New Local Plan” is not progressed through the Official Legal processes and within a set timeframe, it will be highly likely that Spelthorne will have a National Government imposed Local Plan dictat “under special measures” by those who have little idea of our unique circumstances. Do Not Risk our future wellbeing in the hope of making changes to what is set by Statute Law. If we lose a not-so-perfect compromise of a New Local Plan then it could be replaced by something far worse, the Council will then have to live with a legacy of failure, collapse of credibility and trust with those who have spent many years contributing and trying to do their best for everyone, sweeping away irreplaceable links to what we hold dear of our flexible culture of living and working here, in a Borough bounded by the Thames/shaped by its waterways and unnatural water features.</p>	<p>Making the best of it has been the nature of this Borough.</p> <p>Having to send in this “pick n mix” return after so much discussion and so deep into the Local Plan process, I find it difficult to know what is the best way to indicate a fair and realistic guide of painting a picture illustrating priorities from our relatively small area as part of a wider and complex profile. To remain impartial involves standing up, over many years and discussing/debating openly the issues that face us into the future. Be aware that reacting to the latest short term hot topics may be clouding the long term goals of sustainability, survival of our independent administration. We must not be lost in a dumbed down standardisation where we lose all grass root control and influence, albeit within a central government set framework.</p> <p>Setting a list of priorities from a complex web is impossible.</p> <p>Please give consideration to the following, that hitherto may not be recognised as important but with hindsight, and over the passage of time may be an obvious answer to our long term needs.</p> <ul style="list-style-type: none"> ● Embrace our natural asset, the Thames and lands surrounding.- develop businesses and recreational facilities built on our world beating heritage and use this as a business spring board. ● A model that should be explored is floating dwellings as used successfully in the Netherlands. Spelthorne Borough has a large surface area of water, bodies of water of what was viable land. The Local Plan should include a sustainable

	<p>development plan to exploit water bourne resources which would take pressure off precious packages of “green belt” land and the remaining natural tracts of land.</p> <ul style="list-style-type: none"> ● In all planning matters “the silent majority” must have a say. Nature, the “big silent elephant in every room” must have a say, a default representation at the table. Create ways to enhance and build back connectivity with all natural habitats to invite the natural world back into what was their world before unadulterated and uncoordinated growth evicted very necessary life which underpins our own wellbeing and recovery. There are more and more ways being explored and found to be beneficial and less costly to our long term survival. It’s up to us to open doors and let new air and light into our thinking. <p>Get the LOCAL PLAN signed off before a far worse alternative is imposed upon us.</p>
<p>1 The ‘HOUSING TARGET’ for Staines-upon-Thames is the CRITICAL OVER-RIDING PRIORITY ISSUE. A MUCH LOWER TARGET would provide the context for solving all five key priority issues listed above.</p> <p>2 Protection of the River Thames is a key priority, but we have not identified this in the list above because dealing with priorities 1 and 2 (above) would take care of the priority issues of concern.</p>	<p>6.1. We cannot emphasise enough the FUNDAMENTAL AND CRITICAL PROBLEM created by the HOUSING TARGET ALLOCATED TO STAINES-UPON-THAMES.</p> <p>6.2 Setting priorities 1 to 5 is a bit simplistic and misleading. For us, 1 and 2 are of equal importance with issues relating to infrastructure and protection of heritage very close behind.</p>
<p>overwhelmingly residents are resentful of too much development being loaded on to Staines and that they feel that the housing target should be reduced. 80% of respondents mentioned this as the first priority. They commented that the result will radically alter the town and make it a less pleasant place to live. One comment was that</p>	<p>lack of infrastructure and flood risk were also issues considered higher in importance on the list than other subjects</p>

the empty office space should be utilised by conversion to affordable homes.	
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Points to note:

- when asked the questions ‘how many residents does your association represent’, some RA’s responded with the number registered, and some responded with the population of that areas so this will be difficult data to utilise
- Shepperton Green Residents Association marked their 5 priorities as number 1 priority. This is therefore showing a blank answer in question 4. The 5 priorities are added into the narrative in question 5 instead.
- Talking tree marked 13 priorities for priority number 1, it therefore is reflected in the overall responses as blank
- Spelthorne Green Belt Campaign also sent their original submission to the Local Plan consultation for consideration by Group Leaders