

**Minutes of the Environment and Sustainability Committee  
29 February 2024**

**Present:**

Councillor M. Beecher (Chair)  
Councillor K.M. Grant (Vice-Chair)

Councillors:

S.N. Beatty	S.M. Doran	J.R. Sexton
J.R. Boughtflower	M.J. Lee	J.A. Turner
T. Burrell	L. E. Nichols	H.R.D. Williams
J.P. Caplin	K.E. Rutherford	P.N. Woodward

**Substitutions:** Councillors K. Howkins (In place of N. Islam)  
O. Rybinski (In place of M.M. Attewell)

**Apologies:** Councillors M.M. Attewell and N. Islam

**In Attendance:** Councillors C. Bateson, J. Button, L.H. Brennan, M. Buck, D.C. Clarke, S.A. Dunn and M. Gibson

**22/24 Disclosures of Interest**

Councillor L. Nichols declared he was a member of Knowle Green Estates board.

**23/24 Local Plan - Resumption of Examination**

The Committee considered a report with options for modifications on Green Belt allocations, Flood Risk sites, and the Staines Development Framework to propose to the Inspector to resume the Local Plan Examination.

Councillor Beecher proposed and Councillor Sexton seconded that the recommendations regarding flood risk be amended to read as follows:

1. Keep all proposed flood risk sites in the draft Local Plan subject to no resolute objection from the Environment Agency.
2. Keep all proposed flood risk sites except for those at high risk of flooding subject to no resolute objection from the Environment Agency.
3. Keep all proposed flood risk sites but remove those at high risk of flooding and move some higher risk sites to later in the Plan period (11-15 years) to allow for the River Thames Scheme to be implemented and the design code to be completed and subject to no resolute objection from the Environment Agency.

The Committee **resolved** to agree the additional wording for the flood risk options.

The Service Lead of Strategic Planning and Enterprise explained the background to the current position on the Local Plan. The options presented in the report were the result of several meetings with administration group leaders. The Council could seek modifications before the Inspector resumed the examination hearings, however it would be the Inspector's decision to accept the modifications.

The Local Plans Manager reported that the Flooding Consultants advised that the Environment Agency had confirmed which modelling outputs should be used in the Strategic Flood Risk Assessment (including the tributary of the River Ash), and updates would continue to be completed.

Catriona Riddell, Critical Friend from Catriona Riddell Associates, highlighted the changes to the National Planning Policy Framework announced in December 2023. However, these changes did not have an impact on Spelthorne's Local Plan as it had already been submitted for consultation, and could not be withdrawn, so any changes had to be managed through main modifications.

Councillor Burrell proposed and Councillor Beatty seconded that an additional option should be considered regarding Green Belt sites: "To keep the eight 'weak' performing Green Belt areas, Gypsy, Traveller and Travelling Showpeople sites, and remove 'moderate' and 'strong' performing Green Belt sites."

The Committee noted that requesting a change to the Green Belt allocation would present a risk in terms of speculative development on Green Belt land. The Inspector could also request that more Green Belt sites be released. The Committee established which Green Belt sites would be retained if the additional option were agreed.

Councillor Burrell withdrew his motion for the additional option regarding the Green Belt sites.

The Committee noted that developers would have to comply with the 50% affordable housing mandated for the Green Belt sites as it was currently set out in the Local Plan. The Committee also noted that there was a strong case

for retaining the Gypsy, Traveler, and Travelling Showpeople sites as allocations from Green Belt as the Council had to fulfil an obligation. Other Committee members felt there was no strong argument to release Green Belt as the 'strong', 'medium', and 'weak' descriptors had no meaning.

The meeting adjourned at 19:48 and resumed at 19:56.

The Committee voted on the three options regarding Green Belt sites as follows:

1. Keep Green Belt allocations in the Local Plan as submitted. (8 votes)
2. Remove all Green Belt allocations from the Local Plan. (3 votes)
3. Remove all Green Belt allocations from the Local Plan with the exception of the two allocations that meet the need for Gypsy, Traveller and Travelling Showpeople. (5 votes).

As a majority of the Committee did not vote on any one option, option two was removed from consideration by the Committee and the vote was re-taken.

Option 1 received 8 votes and Option 3 received 8 votes. In accordance with Standing Order 21.3, the Chair put forward a casting vote for Option 3.

The Committee **resolved** to propose to the Inspector to remove all Green Belt allocations from the Local Plan with the exception of the two allocations that meet the need for Gypsy, Traveller and Travelling Showpeople.

It was proposed by Councillor Williams to add another option for consideration related to flood risk: to remove all proposed flood risk sites in the draft local plan subject to no objection from the Environment Agency. As there was no seconder for the motion, it was withdrawn.

The Committee were informed that the Environment Agency had already provided comments on individual sites, and the Inspector had requested a Statement of Common Ground between the Council and the Environment Agency. Some of the options for consideration by the Committee had arisen in response to those comments.

The Committee noted that if option three were recommended as a modification, it would reduce the number of units and fail to meet the assessed need, and there was a risk the Inspector would request that sites to meet the assessed need be found elsewhere. However, if no suitable sites could be provided, it could also be used as evidence for not meeting the housing need.

The Committee were informed that if they opted for option one, a modification had already been proposed before the examination to remove those sites at worst risk of flooding.

It was proposed by Councillor Williams and seconded by Councillor Rutherford that the word “implemented” in option 3 relating to the River Thames Scheme be replaced with “operational and proven to be effective”.

The Committee debated the strength of the proposed wording, and suggested it be amended to “operational and effective”. This wording was agreed by Councillors Williams and Rutherford.

The Committee **resolved** that option 3 be amended to read: “Keep all proposed flood risk sites but remove those at high risk of flooding and move some high risk sites to later in the Plan period (11-15 years) to allow for the River Thames Scheme to be operational and effective and the design code to be completed and subject to no resolute objection from the Environment Agency.”

The meeting adjourned at 20:32 and reconvened at 20:46.

The Committee noted that the Environment Agency updated their modelling regularly, and it was likely when the plan was reviewed and updated in five years’ time that the modelling and Strategic Flood Risk Assessment documents would be updated as they were living documents.

The Committee voted on the three options regarding flood risk sites as follows:

1. Keep all proposed flood risk sites in the draft Local Plan subject to no resolute objection from the Environment Agency (0)
2. Keep all proposed flood risk sites except for those at high risk of flooding subject to no resolute objection from the Environment Agency (5)
3. Keep all proposed flood risk site but remove those at high risk of flooding and move some high risk sites to later in the Plan period (11-15 years) to allow for the River Thames Scheme to be operational and effective and the design code to be completed and subject to no resolute objection from the Environment Agency. (11)

The Committee **resolved** to propose to the Inspector to keep all proposed flood risk sites but remove those at high risk of flooding and move some higher risk sites to later in the Plan period (11-15 years) to allow the River Thames Scheme to be operational and effective, the design code to be completed, and subject to no resolution objection from the Environment Agency.

The Committee noted the contradictory advice regarding the Staines Development Framework provided by Andy von Bradsky from von Bradsky Enterprises, and from the counsel representing Spelthorne Borough Council at the Local Plan Examination. Professional advice regarding the need for the Staines Development Framework was provided by Andy von Bradsky, and a legal opinion was provided by counsel.

The Committee noted that the Staines Development Framework was a Supplementary Planning Document and was not required for the Local Plan Examination. The Committee also noted that work on design codes now required progression.

The Committee voted on the two options regarding the Staines Development Framework and the results were as follows:

1. To retain the Staines Development Framework as a core document (5)
2. To withdraw the Staines Development Framework as a core document (10)

The Committee **resolved** to propose to the Inspector to withdraw the Staines Development Framework as a core document.

Meeting ended at 21:12