

Environment and Sustainability Committee



26 April 2022

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

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

- 1.1 This report is seeking the agreement of the committee to move forward with the Pre-Submission Publication Version of the Local Plan and the draft Staines Development Framework. The journey of the Local Plan began back in 2014 with work starting on the Framework in earnest back in 2020. Both have been a collaboration between 21 Members on a cross party basis (reflecting this authority’s political makeup) with representation from every ward, supported by the Strategic Planning team.
- 1.2 Since June 2020, the ‘collective team’ have spent over 100 hours in task group meetings, and debated matters at numerous Cabinet and Environment and Sustainability Committee meetings, to ensure that the documents appended to this report represent the best, most robust and most defensible draft Local Plan and draft Staines Development Framework.
- 1.3 Between them, the two areas have been considered by councillors at either Cabinet or Committee on 6 different occasions to ensure that Members were comfortable with the direction of travel and the progress being made at every stage.
- 1.4 To reach this point, the Publication version of the Local Plan has been through two rounds of extensive public consultation (with a total of 684 responses from people or organisations plus 7 petitions with several hundred signatures). The draft Staines Development Framework Objectives and Options generated 745 responses and will be subject to a further round of public consultation before submission (as set out in the recommendations above).
- 1.5 This is an incredibly difficult decision for councillors to make, but it does now need to be made. Pivotal to a lot of councillor discussion and debate has been whether or not the Borough should meet its housing need in full. This has been debated vociferously by councillors over a considerable period at numerous Local Plan Task Group meetings, Environment and Sustainability

Committees, as well as motions to Council. Each time, councillors have reached the conclusion that the right approach is to meet our need.

- 1.6 Throughout preparation of both documents, the Council has made continued and compelling attempts to central government to have the standard method for calculating need amended to reduce the figure for Spelthorne. In the event that the standard method is revised this year, which has been suggested, we would still be able to revise the Plan accordingly before submission.
- 1.7 The Publication Version of the Local Plan accords with the strategy agreed in July 2021 to meet our housing need (now 618 dwellings per annum), release approximately 0.7% of Green Belt¹, and no longer include an additional housing allocation for Staines. In order to achieve this, the draft Local Plan sets out a number of green belt site allocations which are included at the end of the document (debated and agreed by the Local Plan Task Group). Many of these sites will be brought forward in the early years to front-load the Plan to take account of previous under-delivery and they bring with them the prospect of a greater percentage of affordable homes, family housing and open space provision.
- 1.8 Whilst the Local Plan also inevitably focuses on development opportunities in Staines-Upon-Thames, the draft Staines Development Framework demonstrates how the town can grow in a sustainable and sensitive way, and deliver on '6 Big Ideas' – connecting to the rivers, development that respects character, healthy streets for people, new open spaces, redevelopment of Elmsleigh and Tothill area and design for urban living. The concept of zoning has been developed to afford greater 'protection' to those areas which merit it, whilst ensuring the town as a whole has the capacity to grow. Critically, in order to demonstrate that it can deliver the growth required for the Local Plan, the framework is rooted in commercial reality.
- 1.9 The decision to publish the draft Local Plan and draft Staines Development Framework now is key to ensuring progress can be made to deliver an adopted Local Plan in the summer of 2023. It is crucial that the plan is in place before deadline of December 2023 which has been imposed on all councils by central government. Failing to do so runs the very real risk of control of its production being taken away from Spelthorne (either to the Secretary of State or a body such as Surrey County Council).
- 1.10 The draft Local Plan represents the most reasonable option for meeting our housing need (which councillors on the E&S committee have agreed has to happen). Both documents deliver for our important areas of green belt by minimising the loss of Green Belt that we have to accept (just 0.7%), they reduce the impact on Staines as far as possible (within the constraints we have to work within) by not including an additional housing allocation, provide opportunity to reduce some building heights in Staines through zoning proposals and allow for more family homes with gardens to be built. It prevents the process from becoming a battleground between those that want to preserve all our Green Belt and those who do not want overdevelopment in Staines. It prevents landowners and developers of the least preferred sites from taking advantage our inaction and it allows us to keep control of our Plan.

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

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

2. Key issues

2.1 The draft Spelthorne Local Plan and the draft Staines Development Framework have reached a key milestone in their production and are now ready for their final stages of publication and public consultation before submission to the Planning Inspectorate for examination and eventual adoption (targeted for Summer 2023).

2.2 This work has been a collaboration between Members on a cross-party basis over several years, supported by officers in the Strategic Planning Team. In addition to the work undertaken by previous iterations of the task groups, the current Local Plan Task Group and Staines Development Task Group have met on 57 occasions since their inception in June 2020, equating to over 100 hours of meetings. This is a considerable amount of involvement in plan preparation in comparison to other authorities but demonstrates the commitment to achieving the task with as much input from every ward and every political grouping as possible. The Local Plan Task Group comprises a Member from each ward plus the chair and vice chair of the task group and the vice chair of Environment and Sustainability committee (16 in all). The Staines Development Task Group comprises all Members from each Staines ward plus the chair and vice chair of the Environment and Sustainability Committee (12 in all). Overall, 21 of the 39 Spelthorne councillors have been directly involved in this process.

Councillor Decision	Body	Date
Consult on 4 options for the Local Plan	Cabinet	24 April 2018
Agreed the fourth option (combination) for the Local Plan for consultation	Cabinet	25 September 2019
Agreed the consultation response document on Preferred Options for the Local Plan for publication	Cabinet	23 September 2020
Agreed to proceed with the lower provisional housing figure for the Local Plan in anticipation it would be formally adopted	Cabinet	4 November 2020
Agreed the Analysis and Review report, the Objectives and Options report, and the Objectives and Options consultation	Cabinet	29 March 2021

questionnaire for the Staines Development Framework		
Agreed the revised strategy for the Local Plan (meet housing need, release approximately 0.6% of Green Belt and no longer include an additional housing allocation for Staines)	E&S Committee	13 July 2021

2.3 All the documents leading up to this point have been the subject of full public consultation, where all our residents, businesses and interested parties have had the opportunity to have their say. Key stages have been agreed through the formal decision-making process by Committee and prior to that by Cabinet. Whilst the Plan must comply with national planning policy and guidance, there are decisions to be made locally on the overall strategy and direction of the Plan and these have been Member-led, with support and professional advice from officers, taking account of consultation feedback. The table below sets out the formal consultation steps to date and the level of engagement:

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

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

Background

Local Plan

2.5 Work to produce a new Local Plan for Spelthorne commenced in 2014, after it was identified that the Core Strategy and Development Policies DPD 2009 was out of date and preceded the publication of the National Planning Policy Framework (NPPF). Due to a shortage of resources in the team, this work did not begin to make significant progress until 2017 with the appointment of a new Strategic Planning Manager and vacant posts filled. The Local Plan

Working Party, as it existed at the time, considered the emerging evidence in drawing together Issues and Options for the new Local Plan to address. The method for calculating housing need at that time was through Strategic Market Housing Assessments, procured locally from expert consultants based on housing and employment growth by borough. This figure was between **552 and 757 homes per year**. Noting that the NPPF placed great emphasis on meeting housing need, the broad options put forward in the Issues and Options consultation included ways in which this could be achieved if Exceptional Circumstances could be demonstrated to amend Green Belt boundaries.

- 2.6 The four options were (1) to intensify brownfield (previously developed) sites in the urban area, (2) release Green Belt, (3) maximise development opportunities in Staines upon Thames or (4) a combination of these approaches. Agreement to go out to consultation on these four options was agreed by **Cabinet on 24 April 2018**.
- 2.7 The option to maximise sites in Staines suggested that a 'masterplan' could be developed to help guide this approach. Staines is the borough's largest town with good access links and has a sizeable proportion of potential development sites compared to other towns and villages in Spelthorne, which is why one of the options was to focus growth here. Further details of the Issues and Options consultation can be found here:
<https://www.spelthorne.gov.uk/article/19957/Issues-and-Options-Consultation-2018>
- 2.8 The Local Plan Working Party and subsequently **Cabinet on 25 September 2019**, decided to pursue the fourth option of the combination approach, which would ensure development could be balanced throughout the Borough and meet our needs in the most sustainable way.
- 2.9 There was then a further public consultation on [Preferred Options](#) from November 2019 to January 2020. In addition to sites with planning permission, already under construction or other urban sites identified through our Strategic Land Availability Assessment, the consultation proposed meeting our shortfall of housing need by releasing approximately **1.6% of our Green Belt** for development and specifying a further 100 units per year in Staines upon Thames on the assumption that opportunity sites would be identified through the Staines Development Framework.
- 2.10 In the summer of 2020, the consultation response document on Preferred Options for the Local Plan was finalised and subsequently published following agreement at **Cabinet on 23 September 2020**. This took place shortly after a change in the Leader and membership of the Cabinet, and the creation of a new Local Plan Task Group. It was made clear in the document that the consultation was carried out under the previous Cabinet, and represented a rearward assessment of responses to a strategy made at that time. It did not make any decisions on the future direction of the Local Plan.
- 2.11 Members of the enlarged Local Plan Task Group (LPTG) going forward were keen to reduce or avoid use of Green Belt altogether and wanted to consider a 'brownfield-only' strategy. This coincided with a Government consultation on a revised standard method for calculating housing need, which brought our **figure down from 606 per year to 489**, and would have allowed for many Green Belt sites to be removed from consideration or taken out entirely and

still allow us to meet our need. In order to enable progress to be made, a decision was made by **Cabinet on 4 November 2020** on the recommendation of the LPTG to proceed with the lower provisional figure in anticipation it would be formally adopted. However, in December 2020, the Government announced that it would not be proceeding with the revised methodology and the existing one would stand, **putting our figure back to 606 homes per year (now 618** as the calculation is carried out annually).

- 2.12 With the need figure back to where it was, the LPTG still wanted to proceed with a brownfield-only strategy and Members examined density and yield assumptions on the brownfield sites in local area meetings to increase them and therefore lower the deficit that would need to be met by Green Belt sites. There was also a further Call for Sites exercise for developers and landowners to put forward sites for development. These endeavours yielded further units to bring down the deficit to around the figure under the now-dropped revised standard method (i.e. 489 units pa). Meanwhile, work on the draft Staines Development Framework suggested that it would be difficult to identify further opportunity sites beyond those already included in the Strategic Land Availability Assessment.
- 2.13 With opportunities to progress a brownfield-only strategy now exhausted, the LPTG met on 11 May 2021 and were asked to consider how this lower deficit over the 15-year plan period could be met. It was informally agreed that by releasing a small amount of Green Belt (approximately 0.6%) and no longer including an additional allocation for Staines, our housing need could still be met and we would be able to develop a Local Plan with a sound strategy that delivers a mix of housing in suitable locations. It is worth pointing out that a brownfield-only strategy would have delivered some 98% of new units as flats.
- 2.14 In order to assist Members in deciding on the strategy, officers provided a shortlist of potential Green Belt release sites (amounting to a **reduction of Green Belt land of approximately 0.6%**) that would address this deficit, although Members did not assess them individually or in detail as they were to illustrate the principle. Whilst indicative only, these sites represented those that would meet all or as many as possible of the following revised assessment criteria for site selection:
- Weakly performing Green Belt
 - Higher proportion of Previously Developed Land
 - Additional benefits to the community
 - Feedback from the public from the Preferred Options consultation
 - Smaller sites
 - Contributes to distribution of sites across the Borough
- 2.15 The revised strategy was agreed by **Environment & Sustainability Committee on 13 July 2021**. The list of indicative sites represented a starting point to consider these sites in more detail through the LPTG, and this has been the focus of work since then. One Green Belt site was removed from consideration by Members (Manor Farm in Charlton Village) and two new sites added: Ashford Community Centre (reprovision of community centre with affordable flats above) and a further site on Upper Halliford Road in Sunbury to deliver a new sixth form college with enabling housing

development. All the sites were discussed at multiple LPTG meetings, with further information sought and added until the LPTG could agree they should be taken forward as draft allocations for the Local Plan.

- 2.16 Alongside the allocations, which have proven to be the more contentious element of the draft Local Plan, the LPTG has also been developing and reviewing the draft policies. These were initially consulted on at Preferred Options stage back in 2020, but they have been updated to take account of new evidence and guidance, with greater focus on mitigating climate change and all supported by ongoing sustainability appraisal. Multiple meetings were held with the task group to review every policy in thematic groupings, followed by updated policies being recirculated to the group once comments from Members, other key stakeholders and internal teams had been incorporated. The Publication version of the Local Plan is attached at **Appendix 1**.

Staines Development Framework

- 2.17 Work also began in early 2020 to commission a Masterplan for Staines that would be adopted alongside the Local Plan as a Supplementary Planning Document (SPD). In the summer of 2020, the Masterplan was renamed the Staines Development Framework (SDF) and consultants David Lock Associates (DLA), who had been appointed in May, began working with stakeholders to set out the key issues that the Framework would seek to address. This included an important piece of baseline research (an Analysis and Review Paper), as well as discussing and developing with the Staines Development Task Group (SDTG) which elements should be included within the Objectives and Options consultation. This document set out 6 key objectives (1) Accommodating sustainable and inclusive growth (2) Diversifying and strengthening a resilient and inclusive town centre offer (3) providing people friendly streets and spaces (4) improving sustainable access (5) Integrating the riverside with the open spaces network (6) Promoting health and wellbeing through access to useable and attractive recreation facilities.
- 2.18 **On 29 March 2021 Cabinet** agreed the Analysis and Review report, the Objectives and Options report, and the Objectives and Options consultation questionnaire. This followed on from a number of meetings of the SDTG as a result of concerns from members around the need to ensure clear communication to maximise public engagement. The draft SDF was the subject of a public consultation on Objectives and Options which took place from 18 May to 29 June 2021. There was also a residents' briefing which took place on 13 May (with slides and a recording available on the Council's website). 745 responses were received from individuals or organisations which have been broken down into more than 19,000 comments.
- 2.19 The draft SDF has taken account of this feedback as it has developed through discussion with the SDTG. Members of the task group have been mindful of this feedback throughout their deliberations and the numerous meetings which have taken place since last autumn. This focus resulted in a request for the draft document to clearly demonstrate how that consultation feedback has been woven into its current format, which each section does. Further

information on the SDF and consultation can be found here:

<https://www.spelthorne.gov.uk/sdf>

- 2.20 The draft document is a credit to the consultants who have assisted Members and officers on a challenging task to devise a framework for how the town can grow in a sustainable and sensitive way, but most importantly in a way that is deliverable and is rooted in commercial reality. Much of the conversation has focused on high rise development, which the SDF addresses through proposed zones, but there is much more to this document. A key element of the Framework is the section on six 'Big Ideas' for the town:

1. Connecting to the Rivers
2. Development that Respects Character
3. Healthy Streets for People
4. New Open Spaces
5. Redevelopment of the Elmsleigh & Tothill Area
6. Design for Urban Living

- 2.21 The issue of zoning has proved to be understandably contentious, not least because it resulted in a deficit of housing numbers originally anticipated in Staines. Through discussion with both task groups, it was agreed by the LPTG (responsible for housing supply and distribution for the Borough) that the deficit would be met elsewhere in Staines in less sensitive areas than the zones cover rather than any contemplation that further Green Belt sites should be released to meet housing need.

- 2.22 As a result, the SDTG had to undertake a further review of the zoning in order to accommodate this deficit whilst still endeavouring to afford greater 'protection' to those areas which the TG felt required and merited it. A copy of the draft SDF is attached **at Appendix 2**. (It should be noted that the visual appearance of the document will be enhanced through the use of desktop publishing before it goes out to consultation).

Housing need number

- 2.23 Throughout preparation of both documents, the issue of housing need has been prevalent. The Council has made continued and compelling attempts to have the standard method for calculating need amended to reduce the figure for Spelthorne. Correspondence setting out our efforts can be found here: <https://www.spelthorne.gov.uk/article/20561/Council-challenge-the-Government-and-local-MP-on-housing-numbers>. Without a change to the method itself and with our current rate of under-delivery against objectively assessed need, the strategy has remained to aim to meet our need in full and that balancing the benefits of doing so against the limited harm of releasing just 0.7% of our Green Belt amounts to Exceptional Circumstances to allow us to amend the boundaries.² Evidence produced for the Local Plan shows that whilst the need figure is high, we can deliver on this number without resulting in adverse impacts such as to the highway network, the environment

² The marginal increase of 0.1% from the 0.6% in the strategy agreed by E&S Committee on 13 July 2021 is a result of changes to sites selected and recommended for release by the Task Group

or local infrastructure and services, subject to investment identified through the Infrastructure Delivery Plan. **However, in the event that the standard method is revised this year, we would be able to revise the Plan accordingly before submission or at any point before adoption by the Council.**

Current position

- 2.24 The draft Local Plan is now complete and ready for the Regulation 19 stage of the process. It is accompanied by a 'Destination and Objectives' section, which aligns the Plan to the Council's current corporate priorities (adopted by Corporate Policy and Resources Committee on 29 November 2021), and shows a vision of the future once the objectives have been met at the end of the Plan period.
- 2.25 The Strategic Planning Team has been responsible for producing and commissioning the full evidence base to support the Local Plan, which has required updating at various points of the process due to the passage of time. The volume of work produced is indicative of just how much supporting evidence is required for the production of a Local Plan and the difficulty in keeping the evidence up to date when there are delays in production. The full list of evidence is attached at **Appendix C**.
- 2.26 The draft Staines Development Framework is also ready for its next stage of consultation, after which the consultation feedback will inform a final version of the Framework for submission with the Local Plan to the Planning Inspectorate. The two will be submitted together as they are intrinsically linked, even though the SDF as a supplementary planning document is subordinate to the Local Plan and would not normally require examination before adoption.

Review by Task Groups

- 2.27 Both task groups have met to review the drafts of the respective documents and take a view on whether they can proceed to be considered by the E&S Committee.
- 2.28 In the case of the Local Plan, the task group met on 6 April 2022 for the final review of the draft. There was further discussion on whether the climate change and accessible homes policies were robust enough and comments were agreed for inclusion in the final version following any further amendments agreed by committee, such as removing 'low carbon' in favour of 'zero carbon'. There was debate about at which stage the Plan could be amended should the standard method for calculating housing need change, which is covered in this report. There remains concern over the zoning proposals in the SDF and whether it is a suitable approach to reduce potential yields in our largest town. Officers explained that the approach has been to try and meet as many of our communities' aspirations for the Borough as a whole, balancing the impact of development and addressing concerns where we can. The zoning represents a tangible change to the Local Plan and SDF as a direct result of public consultation, which should be seen as a positive

step in plan-making, but ultimately it will be for an inspector to consider whether it is sound. There was also discussion on whether the allocations could be separated from the policies element of the Local Plan but it was explained that this is a single document that needs to be read as a whole. Even if sitting within a separate document, sites cannot be lifted out or dropped in without undermining the strategy and the evidence that sits behind it. The Local Plan Task Group agreed by majority (one abstention, no disagrees) to support the draft Local Plan to proceed for consideration by E&S Committee.

- 2.29 For the Staines Development Framework, the SDTG met on 31 March 2022. There was concern raised after the meeting as to whether there had been sufficient time to read and digest the draft but after having held multiple task group meetings during preparation of the document it was pointed out that the key elements of it had already been reviewed. The SDF will also come back to the task group after consultation for further amendments to be considered and included to take account of feedback from the public and stakeholders so Members are only agreeing a draft for consultation, which is different to the Pre-Submission Publication Version of the Local Plan where no further significant changes will be made unless required by the Inspector. Members would have preferred to see the desk-top published version of the draft SDF as they were only able to see selected example pages alongside the full version they were supplied with as a Word document. It was not possible to achieve this in the time but it will be available before the consultation. The task group agreed the draft SDF could proceed for consideration by E&S Committee.

3. Options analysis and proposal

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

- 3.1 **This is the preferred option.**
- 3.2 The decision to publish the draft Local Plan and draft Staines Development Framework now is key to ensuring progress can be made to deliver on the timetable set out in the approved Local Development Scheme (LDS) **Appendix D**. It is crucial that the new Local Plan is in place before deadline of December 2023 which has been imposed on all Councils by central government. Failing to do so runs the very real risk of control of its production being taken away from Spelthorne.
- 3.3 The LDS was updated last year (in part due to the early stages of COVID when the team resource was reallocated to assist with the pandemic, but also as a result of changes in the political leadership). Even so, key milestone dates have already slipped as a result of additional time needed by the relevant task groups to agree elements of both documents, and the time taken to review the Members' 'vision' that was later dropped from further consideration. The LDS gives an adoption date of June 2023, although this is dependent on keeping to the timescales, and the lead in time and length of the examination (this is largely out of our hands).
- 3.4 This overall delay of 18 months has unfortunately held up completion of key pieces of evidence that relied on a decision being made on the overall strategy and selection of sites, such as the transport assessment, viability

assessment and the Infrastructure Delivery Plan. Whilst these have now been completed, they and other evidence will only remain current for a limited period of time before they need updating again.

- 3.2 Different options for the Local Plan strategy have been considered at various stages of its preparation, as set out above. We are now at a crucial point of needing to agree the Plan as drafted so that it can be consulted upon and examined. This allows for an independent inspector to assess the soundness of our Plan, test the evidence and hear from those parties who have been integral to its production and from those who may oppose it. Essentially, the time for discussing alternatives has passed and after so many years we must now advance to the next critical stage, having demonstrated that through numerous task group meetings, committee meetings and consultations we have now reached the point where discussions should give way to decisions.
- 3.3 It should be noted that any significant amendments sought to the Local Plan risks unravelling the document and the strategy behind it. The Plan is the culmination of an evidence-based approach, assessed through sustainability appraisal, so it is not as simple as being able to lift elements out or drop new elements in. The task groups have worked tirelessly on finessing these documents to reach this stage so it is for this committee to agree or disagree that they can be published for consultation as drafted.
- 3.4 The draft Local Plan represents the most reasonable option for meeting our housing need. It proposes only a small loss of Green Belt (just 0.6%), reduces the impact on Staines by not including an additional allocation, provides opportunity to reduce some building heights in Staines through zoning proposals in the draft Staines Development Framework and allows for more family homes with gardens to be built. A brownfield-only strategy would have delivered some 98% of new units as flats.
- 3.5 Both the draft Local Plan and draft Staines Development Framework deliver for our important areas of Green Belt, for the future of Staines and for the needs of our residents. It prevents the process from becoming a battleground between those that want to preserve all our Green Belt and those who do not want overdevelopment in Staines. It prevents landowners and developers of the least preferred sites from taking advantage of our inaction and it allows us to keep control of our Plan. It is positively prepared, based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; is justified by robust evidence; can be delivered; and is consistent with national policy. As such, the Plan is considered to meet the test of soundness and will withstand the rigours of examination and be capable of eventual adoption.

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

- 3.6 This is not recommended.
- 3.7 It is important to re-state that this Local Plan should aim to meet our housing need. Officer advice, confirmed by legal counsel advice, is that whilst it is appealing to consider producing a Plan that does not meet our need in full this will not be a sound strategy and would be rejected by the Planning Inspector.

- 3.8 As Officers we understand that this is an incredibly difficult decision for councillors to make. The Local Plan is the one document which has the most impact on how the Borough will look, and what facilities it will provide for future generations of residents and businesses. Whether or not the Borough should meet its housing need has been debated vociferously by councillors over a considerable period at numerous LPTG meetings, Environment and Sustainability Committees (including the one on 13 July 2021 which agreed the strategy), as well as motions to Council on an alternative 'Vision' for the borough. Each time, councillors have reached the decision that the right approach is to meet our need.
- 3.9 Those few authorities that have attempted not to meet their housing need since the introduction of the standard methodology have so far failed. This is because the plans such as those submitted by Sevenoaks District Council and Wealdon District Council have not proceeded to full examination as the inspectors have considered that the Duty to Cooperate test has not been met and that more should have been done to secure assistance from neighbouring authorities to meet housing need. Plans that have had a lower number accepted were submitted under the regime that preceded the standard method. Our housing need is high, we have years of under-delivery against the latest objectively assessed need figures and we have areas of Green Belt that are not performing against its stated aim, that have already been built on and that could bring additional benefits to our communities. The possible sites are not what many people would even recognise as Green Belt in character and visual amenity value.
- 3.10 Whilst it may be tempting to submit a plan which does not meet our housing need and allow the Inspector to reject our Plan rather than progress a sound strategy ourselves, this would result in a delay of at least a year to 18 months. That runs the significant risk of having production of our Plan handed to the Secretary of State or a body such as Surrey County Council as it will be clear by that stage that there is little prospect of meeting the December 2023 deadline. It also opens up the very real potential for larger, more important and highly performing Green Belt sites to come forward for development with greater prospect of success without a sound Local Plan progressing. Recently, planning inspectors have given significant weight to the Council's under delivery of housing in allowing appeals against our decisions. This situation will only be exacerbated the longer the Local Plan takes to be adopted – taking decision making increasingly out of 'local hands'. Furthermore, the zoning approach to sensitive areas of Staines in the SDF is only likely to be found sound if overall the Local Plan is meeting our housing need, as reducing the potential yield of sites in town centres could be considered to national policy on optimising densities in sustainable locations.
- 3.11 The committee will be aware of the recent decision made by Elmbridge Borough Council on their Regulation 19 Local Plan, which was to only meet two thirds of their housing need, and not to release any Green Belt. Their public consultation will run very slightly ahead of ours (if the documents are agreed by this Committee and Council). As an authority we will need to consider our position on their unmet need, but are currently minded to object to the overall soundness of their Plan. There is the risk that an inspector examining their plan, should it reach that stage, would say Spelthorne's Plan

should meet some of their unmet need, as happened at Waverley Borough Council where housing need from Woking and London was imposed.

4. Financial implications

- 4.1 Delays in agreeing the Publication Version of the Local Plan and the draft Staines Development Framework, and therefore the plan-making process as a whole, will incur additional financial costs as evidence becomes out of date and needs refreshing. This could amount to tens of thousands of pounds.
- 4.2 If the recommendations are not agreed, and a version of the plan is pursued which does not meet housing need, then the abortive costs would run to tens of thousands of pounds, without any certainty of success. This would be in addition to the costs already incurred to date on the Local Plan review (c£100k), and the costs that are yet to come.

5. Other considerations

- 5.1 The emerging Local Plan and the Staines Development Framework will begin to have limited weight in decision making from the Regulation 19 stage but this will depend on the extent of objection to policies and allocations. The level of weight will increase throughout the examination stage to the inspector's report on the soundness of the Plan but full weight can only be given on adoption of both documents.
- 5.2 The Council's CARES corporate objectives have been used to set out the Destination and Objectives for the Local Plan so that there is a 'golden thread' that binds strategic objectives with planning policy. This means we have been able to focus on how these common objectives can be achieved at a practical and deliverable level. Examples include: Affordable housing, where the Local Plan policy and key allocations will ensure delivery of significantly higher levels of affordable housing than we are currently achieving. Environment, where climate change has been at the forefront of new policies that go much further in terms of requirements on developments to incorporate mitigation and zero carbon solutions. Recovery, where both the Local Plan and the Staines Development Framework have a clear emphasis on supporting local businesses and employment opportunities, enhancing our town centres and retail offer.
- 5.3 It is important to set out that the whole Local Plan process needs to be underpinned by a robust viability assessment to ensure that the Plan and the SDF are deliverable and commercially sound. Policies can only be relied upon where they do not prevent development coming forward due to overly onerous requirements. The reality is that developments will only be built if they are viable to the developer and make a return, otherwise there is no incentive for them to be built here. Such requirements are on top of the Community Infrastructure Levy, which is fixed and non-negotiable, and include the level of affordable housing, sustainability measures, open space provision and additional infrastructure. It is a careful balance to ensure these requirements are met without rendering schemes unviable and we have consultants advising us on these provisions within the policies themselves and the allocations. Once we are confident that they are viable and if the Local Plan is found sound on this basis and subsequently adopted by the

Council, developers will find it very difficult to argue against these requirements through individual planning applications as they should have been taken into consideration when the site was acquired in negotiating the purchase price and the cost of development. This means our policies have a significantly greater chance of being upheld than under the current policies.

6. Equality and Diversity

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

7. Sustainability/Climate Change Implications

- 7.1 Sustainability appraisal, including climate change implications, is the cornerstone of plan making and has been included throughout the Plan's preparation to respond positively to the Climate Change Emergency. As set out in the Destination and Objectives of the Plan, this will be achieved by:
- Implementing Local Plan policies to safeguard the environment against air, noise, light and water pollution and remediating land contamination.
 - Local Plan policies and allocations which support the requirement for biodiversity net gain, through partnership working and the use of Nature Recovery Strategies.
 - Implementing Local Plan policies to encouraging waste prevention and promote recycling.
 - Implementing Local Plan policies to promoting sustainable travel, including actively supporting improvements to public transport access to Heathrow.
 - Promoting residential development that is sustainably located with access to existing services and transport hubs.
 - Promoting energy efficiency for new buildings and refurbishments.

8. Timetable for implementation

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

9. Contact

- 9.1 Ann Biggs, Strategic Planning Manager (a.biggs@spelthorne.gov.uk)
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Background papers: There are none

Appendices:

Appendix A: Draft Spelthorne Local Plan 2022 – 2037

Appendix B: Draft Staines Development Framework

Appendix C: Evidence Base

Appendix D: Current Local Development Scheme timetable