

# Corporate Policy & Resources Committee

Date of meeting: 8 July 2024



<b>Title</b>	Local Plan – Resumption of Examination
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Heather Morgan, Group Head Place, Protection and Prosperity Jane Robinson, Interim Joint Strategic Planning Manager
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	Community Addressing Housing Need Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to:</b> <ol style="list-style-type: none"><li>(1) Make a recommendation to Council to propose a Main Modification to the Inspector to remove Bridge Street car park/Hanover House/Sea Cadet building (ST4/002) and Riverside surface car park (ST4/010) as site allocations from the Local Plan</li><li>(2) Make a recommendation to Council to propose a Main Modification to the Inspector to agree to new policy wording in relation to site allocations at risk from access and egress issues (flooding)</li><li>(3) Make a recommendation to Council that the Chair of the Environment &amp; Sustainability Committee write to the Inspector with further proposed Main Modifications (if agreed) in order to progress the Local Plan back to Examination</li></ol>
<b>Reason for Recommendation</b>	The Local Plan Examination hearings were paused in summer 2023. A number of proposed Main Modifications were agreed by Environment & Sustainability Committee on 29 February 2024. The recent response from the Environment Agency (EA) now requires this committee to recommend to Council whether or not further proposed modifications need to be agreed and put to the Inspector.

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>The Local Plan Examination is currently 'on pause'. Proposed Main Modifications were agreed by E&amp;S committee 29 February 2024.</li> <li>Considerable recent progress has been made with the EA.</li> <li>There are now just 2 sites the EA want to see removed, alongside a request for new policy wording around site allocations at risk from access and egress flooding issues (including reference to dry islands)</li> </ul>	<ul style="list-style-type: none"> <li>The Local Plan has been paused for a year, and the key outstanding issue is the position of the EA.</li> <li>Further EA correspondence now requires a decision on whether further Main Modifications are needed.</li> <li>A decision is required so that we can go to the Inspector have certainty around the Local Plan</li> </ul>
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>This report sets out the recent response from the EA, and the options for deciding whether or not this Committee recommends to Council that we request further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption</li> </ul>	<ul style="list-style-type: none"> <li>Make a recommendation to Council to remove two current site allocations</li> <li>Make a recommendation to Council on new policy wording on site allocations at risk from access and egress flooding issues (including reference to dry islands)</li> <li>Request chair of E&amp;S committee to write to the Inspector to ask him to consider the proposed Main Modifications and resume the Local Plan Examination</li> </ul>

- 1.1 Considerable progress has been made with the Environment Agency (EA) to address their flooding concerns. It will be for this Committee to recommend to Council whether further limited proposed Main Modifications are made to the Local Plan to overcome their outstanding policy matters.
- 1.2 Full Council on the 18th July will consider the recommendations from this Committee as the Council may at any time resume responsibility for a function

and exercise that function despite any delegation, which in this case would be within the remit of the Environment and Sustainability Committee. This avoids the necessity of calling an Extraordinary E&S Committee meeting.

- 1.3 The EA's concerns/matters relate to two site allocations and the need for new policy wording on site allocations at risk from access and egress flooding issues (including dry islands). It will be for the Inspector to decide whether to accept any proposed Main Modifications we propose to make, and to move back to Examination or not.

## **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. One week of hearings took place at the end May, before an Extraordinary Council meeting on 6 June 2023 agreed to pause the hearings for 3 months to allow for councillor training. At CPRC on 26 June 2023, it was agreed that Catriona Riddell Associates be appointed as a 'critical friend' to undertake an external review of the Local Plan (with that appointment being agreed by Council on 19 July 2023).
- 2.2 On 14 September 2023, an Extraordinary Council meeting took place to consider the future direction of the Local Plan, including whether (1) the Local Plan continued with further robust risk management measures; (2) a further pause be agreed until the publication of the National Planning Policy Framework (NPPF); (3) withdraw the Local Plan from Examination. On the day of the meeting, the Council received a Ministerial Direction letter removing our ability to withdraw the Local Plan (option 3). This meant Council could only consider whether to continue with the Local Plan with risk management measures or agree a further pause until publication of the NPPF.
- 2.3 Further detail can be found in the background section of the report to extraordinary Environment & Sustainability (E&S) Committee on 29 February 2024. [Agenda for Environment and Sustainability Committee on Thursday, 29 February 2024, 7.00 pm - Spelthorne Borough Council](#)

### Examination and proposed modifications

- 2.4 The provisions under Para. 230 of the NPPF mean that Spelthorne's Local Plan at this advanced stage will be examined under the previously published NPPF (not the new version which came into effect in December 2023). The procedural guidance for Local Plan examinations makes it clear it is the Inspector's decision to consider modifications only if they are necessary to make the Plan sound and/or legally compliant. If the Inspector is not able to accept the suggested modifications as necessary and/or if they would result in a significant change to the spatial strategy of the Local Plan and the Council still wishes to progress with the amendments, it would normally open to him to suggest the Council withdraws the Plan from Examination and draft a new Plan for submission.

### EA and Preliminary Statement of Common Ground

- 2.5 A full Statement of Common Ground has yet to be signed between the Council and the Environment Agency (EA). A Preliminary Statement of

Common Ground between the Environment Agency and Spelthorne Borough Council was agreed by the EA on 22 May 2023 and published on 23 May 2023. This agreed which version of the Thames (Hurley to Teddington) modelling would be used as a basis of discussion during the Examination hearings (2019). The statement also simply set out the titles and dates of the evidence produced and that we had agreed to continue to work together. We also agreed to continue to work with them to agree a more comprehensive Statement of Common ground to set out the areas of agreement and any remaining areas of disagreement between the two parties.

#### E&S Committee 29 February 2024

- 2.6 The report to E&S Committee on 29 February 2024 set out that Spelthorne found itself in the position of wishing to make changes to deliver a Local Plan it could support on behalf of those residents of the Borough who were dissatisfied with the Plan as submitted, but within the bounds of the procedural guidance for this stage of the Examination and in light of the Minister's directive. That document asked the E&S Committee to make decisions on (1) various options for Green Belt sites; (2) options on flood risk sites; (3) whether to retain or withdraw the Staines Development Framework; and (4) to request the Inspector to consider the modifications and resume the Local Plan Examination.
- 2.7 The Committee:
1. *“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.*
  2. *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.*
  3. *Resolved to propose to the Inspector to withdraw the Staines Development Framework as a core document”.*
- 2.8 It is worth highlighting that ‘Bridge Street car park/Hanover House/Sea Cadet building’ was allocated for housing at submission stage, but on 29 February 2024 E&S Committee agreed to amend that site allocation. The rationale was that whilst unsuitable for housing, it had the potential for “leisure/recreation use to include hotel”. At that stage, it was proposed to amend the allocation to clarify that development would not be permitted in areas of Flood Zone 3b Functional Floodplain (front portion of the site). This part of the site would be retained as floodplain and steps should be taken to restore the land to provide a more natural edge of the River Thames.
- 2.9 The chair of E&S Committee wrote to the Planning Inspector on 3 March 2024 (**Appendix A**). In that letter, the chair advised that a number of steps needed to be taken. Revised Strategic Flood Risks Assessment levels 1 and 2 were completed and submitted to the EA on 20 March. Their initial response was received on 2 May with a further round of updated information sent on 21 June.

## Recent discussions with EA

- 2.10 After a meeting with their officers, some suggested revised policy wording was sent by the Council to the EA (with the prior agreement of the relevant councillors) on 5 June 2024. This sought to deal with their concerns around the reliance on the River Thames Scheme - RTS (the proposed wording is attached at **Appendix B**). These revisions removed any reference to the RTS (wording which had been agreed by the E&S committee in February) and replaced it with wording to:
- ensure a planning application for any future development demonstrates no loss in floodplain storage. The built footprint of the new development will not be permitted to exceed that of the existing building and where possible should be reduced. [Just sites at flood risk]
  - demonstrate safe access and egress (dry or low hazard) to an area outside the floodplain [Sites at flood risk and with access/egress issues]
  - to ensure this safe access is developed in consultation with the Lead Local Flood Authority (Surrey CC) and Emergency Planning teams and input from the Environment Agency is welcomed [Sites at flood risk and with access/egress issues]
  - ensure a site is allocated within the relevant Plan Period to allow opportunity for a plan for safe access and egress (dry or low hazard) to be provided for occupants [Sites at flood risk and with access/egress issues]
- 2.11 The Council received the latest full set of EA comments very late on 21 June 2024. This letter considered the suggested revised wording set out above (**Appendix C**). An addendum letter was received on 1 July 2024 which reiterated the advice of the 21<sup>st</sup> but acknowledged that the Bridge Street site had built form on it (**Appendix D**). These do not represent their final comments as there are a number of issues outstanding. On 21 June the EA advised they currently:
- “consider the plan unsound because it is not justified, effective and consistent with national policy. We have provided you with detailed comments below and have highlighted the comments which require an action from you to address these soundness points.*
- We trust our comments below are useful and we look forward to working with you to deliver a sound local plan that is reflective of national policy and your local evidence base so that it will deliver sustainable development in Spelthorne”.*
- 2.12 It is positive to note the EA continue to work proactively with the Council, and have provided some helpful suggestions on how we can address their concerns. The collective work of the Council, AECOM and the EA means the the issues have been ‘whittled down’ considerably, and there is now far more common ground, which could be built on further depending on the recommendations of this Committee to Council.
- 2.13 There are effectively only two key matters outstanding which require a policy decision, and these need to be made by Council following a recommendation from CPRC committee. The matters at issue are:

1. The EA does not consider the Bridge Street car park/Hanover House/Sea Cadet Building site or the Riverside surface car park site (site refs ST4/002 and ST4/010) can be delivered and are asking for these sites to be removed from the Local Plan.
  2. The EA do not consider that safe access and egress has been provided for 15 sites within the Local Plan and are asking for this to be clearly demonstrated – this number includes the 2 sites referred to above (they have provided some thoughts on matters to be covered to assist).
- 2.13 This is a soundness issue as there is an objection from a statutory consultee. The challenge for Spelthorne is that many of these sites need redevelopment as part of the wider vision for the future of Staines and these considerations should be balanced against the flood risk implications for allocating them in the Plan. It is important to have an established position from the Council on which Main Modifications to site allocations will be sought in order to resume dialogue with the EA, and to put to the Inspector.
- 2.14 There are a number of more technical matters which can be addressed at officer level and do not require a decision by Council or Committee. The planning team will however liaise as usual with the Chair and Vice Chair of E&S Committee to ensure they are comfortable with the response.

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

#### Site Allocations

- 3.1 The options for Members to consider are:
1. To recommend to Council that two site allocations be removed from the Local Plan on the basis of flood risk and the objection of the EA (Bridge Street car park/Hanover House/Sea Cadet Building and Riverside surface car park (site refs ST4/002 and ST4/010)).
  2. Do not remove the two site allocations.

#### *Option 1 – remove two site allocations (recommended)*

- 3.2 The proposed Main Modifications that were agreed by the E&S Committee on 29 February 2024 to submit to the Inspector would provide up to 8,500 dwellings over the plan period, equating to up to 567 dwellings per annum and 87% of 'Local Plan as submitted' supply.
- 3.3 Removing the Riverside surface car park site would marginally reduce the quantum of new homes that the Local Plan will deliver. It is allocated for 35 units which represents 0.4% of the 8,500 units to be delivered over the lifetime of the plan (if our current proposed Main Modifications are accepted by the Inspector). This will have a very limited impact on the housing trajectory. Combined with the other proposed Main Modifications agreed in February, this would result in us not meeting our housing need in full, but for soundness reasons.
- 3.4 On 29 February 2024, the E&S Committee recommended that the Bridge Street car park/Hanover House/Sea Cadet building site be re-allocated for leisure/hotel use (in light of the EA's concerns). The reduction in housing delivery was accounted for at that stage.

- 3.5 This site is in a brownfield location where development can come forward at any time, regardless of whether or not it has been allocated and/or a Local Plan is in place. Site allocations are more important when they are proposing to release green belt, or deal with new strategic land allocations, for example. The removal of this site allocation would not have a material impact on the Local Plan, aside from the fact that there would be no 'guide' on the types of acceptable uses.
- 3.6 Those reading this report need to be aware that removing this as a site allocation would not mean development cannot take place. Any proposal coming forward would need to be able to demonstrate compliance with the most up to date NPPF, any other national policy, policies in the adopted Spelthorne Local Plan, responses from statutory consultees and any other material considerations. The letters from the EA at **Appendix C and D** are in the public domain so any developer would be clear on the matters to be addressed as part of any planning application.
- 3.7 If the Committee agree to recommend the removal of these sites, it will remove one of two remaining matters which the EA are still objecting to. This will move us towards the position where we can have a more comprehensive statement of common ground with the EA.

*Option 2 – do not remove two site allocations*

- 3.8 As it stands, this is unlikely to result in the Local Plan being found sound (there is an objection from a statutory consultee). The letter from the EA at **Appendix C** sets out more detail around their rationale for the sites to be removed.
- 3.9 Officers have already proposed earlier Main Modifications to remove some of the sites at highest risk out of the Plan. At the E&S Committee on 29 February 2024 four sites were agreed to be removed as housing site allocations on the basis of an objection from the EA (totalling 258 homes). These were Burges Way, Fairways Day Centre, Thames Lodge and Bridge Street car park/Hanover House/Sea Cadet building. That Committee also agreed that other sites would still be pursued (some were moved back to the later years of the Plan) if there was no resolute objection from the EA (these are set out in **Appendix E**).
- 3.10 If this option is pursued it would be for the Inspector to decide whether this would, in conjunction with the other proposed Main Modifications, affect the soundness of the plan.

New policy wording

- 3.11 The options for members to consider are:
1. To recommend to Council that it agrees the new policy wording in relation to site allocations at risk from access and egress flooding issues (including dry islands) set out below in line with the suggestion of the EA.
  2. Not agree new policy wording set out below in line with the suggestion of the EA.

The proposed policy wording is set out below:

***The site will not be available for development until a safe route for access and egress can be provided and maintained during a flood event. The safe route for access and egress must be provided to allow occupants to safely enter and exit the buildings and be able to reach land outside the flooded area using public rights of way, without the intervention of emergency services or others during design flood conditions, including climate change allowances (i.e. 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance).***

Where relevant

*This site is within a “dry island”, an area of slightly higher ground, less prone to flooding than the land around it. During times of flood, it is possible that the land surrounding this site may become flooded, resulting in this higher area becoming a ‘dry island’. ‘Dry islands’ will be treated the same as the level of flood risk in the area surrounding it, and access and egress (as defined above) is required to be provided.*

*The site will not be available for development until Years 1-5/Years 6-10/Years 11-15 of the Local Plan period to allow time for provision of a safe route for access and egress.*

*Significant infrastructure would need to be in place to reduce the risk and ensure a safe access and egress can be provided and maintained during flood events.*

*Any necessary infrastructure to be provided by the developer must be in place before any built development can commence on the site or in accordance with a timetable to be agreed with the Local Planning Authority, (and secured by a legal agreement to ensure the infrastructure to be provided on the site and be part of the allocation for its lifetime).<sup>1</sup>*

- 3.12 The sites to which this new policy wording refers to are set out in **Appendix E**. Members should note that if the two site allocations referred to in para 3.1 are removed then there will be 13 sites which this new policy wording would apply to.
- 3.13 Members of this Committee need to be aware that the suggested revised policy aligns with the policy ‘E3: managing flood risk’ as set out the submitted version of the Local Plan. It does not conflict with any minor amendments that the EA have requested as part of their on-going consultations.

*Option 1 – agree new policy wording (recommended)*

- 3.14 The new policy wording will hopefully address the concerns of the EA (since it is based on their own parameters). The aim is to ensure that matters of safe access and egress are dealt with robustly. This will protect the safety of future residents in the event of a flood, which the Administration have said is a very high priority in relation to the Local Plan. We are currently liaising with the EA

---

<sup>1</sup> Each site allocated in the Plan will need to demonstrate that a safe route of access and egress can be provided and maintained during flood events up to and including the 1% AEP plus an allowance for climate change flood event

<sup>1</sup> As set out in table X

<sup>1</sup> up to and including the 1% AEP plus an allowance for climate change flood event.



on the new policy wording, and will update members verbally at the committee on any feedback we receive prior to the meeting.

- 3.15 The overarching thrust of the new policy wording is to make it clear that sites will not be available until safe access and egress can be assured, which goes to the heart of the concerns of the EA. It is designed to ensure that sites come forward at the appropriate point in time. However, if development comes outside that timeframe a developer would need to ensure significant infrastructure is in place prior to any development being undertaken.
- 3.16 The first part of the new policy wording only allows sites to come forward in a defined Local Plan period/time frame will give certainty around delivery. Developers will be clear on when a scheme could come forwards (though there may still be instances where an application comes forward 'early' and the policy is tested at appeal if the Council is consistently under-delivering on its housing targets). It also gives certainty around the trajectory of housing delivery over the lifetime of the Plan.
- 3.17 The other parts of the new policy wording will place a significant responsibility on developers to bring forward necessary infrastructure before any building comes forward. In some cases, off site works may be the only solution (which would require separate consents). Depending on the extent of infrastructure required, developers will need to build those capital costs into their schemes. The advantage of having such an explicit upfront policy in the Local Plan ensures that developers are aware of the requirement before they purchase any land, and will be able to factor these into their costings.
- 3.18 In deciding whether to agree this option, consideration needs to be given to potential impact of this revised policy wording on housing delivery. The NPPF at Para. 69 states that planning policies should identify a supply of specific, deliverable sites for 5 years following the intended date of adoption (2025 – 2030). For the later period, it states we should identify a supply of specific, developable sites or broad locations for growth, for the subsequent years 6-10 (2030 -2035) and, where possible, for years 11-15 (2035 – 2040) of the remaining plan period.
- 3.19 Spelthorne does not currently have a five-year supply of housing land, so past under-delivery places additional burden on the earlier part of the Plan. Adopted Local Plans are required to be reviewed every five years, which allows for that important first phase of delivery to be assessed to ensure an adequate number of homes continue to be planned for. This could be an area of concern for the Inspector if the trajectory for housing delivery does not meet the requirements of Para. 69 even if overall the sites are left in the Plan but moved to later periods.
- 3.20 If the Committee agree to recommend the new policy wording, it will remove one of two remaining matters which the EA are still objecting to. This will move us towards the position where we can have a more comprehensive statement of common ground with the EA.

*Option 2 – do not agree new policy wording.*

- 3.21 As it stands, this is unlikely to result in the Local Plan being found sound (there is an objection from a statutory consultee). Whilst not explicitly objecting, the EA are clearly signalling the need for a more policy wording to give a clear demonstration that a safe access and egress has been provided.

- 3.22 If the Committee were to decide to continue to rely on the position agreed by E&S Committee on 29 February 2024, it would be for the Inspector to decide whether this would, in conjunction with the other modifications, affect the soundness of the Plan.
- 3.23 If the Inspector is willing to consider proceeding with the Examination on the basis of these modifications in order to explore this matter further, a Statement of Common Ground would need to be signed with the EA to set out which areas of their objection remain ('uncommon ground') and remain to be resolved through the hearings with reference to the wider planning and regeneration reasons for the Council's approach to keep the lower risk sites in the Plan with the necessary interventions.

#### **4 Financial management comments**

- 4.1.1 The financial implications were set out in the report to Council on 14 September 2023, which included further costs for resuming the Examination. Those costs were expressed as a minimum as they are dependent on the extent of modification Members agree to pursue. If the proposed modifications agreed require further justification and evidence this will incur additional cost beyond those anticipated if the hearings resume on the basis of the Local Plan as submitted. This is also dependant on the Inspector's expectations for what he requires in order to recommence the Examination, given the passage of time since the first hearings and any external factors that may need addressing or evidence that would have required updating even if the Local Plan remains as submitted.
- 4.1.2 In the event that the initial modifications proposed to the Inspector post 29 February, plus these further modifications (if agreed), cannot be considered as part of the Examination (and we are unable to withdraw it), further deliberations will be required by the Council on whether a further set of revised changes may be more acceptable. This additional time could result in further costs for additional evidence and justification to be prepared.
- 4.1.3 Once the Council has made its decision, and with any guidance the Inspector is able to provide, we will be able to estimate with greater certainty what these costs might be in order to resume the Examination.

#### **5 Risk management comments**

- 5.1.1 As well as the financial risks identified above, there is the risk of further intervention by the new Minister for Housing and Planning. The initial letter with the Directive stated:

*Should a significant delay occur to progressing the examination, and should you fail to comply with the directions in this letter, I will consider taking further intervention action to ensure that an up-to-date local plan is in place.*

- 5.1.2 Spelthorne has been making positive progress to resume the Local Plan Examination. If the initial set and this second set of proposed Main Modifications are rejected by the Inspector, there is the risk that a continued review of changes results in further delays. This could lead the Minister considering whether or not to trigger further intervention. The ultimate

legislative backstop could be that the Plan is taken over by another body and progressed to adoption. This has not happened anywhere in the country to date.

- 5.1.3 Senior officials at DLUHC are being regularly updated on our progress to help mitigate this risk of further intervention.
- 5.1.4 In order to ensure the right quality of development comes forward in Staines, work is ongoing on a Spelthorne Design Code. Members who sit on the E&S Committee will be familiar with this work, having agreed its progression back in January of this year. A dedicated webpage has been set up (linked from the home page of the Council website) to keep the public and communities updated on progress. [Have Your Say Today - Spelthorne Design Code - Commonplace](#)

## **6 Procurement comments**

- 6.1.1 Any of the options chosen that result in proposing modifications may require further evidence and justification, which may result in the need to commission consultants to update work they have already produced for us to support the Local Plan or new pieces of work entirely. This would be discussed with the Procurement Team as required.

## **7 Legal comments**

- 7.1.1 An option to withdraw the Local Plan from Examination is not available to the Council under the Minister's Directive (September 2023).
- 7.1.2 Any changes to site allocations would normally be for the E&S Committee as it is within their terms of reference. Full Council on the 18th July will consider the recommendations from this Committee as the Council may at any time resume responsibility for a function and exercise that function despite any delegation, which in this case would be within the remit of the Environment and Sustainability Committee.
- 7.1.3 This avoids the necessity of calling an Extraordinary E&S Committee meeting.

## **8 Other considerations**

- 8.1 See previous reports from [6 June 2023](#) and [14 September 2023](#).
- 8.2 The results of the general election on 4 July 2024 may or may not result in a change of government. Regardless of the political complexion, local plans are a high priority, and will still need to be progressed at their current pace or even faster.
- 8.3 Any new guidance that does emerge will take some months to come out, and is considerably less likely to cover our current situation (e.g. at Examination), than would be the case if we had an adopted plan or were at the early stages of developing a new plan.
- 8.4 Members need to be aware that the EA is a statutory consultee and their objection means there is a soundness issue unless it can be resolved. The Local Plan is a document that has to achieve its stated aims at the same time as balancing the competing views of individual stakeholders. Whilst the Council had agreed a view on these matters in submitting what in its views is a sound plan for Examination, it will ultimately be for the Planning Inspector to test this through that process.

- 8.5 A number of flood risk sites are owned by the Council. Other than the fact that delivery of development of these sites being within the control of this authority, the ownership of land is not relevant to the Local Plan. Resulting impacts of decisions on modifications from a landowner perspective, such as the financial implications, are not for consideration in this report.
- 8.6 Members will be aware of the recent work undertaken by Dr Paul from Holloway University on groundwater issues in Staines-upon-Thames. This is an independent study (not commissioned or paid for by the Council) which has not been peer reviewed or finally published. It will be for Dr Paul and the University to decide whether to submit this study to the Planning Inspector for his consideration.
- 8.7 It does not prevent this committee from making recommendations to Council on matters around the EA letter which relates to fluvial flooding.

## **9 Equality and Diversity**

- 9.1 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.

## **10 Sustainability/Climate Change Implications**

- 10.1.1 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. Depending on which options are ultimately taken forward, further sustainability appraisal may be required.

## **11 Timetable for implementation**

- 11.1.1 This Committee is asked to make a recommendation to Council on the site allocations and proposed tightened policy wording. Depending on the decision, the Council will then write formally to the Inspector to set out the proposed modifications (if any) and await his advice on whether or not the Examination hearings can resume. The timetable thereafter will be for the Inspector to set out.

## **12 Contact**

- 12.1 Heather Morgan, Group Head Place, Protection and Prosperity  
[h.morgan@spelthorne.gov.uk](mailto:h.morgan@spelthorne.gov.uk)  
Jane Robinson, Interim Joint Strategic Planning Manager  
[j.robinson@spelthorne.gov.uk](mailto:j.robinson@spelthorne.gov.uk)

**Background papers: There are none.**

**Appendices:**

**Appendix A: Chair of E&S committee letter to Planning Inspector March 2024**

**Appendix B: SBC suggested wording to EA 5 June 2024**

**Appendix C: EA letter 21 June 2024**

**Appendix D: EA letter of 1 July 2024**

**Appendix E: Sites to which proposed new policy wording would apply**