

Pre-Submission Spelthorne Local Plan
Representations Made Under Regulation 20
in Policy Order (Sustainability Appraisal, Evidence
and Other Representations)



Spelthorne Takes Shape

November 2022

Pre-submission Spelthorne Local Plan - Representations Made Under Regulation 20 in Policy Order (Sustainability Appraisal, Evidence and Other Representations)

Over the 12-week Reg 19 consultation period (15 June – 21 September 2022) the Strategic Planning Team received 897 representations from 335 individuals and organisations regarding the Pre-submission Spelthorne Local Plan.

A number of respondents used the online questionnaire to submit their comments and others sent emails, letters or filled out the paper form. All of the responses have been entered into the Council consultation software under the policy, site or part of the plan which Officers felt was most appropriate. Where a long representation has been submitted, it has often been broken down into different policies and then then a PDF of the full document has been uploaded and can be accessed via the hyperlinks. Supporting documents, for example photos and maps, have been uploaded and can also be accessed via the hyperlinks in the tables.

This document contains the 73 representations received relating to the Sustainability Appraisal, evidence base and other matters such as the consultation or Duty to Co-operate. A separate document contains the 823 representations relating to policies and sites, sorted in Plan order, so all of the comments received on that policy or a particular site are together.

A separate document contains the same information but sorted by alphabetically in representor name or organisation order. Where an agent has been used to submit the representation, it appears under the name of the person or organisation and not the agent.

Policy / Evidence Base / Part of Plan: Sustainability Appraisal	
Respondent: A2Dominion Group (42324225)	
Organisation:	
Response ID: 1128131	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Not Consistent with National Policy Not Justified Not Positively Prepared Not Effective	Additional Comments: No Not Consistent with National Policy Not Justified Not Positively Prepared Not Effective
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
2 Duty to Cooperate. 2.1 Having reviewed the DTC Statement of May 2022, we note that housing is seen in section 4 to be a cross boundary strategic issue and that in terms of the Housing Market and Need the DTC statement concludes: 'The Local Plan seeks to meet the Local Housing Need figure for Spelthorne. This has informed the Local Plan strategy and the housing trajectory confirms that the borough has identified sufficient land to meet its need over the plan period, contributing to wider strategic housing	

need. The findings have been discussed with neighbouring authorities at Duty to Cooperate meetings. No authorities have made negative representations about the Local Plan's approach to housing'

2.2 Likewise in terms of Housing Land Availability the DTC statement concludes:

'The collaboration between Spelthorne and Runnymede on a joint SLAA methodology allows for consistency in the assessment of sites and determination of the land supply present across the housing market area. The results of the updated SLAA 2021 have informed the housing trajectory and Local Plan Strategy. Neighbouring authorities have confirmed they are satisfied by the proposed approach in the Local Plan as Spelthorne is planning to meet its development needs in full.'

2.3 In the context of the above we note that Elmbridge Borough Council (EBC) has resolved to pursue a Local Plan strategy that does not meet its housing needs in full, and that through ongoing DTC discussions Spelthorne BC has reiterated to EBC that it should fully examine all options to meet its housing needs in full and that SBC is unable to assist given that the Local Plan strategy being pursued does not include any spare capacity. What is not clear from the DTC statement is whether EBC have made a formal request to SBC to assist them in meeting their unmet needs, as this will impact upon the reasonable alternatives the SA should seek to address when reviewing the housing requirements – see below.

2.4 Clearly the council will have to ensure when it comes to submission that a SoCG is entered into with EBC to demonstrate constructive, active, and ongoing engagement on this matter, and also provide some clarity on how the unmet needs of the HMA are to be addressed in the circumstances. To this end it is noted that whilst Runnymede BC adopted its Local Plan (2030) on the 16 July 2020, work has commenced on a review and that any SoCG with RBC will need, notwithstanding the DTC Statement, to demonstrate how the cross boundary issue of housing land supply and the needs of the housing market area are being addressed so that there is no shortfall. Please see attached for full response.

Question 6: You can upload any modifications below.

JAA Redacted letter to SBC for A2D re Reg 19 Plan - Sept 2022 - A2Dominion Group_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618801/PDF/->

[/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Dominion%20Group%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618801/PDF/-/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Dominion%20Group%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s)

A2Dominion Group have an interest in Land at Spelthorne Grove (SC1/021) and Land at Stanwell Bedsits (SN1/012), both of which are proposed allocations in the Pre-submission Spelthorne Local Plan 2022-2037. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan.
They therefore wish me to participate in the examination

Policy / Evidence Base / Part of Plan: Sustainability Appraisal	
Respondent: Diocese of London (42272161)	
Organisation:	
Response ID: 1128198	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Sustainability Appraisal</p> <p>3.19 A Sustainability Appraisal has been prepared as part of the Local Plan evidence base and has been regularly updated to reflect the evolution of emerging policy.</p> <p>3.20 The spatial strategy in the pre-submission Local Plan mostly aligns with Option 4 which comprises the following: Option 4 would seek to disperse development across the borough, incorporating elements of Options 1-3. This option would meet development needs and allows for a more balanced approach. A mix of housing could be provided with the protection of the Borough's open spaces and employment uses. This option would result in a small amount of greenfield land take however prioritises previously developed land and that which holds a more limited environmental value. Whilst this option would introduce development into flood risk areas and may impact the environment where greenfield land is allocated, the majority of development would be focused in the urban area and would seek</p>	

to improve sustainability and connections between settlements through a dispersed approach to growth. This option was identified as the preferred approach given its more balanced performance against the SA Objectives

3.21 This option has been enhanced to maximise positive sustainability effects and reduce negative impacts on the Green Belt. We support the Council's balanced approach which seeks to prioritise brownfield, while recognising brownfield land alone will not meet housing need.

3.22 Releasing Green Belt land will be necessary in order to meet housing needs, deliver necessary infrastructure and increase affordability. The Land East of Upper Halliford Road is a suitable and available area of land which will not impact on the wider integrity of the Green Belt.

3.23 The Sustainability Appraisal also assesses the sustainability credentials of the allocated sites. Our view on the assessment is included below.

SA Assessment - Policy HS1/012: Land East of Upper Halliford, Nursery (northern site)

3.24 The Sustainability Appraisal recognises a number of benefits to bringing the site forward. Particularly the benefits associated with the provision of the new access road to Bishop Wand School. Pre-app discussion have been held with Spelthorne Council and the County Highways who have confirmed that proposed access is safe and suitable. This will promote sustainable and active transport options. We fully support this conclusion.

3.25 However, the appraisal concludes that the development would have a negligible impact on health. We disagree with this conclusion. The provision of circa 60 dwellings will provide much needed homes for the local community. Furthermore, as set out above, the site will provide active transport links which helps promote healthy lifestyles for new and existing residents. It would be reasonable to argue that these elements will result in a positive impact on health. We recommend that Option 2 (Health) is amended to reflect this.

3.26 The Sustainability Appraisal identifies a number of areas which may require further mitigation including flood risk, land and soil, pollution, biodiversity, open space and landscape, and water. Firstly, it is important to recognise that most sites that come forward for development will be constrained to an extent. The above constraints can be addressed through appropriate mitigation measures such as improved landscaping, the use of sustainable construction methods and the implementation of biodiversity enhancements.

3.27 A developer is now associated with the site and are keen to progress a more detailed design. This supports the deliverability of the site within the next 5 years.

Policy HS1/012b: Land East of Upper Halliford, Nursery (southern site)

3.28 As with the northern site, the Sustainability appraisal recognises a number of benefits to bringing the site forward. In particular the housing, economic, health and transport benefits. However, the assessment fails to recognise the full range of benefits to the scheme coming forward. We recommend the assessment highlights the opportunity for an education cluster in this location, rather than having a new facility by itself. The socio-economic benefits associated with the provision of a sixth form should also be recognised.

3.29 As set out above, the constraints identified can be overcome through the appropriate mitigation measures.

See attached document for full response (SA begins from page 12).

Question 6: You can upload any modifications below.

GFS-SPS-AR-00-01-2_1 Redacted Existing Site Plan - Diocese of London.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/617247/PDF/-/GFS%2DSPS%2DAR%2D00%2D01%2D2%5F1%20Redacted%20Existing%20Site%20Plan%20%2D%20Diocese%20of%20London%2Epdf>

220912 Halliford Reps Final Redacted - Diocese of London.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/617248/PDF/-/220912%20Halliford%20Reps%20Final%20Redacted%20%2D%20Diocese%20of%20London%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Sustainability Appraisal	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122110

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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<p>3. Sustainability Appraisal (SA) & Non-Technical Summary</p> <p>The Strategy and Strategic Policies are laid out in Chapter 3 of the Local Plan and are discussed below in greater detail. However, all roads appear to lead back to the Sustainability Appraisal so I will start here.</p> <p>A new Sustainability Appraisal was issued in June 2022, along with a Non-Technical Summary and an updated SA/SEA Scoping Report. Based on the detail, and notwithstanding the fact that the SA itself (at 352 pages, with Appendix A from p.89 and Appendix B from p.122) is all pretty impenetrable to the lay reader and highly subjective, it can be seen that the conclusions drawn are more mixed than they might at first appear. They are also inconsistent.</p> <p>The SA states in para 7.3 (p.72) that "Overall, the Regulation 19 Draft Local Plan is expected to have a positive effect against all sustainability objectives." It then also concludes more definitely in 9.2 (p.87) that the "appraisal shows that the Regulation 19 Draft Local Plan policies will have a positive effect, to varying degrees, against all Sustainability Appraisal objectives."</p>
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These are not true statements, however. Fundamental inconsistencies creep in within the two documents relating to the conclusions drawn by the Sustainability Appraisal which can be seen in a few short paragraphs at the end of the Non-Technical Summary (paras XLVII – LVII). The right conclusion appears to be correctly stated in the SA Non-Technical Summary, para L on p.12, albeit this is fairly hidden away and obviously inconsistent with the main report's conclusion (and seemingly with its own conclusion a few paragraphs later in LVII on p.13). It states:

“Minor adverse cumulative effects of all proposals in the Spelthorne Local Plan in combination with development plans in neighbouring authorities were identified for SA Objectives: Water, Pollution and Flood Risk.”

The minor adverse cumulative effects can also be seen in the table at para XLVII where “minor adverse cumulative effects of all proposals in the Draft Spelthorne Local Plan were identified” against 5* (of the 12) SA Objectives.

* I think the table might have meant to list three but includes five.

The detail in Table 14 the main SA report (starting on p.72) shows that seven objectives have an overall 'positive' score, two objectives have a 'neutral' score and three objectives have a 'negative' score. The three negatives, as it clearly states in para L. on p.12, are for the objectives of flood risk, pollution and water - namely THREE objectives primarily linked to the ENVIRONMENTAL objective of para 8 of the NPPF.

Paragraph 8 of the NPPF states that the three overarching objectives of the planning system (economic, social and environmental) are "interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)". Spelthorne's SA indicates that there is clearly an imbalance between these three, even supposing we accept all the SA Indicators are fair and reasonable judgements.

To explore this further, I took another look. The SA is wrapped up in layer upon layer of subjective assumptions with broad conclusions drawn at every turn which appear to render a different picture to that presented if you look at the detail (and even if, again, you accept the assumptions on which they are based). Peeling back the layers is illuminating.

For example, the SA states in para 6.4 (p.70) that the "detailed site assessments set out in Appendix B identified largely positive sustainability effects". I beg to differ. Appendix B is difficult to decipher and there appears to be little hard science behind it but it is beautifully colourful - scrolling through the 230 pages it would seem most effects are deemed to be yellow (benign) or pink (vaguely negative). It doesn't sort the 55 chosen site allocations separately to those rejected so it is difficult to completely disprove the sentiment of their conclusion, even if it doesn't technically follow.

You can, however, see a summary of the 'local impacts' of the 55 chosen Local Plan Site Allocations summarised in Table 13 on p.67-70. It again provides a mixed picture and is hard to discern.

If you rearrange the columns roughly by level of impact, a much more vivid picture again emerges. (See attached Appendix 2, Figure 1) - I've simply rearranged the columns from Table 13 in the latest SA (p.67-70). I think most can see (and hopefully you will agree) that the picture is a bit more telling than we are led to believe.

The balance here is obviously tipped substantially in favour of Housing / Transport / Land & Soils* / Economic Development - a bucket of objectives much more geared to the NPPF's social and economic objectives than environmental.
*mostly seemingly from a strategic land use planning perspective
And that's only if we get all the promised affordable housing, the sustainable travel, the "coherent Green infrastructure network" and the rest of the infrastructure. Promises, promises. One would hope that the viability and feasibility studies would already have been done to back this up. More on those below.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618761/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Sustainability Appraisal	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122160

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: no
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No	Additional Comments: no
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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no	Additional Comments: no
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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15. Monitoring Framework In the printed version of the Local Plan, the chapter on the Monitoring Framework is nominally Chapter 12. NB There is no chapter reference in the online version, it having been relegated to the bottom of the last allocation ST4/009, obviously by accident. It is in any event reduced to just one line: "[For the Draft version of the plan the monitoring can be found in the main body of the document adjacent to the relevant policy]." My main recommendations are: MOD 1: that, given the importance placed on it in the Sustainability Appraisal, a full and proper monitoring framework should be included in the Local Plan which aligns with the 12 strategic objectives of the Sustainability Appraisal. MOD 2: that the Local Plan Monitoring Indicators against the relevant policies should be reviewed and made consistent with the Monitoring Framework found in the latest Sustainability Appraisal on pages 29-34.
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It's unclear whether these would count as minor or major modifications.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618766/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Sustainability Appraisal	
Respondent: Mrs Kath Sanders (19813377)	
Organisation:	
Response ID: 1122260	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
no	Additional Comments: no
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: no
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
no	Additional Comments: no
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
APPENDIX 2: TABLES 1. SUSTAINABILITY APPRAISAL The table of allocations when viewed by grouping together the more economic and social objectives is even more stark (based on Table 13: Summary of SA Scoring of Site Allocations (Local Impacts), p.67-70): Please see attached document.	
Question 6: You can upload any modifications below.	
APPENDIX 2 - TABLES - SA.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/597907/PDF/-/APPENDIX%20%20%2D%20TABLES%20%2D%20SA%2Epdf Sanders, Kath.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618774/PDF/-/Sanders%5F%20Kath%2Epdf	



Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Sustainability Appraisal; Duty to Cooperate	
Respondent: Mark Behrendt (19538401)	
Organisation: Home Builders Federation	
Response ID: 1120381	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: Not Positively, Prepared Not Justified, Not Effective, Not Consistent with National Policy
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: No
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No	Additional Comments: No Not Positively, Prepared Not Justified, Not Effective, Not Consistent with National Policy.
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
No 44. Finally, the Council will need to ensure prior to submitting the plan that it has sufficient evidence to support its assertion that it has met its duty to co-operate. At present the Council lacks the necessary statements of common ground that show how it has considered the strategic issues of unmet housing needs in neighbouring areas and without these the Council will find it difficult to show how the plan has been prepared in line with the relevant legislation. 45. I can also confirm that the HBF would like to attend participate in the public hearings in order to put forward the concerns of our members with regard to the Spelthorne Local Plan. Duty to co-operate 2.	

2. Paragraph 33A of the Town and Country Planning Act 2004 requires plan making authorities to engage constructively, actively and on an ongoing basis as part of the preparation of the local plan in relation to strategic matters. In order to show how the Council has co-operated in the preparation of the local plan, and will cooperate in its implementation, they are required by the National Planning Policy Framework to prepare statements of common ground (SoCG) with the relevant authorities identify the key issues where co-operation is required and what has been agreed and where there is disagreement in relation to those strategic matters.
3. One such matter, as recognised by Spelthorne in their Duty to Co-operate Statement of Compliance is the issue of housing needs. However, in its consideration of this issue in section 4 of the duty to co-operate statement no mention is as to the scale of unmet needs in other areas. Whilst the potential for unmet needs in Elmbridge Borough Council (EBC) are mentioned in section 3 the issue is then not raised later as a strategic issue. Even more concerning no mention is made of the identified shortfall in new homes in London between 2018 and 2028 that was identified during the examination of the London Plan. We consider these matters in turn below.
4. It is evident from the Duty to Co-operate compliance Statement that the Council disagrees with Elmbridge's chosen strategy not to amend Green Belt boundaries and that it has urged Elmbridge to consider alternative strategies to meet needs. As Planning Practice Guidance notes in paragraph 61-022 local planning authorities may not reach agreement on some matters. However, where there is disagreement, the Council must set these out clearly in a SoCG not only where the parties disagree but also whether they have done all they can to try and address the strategic matter through effective joint working.
5. The Council will therefore need to update its Statement of Common Ground (SoCG) with EBC, the latest iteration does not appear to have been amended since 2018, prior to submitting its local plan clearly setting out where they disagree, how it has approached this matter and whether it considers EBC's approach to cooperation on this matter to have been constructive, active, and on-going. A failure to produce an updated SoCG would indicate that co-operation between both SBC and EBC has not met the requirements of the legislation.
6. The updated SoCG should indicate that every effort was made to resolve the situation. For example, SBC will need to show that on being notified that Elmbridge could not meet their own housing needs whether they revisited their own assessments to consider whether they could provide assistance. Alternatively, if SBC consider that the EBC local plan to be unsound and that they can meet needs it must actively oppose this through the examination in public of that plan. Either way It is necessary to show in the evidence supporting the submitted local plan that proper consideration was given by officers and councillors to the latest position presented to SBC by EBC and that appropriate actions were taken in response. We recognise that the Council has responded previously that it could not provide any support on housing needs and that it is not obliged to accept needs where these would have an adverse impact when assessed against the policies in the NPPF . However, given that the duty to co-operate is an ongoing requirement of plan making, it is important that the Council acted on the new information.
7. The issues relating to co-operation with Elmbridge is with regard to SBC's response to EBC's changing position on meeting housing needs. With regard to London the issue is a failure to properly consider identified unmet needs in the first instance. No reference is made in the Duty to Cooperate compliance statement to the significant level of unmet needs across the capital. It is important to recognise when

considering unmet needs in the capital that London is a single housing market area. As such it is necessary for those authorities adjoining the capital to take account of the unmet needs of this neighbouring area and not just the London Boroughs with which it shares a border.

8. Over the next ten years there is projected to be a shortfall of 14,000 homes per annum in the capital that resulted from the over assessment of delivery from small sites and the subsequent amendments by the Panel examining the London Plan. Whilst the mayor intends to produce a revised London Plan before the termination date of the new London Plan with revised targets, the constraints on the capital will continue make it very difficult for the city's needs to be met in full and it will be important for areas that adjoin London, such as Spelthorne, to consider how it could increase its own housing supply to address some of these unmet needs.

9. No recognition is given to the fact that the GLA informed Council's across the South East that it could not meet need and was seeking willing partners to provide support. This position is set out in paragraph 2.3.4 which states:
"... the Mayor is interested in working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital ...".

So, whilst there may have not been a direct plea for assistance there was a clear call for support that the Council should have been aware of and which should have formed part of its duty to co-operate considerations, and any subsequent decision making by the Council on housing needs and supply. Without any in depth consideration of London's unmet needs we would suggest that co-operation on this matter has been neither active, constructive, or ongoing. It appears to have been consigned in the box marked too difficult and ignored. The focus in its cooperation with the GLA and London Boroughs has been on whether they have capacity to support SBC to meet its needs with no consideration as to the consequences of London's unmet needs on SBC and whether the Council should increase its housing requirement in line with paragraph 61 of the NPPF.

10. To conclude, if the objective of co-operation is to maximise the effectiveness of a local plan it cannot merely ask the question as to whether others can meet their needs it must also be an ongoing consideration as to whether they can do more to support other authorities and to test such scenarios through its Sustainability Appraisal. The Council has undertaken the former, but it has not properly considered the impact of unmet needs in neighbouring areas on Spelthorne and whether they could now, after rejecting its ability to do so relatively early in the plan making process, do more. In order to be effective co-operation must ensure that there is some feedback into the process of plan preparation. Without this the process is merely a tick box exercise and an exchange of correspondence and cannot be considered to be active or constructive as is required by 33A of the Town and County Planning Act 2004 (local development).

Sustainability Appraisal

11. As part of the Sustainability Appraisal of the local plan the Council are required to consider reasonable alternatives with regard to the strategies and policies that are taken forward. With regard to the spatial strategy a number of alternatives were considered in the SA of the Preferred Options consultation of plan preparation including an option for an upward adjustment to housing needs in to order to support other authorities. This option was rejected on the basis that it would have a significant negative impact on the environment and may result in unsustainable development. However, considering these options it must be noted that they were not related to any particular spatial strategy

or expected distribution of growth. The assumption made by the council is that any strategy that went above and beyond minimum needs would be less sustainable than one that met housing needs.

12. The high degree of supposition in its consideration of the options can be seen in its assessment of H1 in the Preferred Options SA on pages 58 to 63. Throughout this assessment the Council states that option 3 “may” have an impact, but without a corresponding spatial strategy outlining how higher needs would be met we would argue that the Council cannot reasonably state whether some of the negative impacts in relation to, for example, health and well-being, flooding, air and noise pollution, biodiversity, and heritage, would actually occur if the Council went beyond minimum housing requirements. The option of going beyond minimum housing needs was, we would suggest, discounted too early in the plan making process. As the plan progressed and sites were identified there may have been sustainable opportunities to go beyond the minimum requirement. However, these would have been rejected as being unsustainable purely because they went beyond the Council’s minimum housing requirement.

13. The rejection of sites on this basis described above can be seen in the Officer Site Assessment of Discounted Alternative Allocation Sites (2022) which seemingly rejects sites that meet the spatial strategy. For example, HS1/010 appears to have been rejected because it is a larger site when compared to other available options and that it received largely negative feedback. However, the site is in weakly performing Green Belt and in terms of its Sustainability Appraisal and size is not dissimilar to that for the allocated site SN1/006. The HBF is not promoting this or any other site and is purely using this as an example to show that opportunities are present to go beyond minimum needs within the Council’s spatial strategy. However, in discounting the possibility of going beyond needs early in the plan making process the Council has fixated on meeting its minimum requirement and in the process discounted sustainable development opportunities.

14. The considerations in the SA of the preferred options have ultimately led to a local plan that only seeks to meet its minimum requirement with no consideration as to whether the chosen spatial strategy, or an alternative strategy, could sustainably deliver more homes than this minimum. The effect of rejecting the option of going beyond minimum development requirements at the early stage was to neuter considerations at a later stage of including suitable sites in order to support other areas meet their needs or to better address the need for affordable housing in the Borough and means that the SA is fundamentally flawed in its consideration of housing needs and supply in ST2 and H1.

Question 6: You can upload any modifications below.

HBF rep Spelthorne Reg 19 Sept 2022 2_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618695/PDF/-/HBF%20rep%20Spelthorne%20Reg%2019%20Sept%202022%202%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Sustainability Appraisal; Officer Site Assessments (Discounted Sites/Alternative Sites)	
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Respondent: Inspired Villages Ltd (43043713)

Organisation:

Response ID: 1127996

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

Yes	Additional Comments: Yes
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

Yes	Additional Comments: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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Yes	Additional Comments: Yes
-----	--------------------------

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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See pages 27 - 32 of attached document for modifications and further suggestions/related concerns. Emerging Local Plan Site Allocations/Discounted Alternative Site Allocations (May 2022) – Officer Site Assessment and Sustainability Appraisal 3.29. IV wishes to comment on the Officer assessment given of the Site in the Discounted Site Allocations / Officer Site Assessment and Sustainability Appraisal. As there is significant overlap between the two documents, they will be discussed under one heading. 3.30. In summary, IV consider the assessment given in both documents to not represent a fair characterisation and is overly negative. Alternative wording and corrections are suggested in red:
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Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618911/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf>

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618912/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Policies Map	
Respondent: Sue Janota (19592417)	
Organisation: Surrey County Council	
Response ID: 1125942	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>SCC is committed to growing a sustainable economy, enabling a greener future, empowering communities, tackling health inequality and ensuring economic development/planned growth are underpinned by the timely delivery of supporting infrastructure. This is reflected in current partnership working with boroughs and districts on Surrey's 2050 Place Ambition and through the Surrey Infrastructure Plan. The county council acknowledges that balancing the need for housing and employment growth and the need to protect the Green Belt is a matter to be decided locally through the Local Plan. Key issues for the county council are the implications of the Pre-submission Local Plan's policies and proposals for infrastructure for which the council is the provider and the council's statutory responsibilities in relation to minerals and waste planning, highways and transport, education, biodiversity and as the lead local flood authority for Surrey.</p> <p>Policies map:</p> <p>There appear to be a number of key omissions from the Interactive Policies Map for the Local Plan (https://www.planvu.co.uk/spelthorne/). The layers for 'Waste and Minerals' do not include the allocated SMP sites, only the allocated SWLP sites. It is noted in particular that</p>	

Watersplash Farm (Preferred Area L) and King George VI Reservoir (Preferred Area H) are not included. Watersplash Farm is also not identified on the 'Current Waste and Minerals Sites' layer, despite planning permission (ref. SP12/01487) having been granted in March 2020 for the working of the land. Land west of Queen Mary Reservoir is also not identified on the 'Current Waste and Minerals Sites' layer. However, restoration is ongoing for the majority of the site, and the processing part of the site is still in use and will remain so until Manor Farm is completed.

See related document attached

Question 6: You can upload any modifications below.

Spelthorne Reg 19 response September 2022 Final[301643] SCC SJ_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618838/PDF/-/Spelthorne%20Reg%2019%20response%20September%202022%20Final%5F301643%5F%20SCC%20SJ%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base	
Respondent: Mr Nigel Rowe (33516193)	
Organisation: Riverside Residents (Staines) Coalition	
Response ID: 1120861	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Infrastructure provision and delivery</p> <p>In almost every aspect the Infrastructure Delivery Plan is merely aspirational and indicative, a summary of the obvious issues that need to be addressed, problems that need to be solved, and some ideas for how and where solutions might be sought and hopefully found. In places it is more like thinking-aloud musings. It is definitely not a 'plan'. It is clear that much of the town's infrastructure is already at or near capacity. There are many references to how new capacity will be assessed as each new individual development is proposed. But no-where is there any indication that infrastructure providers have modelled the impact of adding 5,440 new homes to Staines, increasing its population by about 10,000, roughly 50 per cent of what it is today. This is particularly the case in relation to utilities (eg water, electricity) where the demand for costly new physical infrastructure is an issue as well as supply. It also applies in areas such as road infrastructure, flood risk and climate change. Until at least some basic modelling work on this is done it is impossible to know whether the number of new homes for Staines demanded by the Local Plan is deliverable let alone sustainable ... and it is therefore impossible to assert that the Local Plan is</p>	

'sound'. Little wonder that in the residents' survey (Appendix 6, page 48) overwhelming concern was expressed about ten areas of infrastructure provision. 3.1.7 Looking at the issue of infrastructure provision and funding in the round, the Council's plans do not satisfy the obligation to provide a comprehensive assessment of what infrastructure would be required to deliver the Local Plan (paragraph 34, NPPF, July 2021). As we understand it, this is needed to ensure a proper cost assessment can be made to determine the infrastructure 'gap' overall and the contribution required from developers among other sources. For example, in 2017, Surrey County Council's Surrey Infrastructure Study estimated the gap for the whole of Spelthorne to 2031 to be nearly £49,250,000 based on 3,916 new homes and infrastructure costs of £123,530,000. To put this in perspective, Staines alone is now expected to ensure 5,440 new homes are built by 2037 – what is the projected infrastructure cost and what is the funding gap? Road infrastructure and related issues 3.1.8 The road infrastructure of Staines must be judged to be at or near capacity already with several choke points that the Infrastructure Delivery Plan does not address – no doubt because there is no practical/affordable way to resolve them. Access to the town from any direction is single-lane and there is no practical remedy for this because of the physical constraints of railway bridges and the road bridge across the Thames. And even if there was a practical solution for these pinch-points there is no scope to widen roads within the town. Indeed, if some of the drawings in the supporting 'Staines Development Framework' document are reliable, some existing roads will be narrowed. 8

A major problem is the Council's assessment that some two-thirds of traffic in Staines is merely passing through, largely because of the bridge across the Thames (a Listed structure). There are no proposals for how this problem can be solved or funded, merely that through traffic will be 'discouraged' in some unspecified way. Plans for Staines Bridge Capacity Improvements seem to have been kicked into the long grass ... and even if pedestrian ways on both sides of the bridge are removed to enable two-lane traffic in both directions, it would feed into the town's essentially single-lane road system.

Several public car parks in Staines are earmarked for redevelopment into tower blocks of flats. Those approved or under consideration offer very few parking spaces for residents. The Transport Strategy Diagram actually indicates a potential loss of 1,910 vehicle spaces from public car parks being considered for redevelopment, with the possibility of a single new multi-storey car park at the edge of the town centre. Despite a planned 50 per cent increase in the town's population (with very few parking spaces in the new tower-block developments) and a declared aspiration to make Staines a place people will want to visit, the Council has a declared determination not to increase the number of public parking spaces in the town beyond what it is today. The concept of redressing this with significantly improved public transport is essentially aspirational and indicative, not a 'plan', and as yet unsupported by commitments from providers, certainly to the level that will be required.

Utilities

Provision of the physical infrastructure as well as supply to meet the need especially for water and electricity is a massive problem for Staines, the size of the problem barely recognised in the Infrastructure Delivery Plan. This issue is exacerbated by the planned population growth elsewhere in and beyond Spelthorne and Surrey.

Take electricity. New homes in particular, and increasingly vehicles, will only use electricity rather than fossil fuels, and to this must be added demand from new commercial activity. None of this is quantified or estimated in the Infrastructure Delivery Plan, let alone identifying how the demand would be met.

Water supply represents an even greater problem in many ways, not least because the source of supply is far more difficult to acquire, and significant new physical infrastructure would be needed. All of the new homes planned for Staines (5,440) and a further 1,800 in part of the rest of the borough (a total of circa 7,200) are in the catchment area of Affinity Water. We understand the company's current capacity could provide fewer than 3,000 new homes with clear water. Affinity have said they do not know how many new homes they could supply over the next 15 years and there may not be enough water to meet future needs.

Thames Water is responsible for drains and sewerage and its current capacity has frequently proved to be insufficient. The company has been forced to discharge into the Thames and Ash several times in recent years. To meet the demands of the planned increase in population and new homes, additional infrastructure will be needed as well as a significant upgrade of the Mogden Sewerage Treatment Works. We understand Thames Water has no current plans to deal with the increasing demands of new development beyond 2026.

Question 6: You can upload any modifications below.

RR(S)C LOCAL PLAN RESPONSE full 20 09 22_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618946/PDF/->

[/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%20%2009%2022%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618946/PDF/-/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%20%2009%2022%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base	
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Respondent: Mr Nigel Rowe (33516193)

Organisation: Riverside Residents (Staines) Coalition
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Response ID: 1120862

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
--

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Climate Emergency and Managing Flood Risk

The Local Plan recognises that the Council has declared a 'climate emergency' and affirms that all development must respect and respond to it explicitly. However, the measures proposed in the Local Plan are an inadequate response to this and are 9 more akin to rearranging deck chairs. Tackling the many aspects of climate change must surely be regarded as a major 'strategic policy', not treated as it is currently - downgraded to feature as part of the Plan's 'Place Making' strategy (notwithstanding the fact that this was seemingly an upgrade from where it was on 19 May as a 'design' policy (DS2) which is still widely referenced throughout the evidence documents and Local Plan itself).
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A characteristic of this downgrading of its priority is that much of the 'evidence' for it was clearly collected retrospectively and published late. The full Council signed off the Local Plan for consultation on 19 May, the same day the updated Level 1 SFRA with its 18 annexes were published. Few if any Councillors will have read it. Furthermore, the first version of the Level 2 SFRA did not surface until the end of July, five
--

weeks into the public consultation. It is perhaps also worth noting that the Flood Zone on the policy maps (first published as a single page in June and then in interactive form in July) appear to have Flood Zones 2 and 3b the wrong way round.

Climate change is an increasingly dynamic policy area. Yet the Plan has to last notionally for 15 years, so climate change policy enshrined in the Plan is at risk of being rapidly overtaken by events which will make at least some of it redundant. It is widely accepted that there is a problem with the planning guidance failing to keep up with the increasing Government recognition of the threats posed by climate change. It is therefore critical that policy in this area should be as up-to-date as possible, with the Council taking a proactive approach and stretching requirements where feasible in anticipation of further legislation coming down the tracks.

A much clearer statement that 'repurposing' buildings should take precedence over 'demolition and rebuild' should be enshrined in the Plan. The good intentions on this issue outlined in the Plan are vague aspirations rather than commitments. Indeed, the Plan's apparent acceptance that the iconic and Locally Listed four-storey Debenhams building in the Staines Conservation Area should be demolished and replaced by a tower block of tiny flats challenges the notion that it is even a genuine aspiration.

The Plan does not include the measures needed to ensure new developments are aligned with progress towards becoming carbon neutral. As things stand, the Plan will result in a significant increase in carbon emissions as a result of the huge amounts of concrete and steel implicit in the proposed new tower-block developments.

Issues relating to the climate emergency more generally are dealt with in some detail in Appendix 2, page 20. This is currently a key policy area in which the Local Plan is extremely weak in our view, contributing to making it unsound. Appendix 2 contains a number of recommendations for changes and clarifications needed.

Given the threat posed by climate change, flood risk is certain to become one of the most critical issues facing Spelthorne in the coming years. As the Local Plan makes clear, much of Spelthorne is at considerable risk of flooding, Staines in particular in terms of population affected. Staines is the town at the greatest risk in the borough for fluvial flooding (as stated in Level 1 SFRA). No account appears to have been taken of this in the decision to dump 5,440 new homes (55% of the borough's entire housing 'target') on the town. Managing flood risk is one of the key policy areas that best demonstrate the ways in which the Local Plan is not sound. It is not legally compliant (in relation to process), not justified, effective, or consistent with national policy. It is one of the weakest, yet one of the most critical, policy 10 areas covered in the Local Plan. This is set out in graphic detail in Appendix 3, page 26, which recommends many areas where changes or clarifications are needed to make the Plan sound.

Question 6: You can upload any modifications below.

RR(S)C LOCAL PLAN RESPONSE full 20 09 22_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618947/PDF/-/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base	
Respondent: Mr Nigel Rowe (33516193)	
Organisation: Riverside Residents (Staines) Coalition	
Response ID: 1120863	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>ARCHITECTURE AND DESIGN STANDARDS</p> <p>At a meeting of Spelthorne Borough Council in the Spring of 2022, the Council's current Leader proposed the creation of a design working group (including expert representation from/for the community). It would have very early engagement with the planning process while key issues are being considered. It was an idea that received generous cross-party support at the Council meeting, reflecting a broad recognition that current arrangements and processes are failing the community. This proposal has yet to be actioned. We commissioned and submitted proposed 'Design Guides and Codes' (Appendix 5, page 40) for the Council's consideration in April 2022 (as yet with not even an acknowledgement, let alone comment, from the Council). There are copious references in the Local Plan to the need for high standards of architecture and design, and in the Staines Development Framework to the need for "securing high quality design ... creating beautiful and distinctive places with a consistent and high-quality standard of design", alongside a claim that these documents "provide clear guidance on what is expected from new development". There is virtually nothing to justify this statement in relation to the all-important issue of building</p>	

design, detail and materials – particularly bearing in mind that 15/16 storey tower blocks will dominate and overwhelm the town’s skyline and townscape. Accessibility doesn’t appear to have been given due consideration either. The study we commissioned on ‘Design Guides and Design Codes for Staines’, submitted in April 2022, remains very relevant to the Local Plan (per Appendix 5, page 40).

Question 6: You can upload any modifications below.

RR(S)C LOCAL PLAN RESPONSE full 20 09 22_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618948/PDF/->

[/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618948/PDF/-/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base	
Respondent: Mr Nigel Rowe (33516193)	
Organisation: Riverside Residents (Staines) Coalition	
Response ID: 1120874	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Foreword THE FUTURE OF STAINES-UPON-THAMES</p> <p>Design Guides and Design Codes ... a unique and time-limited opportunity ... see also uploaded PDF for further detail</p> <p>Residents Association partners in the Riverside Residents (Staines) Coalition remain very opposed to the planned overdevelopment of Staines-Upon-Thames, peppering the town with tower blocks of tiny flats to accommodate a near 50% population increase. This has opened the door to 'high-rise heaven' for increasingly aggressive and litigious developers. But the extent to which it also creates a 'high-rise hell' for those who live and work here is as yet unresolved. Right now, at the very beginning of this process, the Council has a unique and time-limited opportunity to mitigate the worst excesses of high-rise hell for the local community by setting the highest standards for the architecture, streetscape and skyline of tomorrow's Staines. We hope to see this reflected in the Staines Development Framework, and not least at sites where the Council is the developer. The Council will also need to be more robust and demanding in its dealings with third-party developers whose principal interest is their bottom line and shareholders not our town and the wellbeing of its community. Above all, there</p>	

needs to be a defined overarching concept for the town that is shared with and by residents ... one that is vigorously pursued, not a process that simply accommodates individual developer proposals as isolated and disconnected projects. These are all choices the Council can make if it elects to be bold and imaginative. We wish to play a constructive role and hope the following three factors provide a foundation for this:

- The Council's public recognition that design codes and guidelines will be needed to supplement existing planning policies as part of the Staines Development Framework ,along with the commitment to zoning arrangements to protect sensitive locations(riverfront, Conservation Area, proximity to existing residential areas).
 - The significant cross-party support from Councillors at the February Corporate Policy and Resources Committee meeting for the establishment of a Design Working Group to facilitate the involvement and influence of the community and Councillors in the planning process at an early pre-decision stage.
 - The opportunity this presents for the Council to meet its constitutional obligation "to work in partnership with residents to make Spelthorne a place where people are fully engaged, and to encourage the active involvement of the community in the decisions that affectthem".
- This paper has been developed for and with the Riverside Residents (Staines) Coalition as a contribution to how Staines meets the challenge of its transition to becoming a very different kind of town in which to live and work. The Council must be held to account for the choices it makes ... and the choices it makes in relation to design guides and codes are now also both urgent and overdue.
- Riverside Residents (Staines) Coalition – a working group of residents' organisations serving the interests of several hundred residents on both sides of the river.

Nominated contact: Nigel Rowe 07785 776696 anrowe1@aol.com

•Staines Village Residents and Traders Association•Thames Edge Management Ltd•Colnebridge Close Residents Association•Richmond Road Residents Association•Friends of The Hythe•Waterside Place (Staines) Residents Management Ltd
Supported by other residents' organisations across Staines.

Question 6: You can upload any modifications below.

Riverside Staines Coalition - Appendix 5_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618949/PDF/-/Riverside%20Staines%20Coalition%20%2D%20Appendix%205%5FRedacted%2Epdf>

RR(S)C LOCAL PLAN RESPONSE full 20 09 22_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618950/PDF/-/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base	
Respondent: Mr Nigel Rowe (33516193)	
Organisation: Riverside Residents (Staines) Coalition	
Response ID: 1126894	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	<p>Additional Comments: No LEGAL COMPLIANCE We don't believe the local planning authority (LPA) has followed due process. LEGAL COMPLIANCE We don't believe the local planning authority (LPA) has followed due process. Notes on process: •The updated Level 1 SFRA with 18 annexes w</p>
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	<p>Additional Comments: No Is unsound for the following reasons: not justified not effective not consistent with national policy SOUNDNESS No-one disputes that Spelthorne Borough and perhaps Staines in particular (in terms of population affected) is already at considerable risk</p>
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

SFRA

1. Cumulative impacts & approach to flood risk management

The cumulative impacts on flood risk management of building 9,000 new homes have not been considered.

The local authority (LA) failed to take full account of the levels of flood risk when setting the housing number and adopted the Objectively Assessed Need (OAN) as calculated by central government as the target. Having agreed a number in excess of 9,000 units they then made the decision to allocate the majority of new homes to Staines*, despite it being the town in the borough at the greatest risk from fluvial flooding (as stated in the Level 1 SFRA, Section 3.2, p.11).

*Of the total of 9,000, we have been told that approx. 55% of all new residential development will be in Staines and we can see that 15 site allocations in Staines town centre account for approx. 3,500 units alone.

Added to the risk of flooding from rivers is the risk of flooding from surface water and groundwater which historically have also been found to be a problem, and in 2014 we had all three happen at the same time (see the Level 1 SFRA, Sections 3.3 to 3.5).

What the guidance says

In their approach to flood risk, Section 1.2 of the Level 1 SFRA says that LPAs should take an active role to assess, avoid & manage/mitigate the risk. These are explored in Chapters 3, 4 and 5 of the Level 1 SFRA respectively.

Section 1.2 states in assessing flood risk:

"The NPPF outlines that Local Plans should be supported by a SFRA and LPAs should use the findings to inform strategic land use planning."

In avoiding flood risk, it goes on to say:

"In plan-making this involves applying the Sequential Test, and where necessary the Exception Test to Local Plans"

In managing and mitigating flood risk, it says:

"Where alternative sites in areas at lower risk of flooding are not available, it may be necessary to locate development in areas at risk of flooding. In these cases, Spelthorne BC and developers must ensure that development is appropriately flood resilient and resistant, safe for its users for the lifetime of the development and will not increase flood risk overall. Spelthorne BC and developers should seek flood risk management opportunities (e.g. safeguarding land), and to reduce the causes and impacts of flooding (e.g. through the use of sustainable drainage systems)."

Furthermore, Section 1.3 of the Level 1 SFRA says that one of the quoted purposes of the SFRA is to "Inform the preparation of flood risk policy and guidance". Another is to "Determine the acceptability of flood risk in relation to emergency planning capability".

Our view

Assessing flood risk - We have reviewed the evidence available and can find no strategic assessment of the cumulative impacts.

The LPA has adopted the government housing target and the high (and increasing) levels of flood risk in Spelthorne acknowledged in the Level 1 SFRA (Exec Summary and Sections 3.2-3.5), have clearly NOT informed their overall view of strategic land use planning (which is, they say, that they have no choice but to accept the government housing targets “which eclipse everything else in the Plan-making process” according to the Foreword to the Local Plan).

Avoiding flood risk - We have found no evidence of how the Sequential Test has been applied to the Local Plan strategically.

The LPA has not documented in a transparent way how the Sequential Test has been applied to the Local Plan as a whole (as stipulated in Section 4.2, Level 1 SFRA, and described in Section 1.2.3, Level 2 SFRA). It appears to fall in the gap between the two.

Managing/mitigating flood risk - We have found no evidence of how the flood risk of an additional 9,000 homes should be managed strategically or that consideration has been given to the resources required to do so safely.

The LPA has not shown a strategic approach to managing and mitigating flood risk in the borough.

Policy E3 ‘Managing Flood Risk’ takes no account of the overall impact of introducing 9,000 new homes into a borough. The only reference to evacuation plans in Policy E3 (also referenced in the Level 1 SFRA) refers to the government’s personal flood plan guidance. This is hardly appropriate. There is no reference to guidance for developers, there is no reference to a study of emergency planning capability.

The Level 1 SFRA refers to Emergency Planning in several places, notably Sections 1.5 and 5.11 & 5.12 (‘Flood Warning and Evacuation Plans’ and ‘Flood Warning Areas’). However, the Multi-Agency Flood Plan mentioned on p.5 is not available to view and the link to Spelthorne’s old emergency plan is broken (p.6), There is nothing concrete to indicate that emergency planning staff have been consulted and confirmed plans are suitable (and there is no Section 7, mentioned in the User Guide in Section 1.5, with recommendations for policy and practice).

For these reasons we believe that Policy E3 is not justified by the evidence and is inconsistent with national guidance.

2.Safeguarding land

Whilst the River Thames Scheme (RTS) might provide some relief from fluvial flooding to some areas, it is debatable how much relief it will bring to Staines where over 50% of the housing target is planned to be built (including approx.3,500 new homes from just 15 site allocations in the town centre). This is especially the case given the presence of other watercourses susceptible to flooding and the additional forms of flooding (surface and groundwater) which have all caused significant problems in the past and where the risks are set to increase.

There is no indication in Policy E3, on a strategic level, as to where land should be safeguarded from development that is required, or likely to be required, for current or future flood management, as required by the NPPF, Paragraph 161 b).

In part 10, Policy E3 states that it “supports proposals for strategic flood relief measures” such as the River Thames Scheme but there is no obvious strategic view in the policy or the evidence as to what land in Spelthorne SHOULD be safeguarded overall and where that should be over and above that provided by the RTS.

3.Functional Floodplain exemptions

The policy is unclear as to the land status of Local Plan site allocations within Flood Zone 3b. The situation in the case of land already proposed under the Local Plan for potential redevelopment (as opposed to refurbishment) is questionable. Are those sites still classified as

Flood Zone 3b until proven otherwise or has some land already been excluded from Flood Zone 3b on the policies map (and the SFRA map)? Definition of FZ 3b in the Level 1 SFRA also inconsistent with PPG, para 078.

Issues with the Level 2 SFRA

Incomplete scope of assessment (Level 2 SFRA, Section 1.4, p.3)

4. The Level 2 SFRA site screening

Section 1.4 of the Level 2 SFRA appears to have referenced a list of allocations provided in November 2020. It is not clear if this has been updated for allocations added and removed since. For example, Communications House and Two Rivers in Staines town centre do not feature in the list of sites for assessment in Section 3.1 whilst neighbouring sites do.

5. Rationale for not screening in other sites in Flood Zone 2 nor any sites in Flood Zone 1

The Level 2 SFRA has not screened in all sites in Flood Zone 2 nor any sites in Flood Zone 1.

Footnote 55 of Paragraph 167 in the NPPF, states that “A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.” In addition, it states that a site-specific FRA might be required for certain sites in Flood Zone 1, due to size, being at risk of increased flooding in future or being at risk from other sources of flooding where development would introduce a more vulnerable use.

There may be sites in Flood Zone 1, particularly in Staines, which should be subject to a site-specific strategic flood assessment on this basis as there is known to be an increase in flood risk in future and there is land which is subject to other sources of flooding.

However, it is not clear from Paragraph 166 of the NPPF whether a site-specific FRA will still be required at the application stage for those sites in Flood Zones 1 and 2 which are confirmed as allocations in the Local Plan.

Paragraph 166 states “Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.”

If this were the case, this would appear to make the Level 2 SFRA inconsistent with national policy as there would be Local Plan site allocations which have NOT undergone the sequential and exception tests which should have.

Datasets (Level 2 SFRA, Section 2, p.5)

6. Baseline modelling

It is unclear if the baseline data set used in the Level 2 SFRA is as up-to-date as it should be as flood zone outlines don't look much, if at all different, to the current policy constraints map (from 2009) and surely these would have changed. How up-to-date is “the present day” before the climate change allowances are applied?

NB It is hard to ascertain what has changed in the baseline as a lay person especially as the Pre-Submission interactive policies map appears to have got the legend wrong and has mixed up the flood zoning classifications. 30

Furthermore, it is determined in sections 2.2.15 to 2.2.19 of the Level 2 SFRA that the modelling available for the River Colne was out-of-date (2012!) and incomplete (hazard data not available). It was “therefore proposed to use the 1 in 1000 year outline as a proxy for the climate change outline within the Level 2 SFRA”. This is a vital piece of information for the Staines Development Framework, upon which so much depends.

7.Consistency between the Level 2 SFRA and Local Plan

There are clear inconsistencies between the Level 2 SFRA and Local Plan. For example, Fairways Day Centre is a site allocation for approximately 30 new homes and yet the Level 2 SFRA says: "Site ST1/030 (Fairways Day Centre, Knowle Green, TW18 1AJ) is brownfield land located within the 1 in 20 year (5%AEP) flood outline; in line with Policy E2[sic], it is unlikely that development of this site to include residential, which will increase the vulnerability and the number of occupants on the site, will be considered acceptable".

NB Some site allocations are also inconsistent between the two documents (e.g. the site boundaries for ST4/009 The Elmsleigh Centre and ST1/037 Thameside House).

8.Consistency within the Level 2 SFRA

Section 3.3.3 of the Level 2 SFRA Summary states that there are several sites with limited access/egress. Reading between the lines (see Table 3-2 'Summary of flood risk issues and constraints' in the Level 2 SFRA and also Appendix B relating to it), there are many more issues to be considered for a number of sites regarding building footprints, floodplain storage, and application of the sequential test within the site. Many of the factors the detail describes will place additional constraints on particular sites which raises questions about the number of residential units supported and the viability of particular sites.

Question 6: You can upload any modifications below.

RR(S)C LOCAL PLAN RESPONSE full 20 09 22_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618952/PDF/->

[/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618952/PDF/-/RR%5FS%5FC%20LOCAL%20PLAN%20RESPONSE%20full%2020%2009%2022%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - CIL and Viability Assessment
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Respondent: Mr Rod Robinson (41621729)

Organisation:

Response ID: 1113185

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

Yes	Additional Comments: Yes, I have no basis to consider it is not.
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

Yes	Additional Comments: yes, on balance. I do not fully agree with the pressure that is being put on the rest of the borough by focusing on Staines on Thames, as it must surely still be able to absorb the most high density developments. However, the plan in the whole-particul
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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Yes	Additional Comments: yes i consider the plan has
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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In general i would have liked to see the plan take a more ambitious and enlightened view on sustainability, climate resilience and adaptation and enhancing the quality of life of Spelthorne's residents. However, i applaud it as a first step and anything which will provide the means to stop the more inappropriate and money grabbing developments.

I consider the proposed Local Plan to be based on up to date evidence, as available to the Council at the time of development. As noted in various of the later supporting documents such as the Local Plan and potential Community Infrastructure Levy (CIL) review Viability Assessment (2020 - 22) Final Report July 2022 DSP19592 there are many wider factors that (cost of living crisis, Govt leadership term, external factors such as the war in Ukraine that are likely to dramatically change a number of factors.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - ELNA	
Respondent: ICP Partnership Ltd (42255009)	
Organisation:	
Response ID: 1128215	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>8. ECONOMIC DEVELOPMENT EVIDENCE BASE</p> <p>3.1 The Spelthorne Employment Land Needs Assessment (ELNA) 2022 (published in draft) has not been prepared in accordance with the Government's Planning Practice Guidance (PPG) and as a result this element of the Plan is not in accordance with the NPPF. We strongly recommend amending the plan to ensure it withstands scrutiny at the Examination and avoid accusations that it has not been prepared positively, nor does it support economic growth and productivity, taking into account both local business needs and wider opportunities for development. (para 81).</p> <p>3.2 The ELNA includes:</p> <ul style="list-style-type: none"> • A brief review of third-party commentary on the local commercial market, the vast majority of which is dedicated to the office market, with little on the industrial market. The brief industrial review does refer to record levels of demand and that Staines-upon-Thames achieves some of the highest industrial rents in the market area. 	

• Uses employment forecasts from Oxford Economics and Cambridge Econometrics to determine future jobs change which indicate losses of c.11,300 sqm in B2 and gains of 12,000 sqm in B8, recognising that B2 losses are not like for like exchanged to B8 gains (this point is not reflected in the emerging Local Plan).

3.3 The ELNA is a highly simplistic document that makes no attempt to reconcile market signals with its approach to forecasting employment land use. This results in the Pre-submission Spelthorne Local Plan making no provisions for industrial and warehousing development contrary to the 'all time high' demand in the sector.

3.4 This does not sufficiently respond to the following PPG requirements can be highlighted in reference to the following paragraphs that set out how authorities should determine their needs for employment land:

- evidence of market demand (including the locational and premises requirements of particular types of business) – sourced from local data and market intelligence, such as recent surveys of business needs, discussions with developers and property agents and engagement with business and economic forums;

Paragraph: 026 Reference ID: 2a-026-20190220

- analysis based on the past take-up of employment land and property and/or future property market requirements
- consultation with relevant organisations, studies of business trends, an understanding of innovative and changing business models, particularly those which make use of online platforms to respond to consumer demand and monitoring of business, economic and employment statistics.

Paragraph: 027 Reference ID: 2a-027-20190220

The logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities, and has distinct locational requirements that need to be considered in formulating planning policies (separately from those relating to general industrial land).

- engagement with logistics developers and occupiers to understand the changing nature of requirements in terms of the type, size and location of facilities, including the impact of new and emerging technologies;
- analysis of market signals, including trends in take up and the availability of logistics land and floorspace across the relevant market geographies;

[Paragraph: 031 Reference ID: 2a-031-20190722]

3.5 The key issues with the ELNA are therefore:

- a failure to engage with local business organisations
- a failure to reflect property market requirements and demand
- failure to reflect market signals

3.6 In understanding an appropriate approach to considering employment needs the following employment matters are highlighted:

- At the national level the COVID-19 pandemic has seen a major restructuring of the industrial and logistics sector. National industrial vacancy is at an all time low and supply levels are critically low in many areas including London, the South East and Surrey.

- According to CoStar, vacancy rates for industrial property in Spelthorne have averaged 4.0% in the last 5 years (2017-21) and are below the Surrey average. Rates below 5% general indicate a market failure as there is insufficient choice for growth and inward investment. At September 2022 vacancy is 2.9% and not expected to see any rise. New development opportunities are critically required to enable an environment to support local business.
- Rents have risen hugely in the last 5 years by nearly 50% in Spelthorne, averaging 7% per annum, a fundamental metric in ascertaining the demand supply balance and indicating severe restriction in supply.
- CoStar reports that across Surrey as a whole, logistics and e-commerce-related businesses are driving strong demand... These factors have seen rental growth in the market increase, with Surrey now the most expensive UK industrial submarket outside the capital.
- Spelthorne hosts some of the South East's most critical infrastructure corridors including the M3, M25 and A308 and is adjacent to Heathrow, the country's busiest airport. It is an area of extreme high demand for industrial and logistics premises.
- The authority continues to permit losses of its industrial space to residential premises, as per table 14 in the ELNA, but no effort is made to provide replacement premises to meet the clearly high levels of need.
- According to CoStar the majority of industrial buildings in Spelthorne are dated, with only 17% being built since the 1990s. There is a need for new modern buildings to support business needs and growth. The government places the energy performance of commercial buildings of great importance and the renewal of existing stock plays a critical role in this.
- The authority assessment builds in no margin for error in the forecasts, which is common and good practice in employment land modelling.

3.7 In light of the above market indicators, the approach to industrial land needs in the ELNA and Pre-submission Spelthorne Local Plan does not meet the requirements of the NPPF or PPG. There is no provision for additional floorspace.

3.8 As a minimum, we consider that the authority should be providing 12,000 sqm of industrial and logistics space (4.8 ha) reflecting its gross requirements in B1(c)/B2/B8 floorspace. This ensures that growing industry has premises to move into to meet demand, and that there is space to reduce the extreme low vacancy rate and excessive rental increases.

See attached documents for full response

Question 6: You can upload any modifications below.

APL- 174_ Red line Map.jpg

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/615737/PJP/-/APL%2D%20174%5F%20Red%20line%20Map%2Ejpg>

APL-174 Redacted - Stanwell 3167-02 Feasibility Layout Plan - ICP Partnership Ltd.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/617276/PDF/-/APL%2D174%20Redacted%20%2D%20Stanwell%203167%2D02%20Feasibility%20Layout%20Plan%20%2D%20ICP%20Partnership%20Ltd%2Epdf>

220912 Stanwell Redacted Reps - ICP Partnership Ltd.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/617277/PDF/-/220912%20Stanwell%20Redacted%20Reps%20%2D%20ICP%20Partnership%20Ltd%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes - Detailed discussions on Council's evidence base.

Policy / Evidence Base / Part of Plan: Evidence base - ELNA	
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Respondent: ICP Partnership Ltd (42255009)

Organisation:

Response ID: 1128216

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
--

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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GREEN BELT ASSESSMENT 4.1 The Council's Phase 1 Green Belt Assessment parcels the Green Belt up in to 58 Local Area for initial assessment. A number of sub-areas are then considered for release from the Green Belt, depending on the outcome of the assessment. This is a relatively standard approach and the principles behind this are sound. 4.2 Our concerns relate to the decision to consider some sub-areas, but not others. The parcels of land range from 1.1 hectares in size up to over 350 hectares. Clearly there may be further opportunities within the large parcels and this has been identified in a limited number of opportunities. 4.3 Land East of Short Lane is located within Local Area 8 which covers 98 hectares and is shown below. (see page 14 pf attached document).
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4.4 Despite being divided by a railway line and an unusual shape, the Local Area has been assessed as a whole. It is considered unlikely that the whole of the Local Area would share the same characteristics. The most northern part of the Local Area where the site is located is close to the settlement boundary and is almost completely surrounded by development. This is very different to land to the south of the railway line, which is more open and might play some role in protecting urban areas from merging into each other.

4.5 As such, the Green Belt Assessment concludes that the Local Area scores well against the NPPF Green Belt criteria and should not be considered for release. As can be seen from Local Area 5 to the west, when a smaller area of the land closer to the settlement boundary is assessed then it scores poorly against the NPPF Green Belt criteria.

4.6 We consider that Local Area 8 should have been sub-divided in subsequent Green Belt Assessments. There is clear evidence (from the scoring of Local Area 5) that the northern part of this area could also have scored poorly and thus been recommended for release for development.

4.7 Looking at Land East of Short Lane in isolation, it is clear that it has limited Green Belt value. There is development in all directions meaning its development would not impact on the openness of the Green Belt and its location does not play a role in avoiding the merging of settlement. Furthermore, while there is some limited open space to the north, this is used for open storage and is not undeveloped greenfield land, further urbanising the character of this location.

4.8 To remedy this soundness issue, we consider that Local Area 8, should be reassessed in Green Belt in an addendum to the Phase 3 Green Belt Assessment.

See attached for full response

Question 6: You can upload any modifications below.

APL- 174_ Red line Map.jpg

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/615742/PJP/-/APL%2D%20174%5F%20Red%20line%20Map%2Ejpg>

APL-174 Redacted - Stanwell 3167-02 Feasibility Layout Plan - ICP Partnership Ltd.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617278/PDF/->

[/APL%2D174%20Redacted%20%2D%20Stanwell%203167%2D02%20Feasibility%20Layout%20Plan%20%2D%20ICP%20Partnership%20Ltd%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617278/PDF/-/APL%2D174%20Redacted%20%2D%20Stanwell%203167%2D02%20Feasibility%20Layout%20Plan%20%2D%20ICP%20Partnership%20Ltd%2Epdf)

220912 Stanwell Redacted Reps - ICP Partnership Ltd.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617279/PDF/->

[/220912%20Stanwell%20Redacted%20Reps%20%2D%20ICP%20Partnership%20Ltd%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617279/PDF/-/220912%20Stanwell%20Redacted%20Reps%20%2D%20ICP%20Partnership%20Ltd%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes - Detailed discussions on Council's evidence base.

Policy / Evidence Base / Part of Plan: Evidence base - ELNA	
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Respondent: Mr Chris Moore (42140481)
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Organisation: Diageo Pension Trust Limited

Response ID: 1119939

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No	Additional Comments: No. Not Positively, Prepared Not Justified, Not Effective, Not Consistent with National Policy.
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
--

We welcome the publication of an updated Employment Needs Assessment (ELNA) as part of the evidence base on account of the concerns that were previously raised in respect of the accuracy of the 2018 version.

Notwithstanding this, we would still question the validity of the methodology used to forecast employment floorspace requirements within the Borough. Specifically, we would note that demand for new floorspace is based on a single economic forecasting methodology which the Council accepts is subject to inherent limitations.
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The forecasting should be interrogated in a finer grain detail to ascertain the local level data that has used to achieve the final outputs such that its appropriateness and accuracy can be tested. This should include cross referencing to alternative evidence sources such as: historic take up rates, intense lack of supply of existing stock or a labour-market derived assessment.

The 2018 ELNA identified that there would be a total requirement for 8,164 sq. m of new B Class floorspace over the period from 2017-35 (see Table 14). By comparison, the 2022 ELNA forecasts a requirement for 19,109 sq. m for the period 2022-37 (see Table 12). This represents an uplift of over 10,000 sq. m and brings into question the accuracy of the 2022 ELNA to positively plan for the full 15 year plan period.

In reaching its conclusion, the 2022 ELNA simply deducts the projected reduction in Class B2 floorspace (11,268 sq. m) from the projected requirement for Class E(g) and B8 floorspace (30,377 sq. m). The ELNA however acknowledges that ‘...due to the locations and nature of the floorspace it is unlikely all of the former B2 floorspace could be used for B1 and B8’

Whilst the loss of jobs from businesses within Class B2 are likely to be realised, the sites may not be available or suitable for replacement operations in Classes E(g) and B8. Sites may be constrained by location, access, surrounding land uses or a variety of other private matters linked to availability or viability. The Local Plan does not proactively identify any sites that are currently within use for Class B2 that would be suitable for alternative employment uses. The generic assumption that existing business areas can accommodate the requirements for growth is not sufficiently robust. Our analysis linked to availability (e.g. existing lease lengths) indicates that the existing employment areas will not have the capacity to support any material level of intensification in the medium term.

In order to have certainty that replacement economic productivity and jobs can be created within the Borough, the Council must plan positively through formal allocations. The fact that no illustrative target for new employment floorspace has been identified as part of the spatial strategy seriously brings into question whether a sufficient supply of sites has been identified to meet existing and future demands over the Plan period.

Modifications:

The emerging Local Plan cannot be considered sound as the ELNA has significantly underestimated future demand such that it has not allocated enough land. Accordingly, the EDNA is not a justified or appropriate evidence base for assessing needs for employment land allocations. Rather, it is demonstrably flawed.

Diageo strongly recommends the Council utilises a range of ‘bottom up’ evidence along with macro projections to ensure that the employment land supply can meet the strategic objectives for the Borough. This will ensure that the Local Plan is able to positively plan for growth through appropriate allocations and thus pass the four test of soundness.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: The Council's approach is not considered to be consistent with national planning policy and is not justified by the supporting evidence base. We consider these to be significant issues with the Pre-submission Local Plan that require in-depth consideration and discussion.

Policy / Evidence Base / Part of Plan: Evidence base - ELNA	
Respondent: Mr Ian Motuel (42130017)	
Organisation: Royal Borough of Windsor & Maidenhead	
Response ID: 1122467	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
We understand that the Employment Land Needs Assessment (ELNA) study from 2018 was updated in 2022 and that this has identified a need for 19,109 sqm of employment floorspace, an overall increase of 10,495sqm since the 2018 ELNA. We do acknowledge that the COVID-19 pandemic has created some uncertainty regarding employment land needs and instability in the market, with trends towards greater remote working. In its recently adopted Borough Local Plan, RBWM has sought to protect its existing stock of employment land as well as allocating new employment sites to deliver sufficient job growth. We are therefore pleased that the overall strategy in the Spelthorne Local Plan is to retain existing employment areas and to review the need for employment land in the five-year review period.	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence Base - Green Belt Assessment	
Respondent: Richborough Estates (42188193)	
Organisation:	
Response ID: 1127874	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: No Not justified, Not effective, Not consistent with national policy - were also selected Policy SP4 seeks to prevent inappropriate development within the Green Belt. Whilst we agree with the principle of the Policy, we certainly do not agree with the p
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No	Additional Comments: No Not justified, Not effective, Not consistent with national policy - were also selected Policy SP4 seeks to prevent inappropriate development within the Green Belt. Whilst we agree with the principle of the Policy, we certainly do not agree with the p
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
The Local Plan proposes to release just 0.7 ha of Green Belt with a brownfield first strategy the focus. As evidenced elsewhere, brownfield sites often involve long lead in times owing to site-specific delivery constraints, for instance, costs associated with remediation/difficulties with design. Consequently, this can impact the viability of development affecting the delivery of affordable housing. To the contrary, the delivery	

of homes on Green Belt sites allows for family homes to be delivered with policy compliant levels of affordable housing – noting there is a need as confirmed in the Strategic Housing Market Assessment ('SHMA') of the Borough requiring 459 affordable homes per year¹. Not only will this approach therefore meet the need of local communities, but with “a significant need for affordable housing”¹ in the Borough (with only 177 completed 2020-2021)¹, it is clear that the only way this will be delivered is through additional Green Belt land being released and allocated for residential development.

Furthermore, and as supported by the HBF, “the issue of housing needs and affordability alone are sufficient to justify further amendments to the Green Belt boundary”. In consideration that housing is a strategic policy matter and in accordance with paragraph 140 of the NPPF and strategic policies “establishing the need for any changes to Green Belt boundaries”, it is evident, there are the exceptional circumstances for further release.

In summary, we contend our analysis as set out below and contained within the enclosed letter clearly demonstrates Site LS1/020 – Land north of Charlton Road (that was within sub area 25-b) does not perform the purposes for which land is included in the Green Belt and as such, should be released from the Green Belt and allocated for residential development.

The Green Belt Assessment states sub-area (25-b) is “moderately performing but less important contribution to wider strategic Green Belt. Recommended for further consideration”. In the conclusions of the Green Belt Assessment – Stage 2 ('GBA2'), it states, “... its (sub area 25-b) release in isolation would not harm the performance of the wider strategic Green Belt”.

We therefore want to stress our support of these findings and for clarity, we set out below our comments previously submitted (in response to GBA2) which focus on the strong and defensible boundaries that would be formed through the Queen Mary Reservoir to the west and New Road/Charlton Road to the east and south – a position that is supported by the Council in the Assessment.

(1) To check the unrestricted sprawl of large built-up areas

GBA2 scores this sub-area a 3 out of 5 in terms of its role against this purpose of the Green Belt. This is despite this sub-area not being located adjacent to one of the defined large built-up areas, but instead the village of Charlton. This is described within the adopted Core Strategy as a “separate urban area” from Staines or Ashford.

Furthermore, with reference to the base of the Queen Mary Reservoir and New Road/Charlton Road resulting in a “stronger Green Belt boundary than existing”¹, it is clear its release would not lead to the unrestricted sprawl of Charlton.

The score applied to this sub-area is not considered sound and should therefore be revised to '0' rather than (3+) in respect of criteria 1b.

(2) To prevent neighbouring towns merging into one another

The Site is situated between built form (Charlton Village) to the north/east and the Queen Mary Reservoir to the west.

Furthermore, in GBA2, it states that “the presence of significant buffer features to the south and north-west, the sub-area makes little contribution to the physical separation between the settlements”¹. It is therefore clear its release would not result in merging with neighbouring towns. In accordance with (Table 3.6 of GBA2), as the Site “does not provide a gap between any settlements and makes no discernible contribution to separation”, it should score '0' rather than 1.

(3) To assist in safeguarding the countryside from encroachment

Whilst the features as referred to above provide a “strong connection to the adjacent settlement edge”, we consider the sub-area displays the characteristics of a semi-urban location and in accordance with the Table 3.7 of GBA2, suggest the score should be ‘2’ rather than ‘3’.

(4) To preserve the setting and special character of historic towns. The Site does not abut an identified historic settlement. We therefore agree with the Score of ‘0’.

(4b and 4c) Assessment of Impacts on the Wider Green Belt / Consideration of Boundaries

It is clear and demonstrated that the Site’s release from the Green Belt would not lead to the unrestricted sprawl of Charlton or the merging with neighbouring towns. Further, given the established and defensible boundaries formed by the Queen Mary Reservoir (to the west), Charlton Village to the north and east alongside New Road/Charlton Road, as concluded in GBA2, we wholly agree that “the sub-area does not play a fundamental

role with respect to the wider Green Belt, and its release in isolation would not harm the performance of the wider strategic Green Belt”1.

For clarity and to highlight how the sub-area should be scored is set out below: (see page 13 of attached document)

(5) Categorisation

For the reasons set out above, we consider the Site should be recognised as performing weakly in Green Belt terms and subsequently, does not make an important contribution to the wider strategic Green Belt. We therefore requested the Site be released from the Green Belt and these conclusions have not changed.

Question 6: You can upload any modifications below.

Richborough Estates - Pre-Submission Local Plan_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618779/PDF/-/Richborough%20Estates%20%2D%20Pre%2DSubmission%20Local%20Plan%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s)

To confirm that Exceptional Circumstances exist to justify the release of additional Green Belt land for residential development. Further, to continue to highlight that the Council’s Assessment of the Site (LS1/020 – Land north of Charlton Road) is incorrect and the site should be released from the Green Belt and allocated for residential development.

Please see enclosed letter that provides the composite response.

Policy / Evidence Base / Part of Plan: Evidence base - Green Belt Assessment	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127963	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
Yes	Additional Comments: Yes
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: No
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
yes	Additional Comments: yes
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
• "infrastructure provision is a key element in the delivery of a Local Plan"	
Question 6: You can upload any modifications below.	
220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618897/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf	
220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618898/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf	



Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence Base - Green Belt Assessment	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127998	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
yes	Additional Comments: yes
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
yes	Additional Comments: yes
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
Draft Policy SP4: Green Belt - comment 2.93. IV understand the need and willingness for SBC to have a specific policy on Green Belt, given the large area of Green Belt within the authority boundary. Yet, currently the policy does not accurately reflect national policy, and wording can be amended as such. Suggested wording is below – which reflects NPPF Chapter 13. An additional paragraph is suggested to reflect Very Special Circumstances: The Green Belt boundary is shown on the Policies Map. In order to uphold the five purposes as defined in NPPF Paragraph 138. Inappropriate development will should not be approved unless except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Very Special Circumstances are essentially the benefits that arise from the proposals that can, collectively, be balanced against the identified harm to the Green Belt and other harm. There is no definition of what might or might not constitute VSC, and each proposal should be judged on their own merits and is a matter of judgement.	

2.94. IV also would suggest wording is amended in the supporting justification to also better reflect national policy, particularly Paragraph 2 of the NPPF whereby planning policies should be read as a whole.
5.21 - Proposals within the Green Belt will also be expected to comply with all other Local Plan policies when taken as a whole, particularly those that cover design, amenity, landscape, biodiversity and flooding.
2.95. This wording more accurately reflects national policy and ensures the policy is positively prepared.
see attached document for full tracked changes/modifications on page 16

Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618913/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf>

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618914/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: yes - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence Base - Green Belt Assessment	
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Respondent: Diocese of London (42272161)

Organisation:

Response ID: 1128202

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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<p>Green Belt Assessment (Stage 1,2 & 3)</p> <p>3.2 The Green Belt Assessment (Stage 1) was published by Arup in February 2018. The purpose of this was to provide evidence of how different areas perform against the Green Belt purposes.</p> <p>3.3 The site forms part of Strategic Area B which is a band of Green Belt maintaining separation between a number of settlements. The site was assessed as part of Local Area 32, which included 139.1 ha of land. The results of the assessment are set out in the table below: (see document, page 9 for table)</p> <p>3.4 The assessment stated that sub-areas were identified for further consideration based on their performance against NPPF purposes only, rather than their suitability for development or release in terms of sustainability, infrastructure and wider planning considerations, including their existing land use.</p>

3.5 The northern area of Local Area 32 (which includes Land East of Upper Halliford Road) was identified as having scope for sub-division (Ref: AC-13) along with 5 other areas. This assessment states that “while the southern part of the Local Area is critical in maintaining the gap between Upper Halliford and surrounding settlements, and also forms a wider swathe of more open countryside, the northern area (identified as AC-13) is judged to be less critical to the overall integrity of the Green Belt”

3.6 It was judged that sub-area AC-13 would not constitute an outward sprawl of the large built-up area, which already extends a substantial distance to the South (Purpose 1). Furthermore, it was concluded by the report that the sub-area would not fundamentally undermine the integrity of any key gaps between settlements at the strategic level (Purpose 2) and is not connected to a historic core (Purpose 4).

3.7 On this basis the sub-area was unlikely to meet the objectives of the five tests of the Green Belt set out in the NPPF and thus it was recommended for further consideration.

Stage 2

3.8 The Green Belt Stage 2 assessment was published in December 2018. Through this more refined assessment, sub-area AC-13 was sub-divided into 32-a and 32-b as it was deemed suitable for further consideration. The results of the assessment are as follows: (see page 10 in attached document for table)

3.9 The assessment states that in its entirety, Sub-area 32-a meets the purposes strongly overall, but the northern part makes a less important contribution to the wider strategic Green Belt, therefore the northern part was recommended for further consideration along with sub area 32-b (Ref: RC-3). On this basis the northern part of Land East of Upper Halliford Road was allocated and the southern part was not.

3.10 While we agree in part with the assessment (regarding the northern section of the site), we consider the final recommendation to be inaccurate (in relation to the southern part of the site), therefore misinforming the site selection process.

Stage 3

3.11 The Green Belt Assessment (Stage 3) was published by Spelthorne Council in July 2022. This Green Belt Assessment reviews specific Green Belt sites that has been allocated in the emerging Plan.

3.12 The assessment for the northern parcel determined that the site is ‘moderately performing / partly less important’. This is lower performing than the two previous assessments. However, it determines that the site is enclosed by directly adjacent development on the eastern and western boundaries and as such plays a very limited role in preventing merging of settlements (purpose 2).

3.13 It was also considered that the northern part of the sub-area has a more rural character, with limited views to the surrounding built form due to the mature tree lines to the north, east and west and therefore would not play a major role in safeguarding the countryside from encroachment (purpose 3). It is considered to make a negligible contribution to purpose 4 given that the site does not abut any historical features. We consider that the site does not merit ‘moderately performing’ status given it is surrounded on three sides by development and has very limited external views of the site. If tis type of site does not receive the lowest possible assessment in Green Belt terms, then we are unclear what sort of site would.

3.14 The southern parcel has also been assessed in the Stage 3 assessment. The assessment determines that the parcel is considered ‘strongly performing/partly less important’.

3.15 The assessment notes that that the southern area plays a more important role in preventing merging and restricting sprawl into the countryside. We consider this judgement to be incorrect the southern part of the site only extends marginally beyond the existing school buildings to the south and does not sprawl from existing towns. The impact on the open countryside and coalescence is negligible when viewed in this context. This could be further mitigated by layout and landscaping.

3.16 It is considered that the southern part of this area is of sufficient scale that settlement coalescence is unlikely to occur. The trees to the south act as a strong Green Belt boundary whilst limiting the merging of settlements.

3.17 In addition, it would appear that the whole of the southern site has been assessed for its impact on the Green Belt. Realistically the long narrow southern element is unlikely to be developed. This land could provide landscaping and remain undeveloped and a reassessment of the site excluded this part of the site would be likely to come to a similar conclusion to the northern site (32A). Notably, the northern part of the southern site is surrounded by development to the east and west (beyond the wooded area) and when the long narrow part of the site is excluded, the site does not extend much beyond the school buildings to the west. This means that the impact on the Green Belt should be limited as there would only a very small extension beyond the existing southern building line of Upper Halliford.

3.18 At the very least, the Council may want to consider if the conclusions for the southern site reflect what is likely to be delivered. See attached document for full rep.

Question 6: You can upload any modifications below.

GFS-SPS-AR-00-01-2_1 Redacted Existing Site Plan - Diocese of London.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617254/PDF/->

[/GFS%2DSPS%2DAR%2D00%2D01%2D2%2F1%20Redacted%20Existing%20Site%20Plan%20%2D%20Diocese%20of%20London%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617254/PDF/-/GFS%2DSPS%2DAR%2D00%2D01%2D2%2F1%20Redacted%20Existing%20Site%20Plan%20%2D%20Diocese%20of%20London%2Epdf)

220912 Halliford Reps Final Redacted - Diocese of London.pdf

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[/220912%20Halliford%20Reps%20Final%20Redacted%20%2D%20Diocese%20of%20London%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617255/PDF/-/220912%20Halliford%20Reps%20Final%20Redacted%20%2D%20Diocese%20of%20London%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence Base - Green Belt Assessment	
Respondent: Mr Ian Motuel (42130017)	
Organisation: Royal Borough of Windsor & Maidenhead	
Response ID: 1122470	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Green Belt and Environment</p> <p>In RBWM's Preferred Options response, we said that we supported the conclusions of the stage 2 Green Belt Assessment Report which found that most of the green belt in Spelthorne is performing an important role in terms of the NPPF purposes. However, we added that whilst sub-areas RA-1, RA-2, RA-3, RA-4 and RA-7 close to RBWM perform weakly against most of the green belt purposes, it is however important to note that they are within the SPA buffer area for the reservoirs which are habitat areas for birds and other wildlife.</p> <p>We understand that SBC has subsequently undertaken a Stage 3 Green Belt Assessment to consider specific individual parcels identified for potential release from the Green Belt using a similar methodology used for the Stage 1 and Stage 2 Green Belt Assessments for consistency. The assessment and subsequent assessment work has concluded that exceptional circumstances have been demonstrated justifying a release of Green Belt for housing development.</p>	
Question 6: You can upload any modifications below.	

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - GTAA; SLAA;Duty to Cooperate	
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Respondent: Mr Tomas Pugh-Cook (42131713)
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Organisation: Reigate and Banstead Borough Council

Response ID: 1119822

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

Yes	Additional Comments: Yes
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

Yes	Additional Comments: Yes
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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Yes	Additional Comments: Yes
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Thank you for engaging with Reigate & Banstead Borough Council (RBBC) regarding the Pre-submission Spelthorne Local Plan. RBBC understands that Spelthorne Borough Council (SBC) have progressed the Local Plan to prepare for submission to the Planning Inspectorate for examination.

We note as part of the duty to co-operate we sent a response dated 15 June 2020 which detailed RBBC's position of being unable to meet SBC's identified unmet need. In accordance with Paragraph 33 of the revised NPPF, RBBC has an up-to-date Local Plan consisting of a Core Strategy (adopted in July 2014 and reviewed in July 2019) and Development Management Plan (DMP) (adopted September 2019). Due to local constraints, RBBC has a local unmet need of c2,100-2,700 dwellings which means that we are unable to accommodate any potential needs within the existing local plan. Consequently, RBBC can confirm that whilst it remains committed to maximising its housing supply and working with nearby local authorities to understand how housing needs can be met as fully as possible, RBBC is unable to accommodate any of SBC's potential unmet needs.

It is understood that you have assessed the need for additional homes over the plan period using the 2014 based household projections as part of the government's standard methodology, in accordance with the NPPF and PPG for calculating local housing need. We note that SBC have identified a housing requirement of 618 dwellings per annum over, with a total of 9,270 during the plan period (2022 – 2037). We also note that the SLAA and the Green Belt Assessment Report have been used as key evidence documents to inform the sites identified for potential allocation in the Local Plan.

Para 3.12 of the SBC Pre-submission Local Plan highlights that Spelthorne sits within a housing market area with Runnymede Borough Council. Additionally, RBBC's most recent assessment 'East Surrey SHMA' (2008) (with update report produced in 2012) does not identify Spelthorne within RBBC's housing market area. It is also noted that SBC maintains strong economic links with Runnymede, Elmbridge and the London Boroughs of Hillingdon & Hounslow. Therefore, we feel there is limited purpose to work together on our potential issues in this aspect, and we feel that we have no comment to make on a significant basis.

Similarly, within SBC's Gypsy and Traveller Accommodation Assessment (GTAA) (2018), the report produced by Opinion Research Services, acknowledges RBBC working with Tandridge and Elmbridge on any cross boundary issues on a joint GTAA. We therefore do not feel the need to make any comment on this basis.

Notwithstanding, RBBC remains committed to joint working as part of ongoing duty to co-operate discussions on strategic matters. Should you have any queries, we would be very happy to discuss any of the points raised in more detail.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Highways Assessment	
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Respondent: Mr Ian Motuel (42130017)

Organisation: Royal Borough of Windsor & Maidenhead
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Response ID: 1122468

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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RBWM note that a highways impact assessment has been undertaken by Surrey County Council on behalf of Spelthorne BC to model the potential impacts on the highway network of the Draft Spelthorne Local Plan. The impacts are expected to be local to the developments and not severe, although there are likely to be some cumulative impacts in Staines, Stanwell, Ashford and Sunbury. The Strategic Highways Assessment 2022 suggest some cross boundary impacts on the A30 exit/approach to and from the M25 J12 crossing into RBWM and also B376 Wraysbury Rd crossing boundary into RBWM. As such we would like to understand if any mitigation proposals have been developed to address these impacts and seek to work collaboratively to agree them.

Question 6: You can upload any modifications below.
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No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Highways Assessment	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122128

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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6. Surrey's Strategic Highways Assessment The updated Strategic Highways Assessment (which was only posted on the Evidence Base on 26th April 2022) talks about two different scenarios - the "Do Minimum" scenario and the "Do Something" scenario. It only really talks about the impact between those two scenarios and the conclusions drawn regarding the uplift being generally minimal. However, what it doesn't tell us is clearly how the baseline has been decided and how that has changed since the previous review. I have a number of queries about the report but possibly the most significant is that no obvious baseline is given and, comparing it back to the earlier Surrey Highways Assessment, it seems that the "Do Minimum" scenario has shifted dramatically and starts at a much higher base than even the Scenario "D" from the original report in 2019.

One would expect some change over the intervening period between the production of the two reports. However, the shift in the "Do Minimum" is TEN TIMES more than the difference between the "Do Minimum" and "Do Something" scenarios that the whole new report is based on – see attached Appendix 2, Tables 2 and 3.

Understandably, it would be useful to understand what has changed in the assumptions, but the details are not in the Technical Annex as far as it can be seen.

Given the timing of publication of this latest review, this consultation is again the first opportunity for stakeholders to flag any concerns. My main recommendation is that clarity is provided as to what developments in Spelthorne are included in the baseline “Do Minimum” and what are included in the “Do Something”.

See attached document for tables.

Question 6: You can upload any modifications below.

APPENDIX 2 - TABLES 2 & 3.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/597536/PDF/-/APPENDIX%20%20%2D%20TABLES%20%20%5F%203%2Epdf>

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618764/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory	
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Respondent: Cemex UK Properties Ltd (42188001)

Organisation:

Response ID: 1127833

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No	Additional Comments: No
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No	Additional Comments: No
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

HOUSING TRAJECTORY AND FIVE-YEAR HOUSING LAND SUPPLY
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This document has been produced to outline how the housing requirement has been compiled and to demonstrate the Borough has a five-year housing land supply ('5YHLS').
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Having reviewed the sites with planning permission (table 3), we do not believe the Renshaw Industrial Estate site should be included as outline planning permission ref: 17/01365 was granted on 27th July 2018 and it does not appear that any Reserved Matters submissions have been submitted within the three year timeframe (up to 27th July 2021) as required by Condition 1. Therefore, a new planning permission would be required to build the 275 units. A more recent planning application on the same site was refused in August 2021 for 397 build to rent apartments which strongly indicates that the 275 homes consented in outline planning permission 17/01365 will never be

implemented. We therefore contend that the 275 units associated with planning permission 17/01365 should be removed from the housing land supply calculations.

If the 275 units are removed, this would reduce the total supply to 3,855 (from 4,130) which equates to 771 units per annum. This would result in a lower 5YHLS of 5.2 years (compared to 5.6). Given the Borough's poor recent performance in respect of housing delivery, it is highly likely other consented schemes could fail to be implemented and using the revised supply, there are only 147 units between the Council being able to demonstrate a 5YHLS and not.

DUTY TO CO-OPERATE

The NPPF (paragraphs 24 to 27) confirms the Duty to Co-operate ('DtC') continues to be a basic procedural requirement of plan making. In particular, paragraph 26 details that this joint working should determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

The purpose of the DtC is to ensure strategic priorities are properly co-ordinated and clearly reflected in Local Plans. The failure to demonstrate compliance with the DtC would render the Local Plan incapable of being found to be legally compliant. We support, therefore, the principle of the Council working with neighbouring authorities to address strategic issues and emphasise the need to continue this process throughout the Plan-making process.

However, it is concerning that the Council is "only in the process of preparing statement of common ground outlining its cooperation with strategic bodies" 1 .

We suggest that given the stage (Regulation 19), the Local Plan should be based on already agreed positions on all strategic matters with all relevant parties. This is particularly important when it comes to the delivery of housing given the constraints of surrounding boroughs and the equal or greater housing pressures upon them. Thus, the Council will need to work proactively with its neighbouring authorities to ensure the needs are met.

There are also major infrastructure projects that whilst stalled, for instance, the planned expansion of a third runway for Heathrow Airport, should be taken into account given the importance of the National Significant Infrastructure Project ('NSIP'). As set out in previous submissions, the anticipated benefits for the South East from the Heathrow expansion include up to £30bn in economic benefits and the creation of 33,200 new jobs. Given the immediate proximity of the Borough to Heathrow, it is perfectly placed to provide complementary development (both housing and economic) to the NSIP.

In this context, we emphasise in the strongest terms the need for the Council to address, as a minimum, its full Objectively Assessed Housing Need ('OAHN'), whilst also exploring options to go above this. As set out above, this will then ensure the Local Plan accords with the NPPF (paragraph 61).

Whilst we support the Council in seeking to meet its own development needs (618 dpa), there remains an imperative that all possible options at going above this figure in order to accommodate potential unmet need from neighbouring authorities is also explored, as well as reflecting the substantial economic growth the area is anticipated to experience. In reviewing the DtC Statement of Compliance (May 2022) and with a

focus on the strategic matter of housing, it is clear that with the seven neighbouring authorities¹ not being able to assist, the Council must look at further Green Belt release to ensure a sufficient buffer is incorporated.

The first test of soundness is unequivocal that a Plan can only be found to be “positively prepared” where it provides a strategy that as a minimum seeks to meet its own objectively assessed needs, as well as preparing agreements with other authorities to accommodate unmet need. At the moment and in consideration of the above, we do not consider it does.

EXAMINING PLANS

The NPPF (paragraph 35) requires that any plan submitted to the Secretary of State for examination must be capable of being found both legally compliant and sound. This places various duties on the Council including, but not limited to, ensuring the plan is:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with National Policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is therefore critical that the Local Plan sets a clear path between the identification of the strategic considerations and the allocation of land to facilitate the delivery of these priorities. However, as currently drafted, we have significant concerns that it doesn’t.

Furthermore, the NPPF (paragraph 61) is clear that Local Planning Authorities must seek to address their Local Housing Need (‘LHN’) as a minimum and this is addressed in response to our comments on the Duty to Cooperate. (as per attached document)

ALTERNATIVE SITES

A new Local Plan is required to ensure the future needs of residents and businesses in the Borough can be met through the sustainable development of sites. However, it is the omission of a number of sustainably located sites (for both housing and employment led uses) which we consider results in the spatial strategy of the Local Plan being unsound and in particular, CEMEX’s landholdings at land at the southern edge of Upper Halliford in Shepperton (identified on the plan below (Site A)) and land adjacent to the southern boundary of Heathrow Airport in Stanwell (Site B)).

OFFICER SITE ASSESSMENTS – DISCOUNTED ALTERNATIVE ALLOCATION SITES (JUNE 2022)

The sites are assessed under reference HS1/005 Land adjacent to Squires Garden Centre, Halliford Road, Shepperton and reference SN1/008 Land south of Perimeter Road, Stanwell.

There are some parts of the Officer Site Assessments – Discounted Alternative Allocation Sites (the ‘Assessment’) that we agree and support, whilst others we consider incorrect, do not agree with and consider unsound.

Our analysis is set out in response to Question 6 which concludes that both have been incorrectly assessed and the opportunity to allocate two deliverable sites (HS1/005 for residential and SN1/008 for industrial/commercial uses) have been missed). Please refer to attached

document for large submission document, pages 9-13 appear to be relevant to HS1/005. Pages 17-22 appear to be relevant for site SN1/008..

SUGGESTED MODIFICATIONS:

HOUSING TRAJECTORY AND FIVE-YEAR HOUSING LAND SUPPLY

We therefore strongly recommend that further Green Belt sites (such as Site HS1/005 – Land adjacent to Squires Garden Centre, Halliford Road) are released to provide “specific, deliverable sites for years one to five of the plan period” (NPPF, paragraph 68) to ensure the Borough has a robust 5YHLS.

DUTY TO CO-OPERATE

We suggest that given the stage (Regulation 19), the Local Plan should be based on already agreed positions on all strategic matters with all relevant parties. This is particularly important when it comes to the delivery of housing given the constraints of surrounding boroughs and the equal or greater housing pressures upon them. Thus, the Council will need to work proactively with its neighbouring authorities to ensure the needs are met.

There are also major infrastructure projects that whilst stalled, for instance, the planned expansion of a third runway for Heathrow Airport, should be taken into account given the importance of the National Significant infrastructure Project (‘NSIP’). As set out in previous submissions, the anticipated benefits for the South East from the Heathrow expansion include up to £30bn in economic benefits and the creation of 33,200 new jobs. Given the immediate proximity of the Borough to Heathrow, it is perfectly placed to provide complementary development (both housing and economic) to the NSIP.

In this context, we emphasise in the strongest terms the need for the Council to address, as a minimum, its full Objectively Assessed Housing Need (‘OAHN’), whilst also exploring options to go above this. As set out above, this will then ensure the Local Plan accords with the NPPF (paragraph 61).

Whilst we support the Council in seeking to meet its own development needs (618 dpa), there remains an imperative that all possible options at going above this figure in order to accommodate potential unmet need from neighbouring authorities is also explored, as well as reflecting the substantial economic growth the area is anticipated to experience. In reviewing the DtC Statement of Compliance (May 2022) and with a focus on the strategic matter of housing, it is clear that with the seven neighbouring authorities not being able to assist, the Council must look at further Green Belt release to ensure a sufficient buffer is incorporated.

The first test of soundness is unequivocal that a Plan can only be found to be “positively prepared” where it provides a strategy that as a minimum seeks to meet its own objectively assessed needs, as well as preparing agreements with other authorities to accommodate unmet need. At the moment and in consideration of the above, we do not consider it does.

EXAMINING PLANS

It is therefore critical that the Local Plan sets a clear path between the identification of the strategic considerations and the allocation of land to facilitate the delivery of these priorities.

ALTERNATIVE SITES

In summary, we contend our analysis as set out below and contained within the enclosed letter clearly demonstrates both Site HS1/005 – Land adjacent to Squires Garden Centre, Halliford Road, Shepperton and Site SN1/008 – Land south of Perimeter Road, Stanwell do not perform the purposes for which land is included in the Green Belt and as such, should be released from the Green Belt and allocated for development.

DEVELOPMENT POTENTIAL

Site A – Land adjacent to Squires Garden Centre, Halliford Road, Shepperton (see attached page 5)

The Site is surrounded by existing built form on three sides whilst its southern boundary comprises a substantial line of mature trees, providing a strong defensible boundary. In the Council's own assessment of the Site (2022) they consider:

- “the site offers limited tranquillity or a feeling of remoteness and is largely part of the urban area associated with Upper Halliford.”;
- “the visual amenity value of the site is limited by the enclosed nature of the site and current use as an overflow carpark”
- “the site is not subject to any major non absolute constraints”.

Given the positive features of the Site that the Council fully acknowledge, we continue to promote the Site as a logical infill for residential development between Squires Garden Centre and 109 Halliford Road. The Site would make an efficient use of existing services and infrastructure in Upper Halliford, as it is less than 0.5 miles from the shopping parade and community centre.

We consider that residential development is entirely appropriate in this location as it would complete the line of built form along Halliford Road from the junction with Upper Halliford Road and Gaston Bridge Road to the residential development around Tadmor Close.

Wider landholdings

CEMEX also owns a larger parcel of land to the south of Upper Halliford (as shown below – 49a) and we consider it relevant the Council is aware as this could come forward for development during the latter stages of the Local Plan. (map see attached)

Site B - Land south of Southern Perimeter Road, Stanwell (see attached page 7)

Given the Site's direct access onto the Southern Perimeter Road and close proximity to the Strategic Road Network including the M25 and M4 motorways, we consider the Site has potential for a number of uses, inter alia, commercial including Business (Use Class E), General Industry (Use Class B2) and/or Storage or Distribution (Use Class B8).

The Site was also identified for car parking as part of the expansion of Heathrow Airport and we submitted representations confirming that CEMEX was ready to work in collaboration with Heathrow Airport Ltd ('HAL') for appropriate future uses which can be delivered by the market. Whilst proposals are on hold at Heathrow, CEMEX still consider the Site suitable for release, allocation and development for uses to support the expansion – with this including for car parking.

More recently (September 2022), the Site (referred to as Whitehall Farm) has been selected as a preferred site for aggregate recycling as part of Surrey County Council's Minerals and Waste Local Plan.

We continue to confirm both sites are available and developable, with the potential to provide a contribution to meeting the Borough's future housing/employment needs, acting as a key component to forming a Local Plan capable of being found sound at Examination in Public ('EiP')

OFFICER SITE ASSESSMENTS – DISCOUNTED ALTERNATIVE ALLOCATION SITES (JUNE 2022)

Please refer to attached document for large submission document. Pages 9-13 appear to be relevant to HS1/005. Pages 17-22 appear to be relevant for site SN1/008.

Please see enclosed letter that provides the composite response.

Question 6: You can upload any modifications below.

Cemex - Redacted Pre-Submission Local Plan Representations_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618876/PDF/->

[/Cemex%20%2D%20Redacted%20Pre%2DSubmission%20Local%20Plan%20Representations%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618876/PDF/-/Cemex%20%2D%20Redacted%20Pre%2DSubmission%20Local%20Plan%20Representations%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Housing Trajectory: Yes, I wish to participate in hearing session(s). To confirm that Exceptional Circumstances exist to justify the release of additional Green Belt land for residential development. Further, to continue to highlight that the Council's Green Belt Assessment of sites HS1/005 – Land adjacent to Squires Garden Centre, Halliford Road, Shepperton is incorrect and that it should be released from the Green Belt and allocated for residential development. Please see enclosed letter that provides the composite response.

Duty to Co-operate: Yes, I wish to participate in hearing session(s). Please see enclosed letter and response to Section 6(question 7 here)..

Examining Plans: Yes, I wish to participate in hearing session(s). Please see enclosed letter and response to Section 6 (question 7 here) – part of the discussion at Examination would be to highlight those deliverable sites that the Council has ignored/omitted.

Alternative Sites: Yes, I wish to participate in hearing session(s). Please see enclosed letter and response to Section 6 (question 7 here) – part of the discussion at Examination would be to highlight those deliverable sites that the Council has ignored/omitted.

Officer Site Assessments Discounted Alternative Allocation Sites (June 2022): - Yes, I wish to participate in hearing session(s). Please see enclosed letter and response to Section 6 above – part of the discussion at Examination would be to highlight those deliverable sites that the Council has ignored/sites which have been omitted.

Whilst CEMEX continue to support the principle of bringing forward a Local Plan, we contend a number of policies together with the evidence base are unsound, and if not addressed, would result in an unsound and non-legally compliant Local Plan being submitted. Consequently, and owing to the shortcomings of the evidence base, the opportunities of Site HS1/005 – Land adjacent to Squires Garden Centre, Halliford Road, Shepperton and SN1/008 – Land south of Perimeter Road, Stanwell have been missed and we suggest this should be rectified with both being released from the Green Belt. This approach would utilise sites which are suitable, available, deliverable and viable, and which

will deliver additional dwellings (HS1/005) and provide valuable employment/industrial space which could come forward as part of the expansion proposals at Heathrow or on its own (SN1/008).

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory / 5YHLS	
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Respondent: Angle Property (43059489)
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Organisation:

Response ID: 1128149

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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In reference to Bugle Nurseries. Housing Trajectory and Five Year Housing Land Supply The Council published its Housing Trajectory and Five Year Housing Land Supply Statement in August 2022. This Statement identifies the Council's five year housing land supply. It is incumbent on the Council to put forward a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement. The Council's supply relies on Regulation 19 Green Belt sites to deliver a five year supply, which includes Bugle Nurseries. Table 5 confirms that the site will yield 79 units (the quantum identified in the site allocation) in years 1-5 of the Plan period. Our client has already commenced pre-application discussions with the Council on a scheme that complies with the draft allocation and will be in a position to make a fully documented planning application in the autumn that will enable delivery of the emerging policy objectives. We

have therefore put forward extensive evidence to confirm the site is deliverable within the first five years of the Plan and fully support inclusion of the Site within the Council's five year housing land supply.
See attached document for full rep.

Question 6: You can upload any modifications below.

160922 Bugle Nurseries - Redacted Reg 19 Reqs ISSUE, Angle Property.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617160/PDF/->

[/160922%20Bugle%20Nurseries%20%2D%20Redacted%20Req%2019%20Reqs%20ISSUE%5F%20Angle%20Property%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617160/PDF/-/160922%20Bugle%20Nurseries%20%2D%20Redacted%20Req%2019%20Reqs%20ISSUE%5F%20Angle%20Property%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory / 5YHLS	
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Respondent: Angle Property (43059489)
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Organisation:

Response ID: 1128150

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

yes	Additional Comments: yes
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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yes	Additional Comments: yes
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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On behalf of our client, Angle Property, we write to you to make representations in respect of the Regulation 19 consultation on the Pre-submission Spelthorne Local Plan 2022 – 2037. These representations relate to Land at Croysdale Avenue, also known as Hazelwood Drive, which is owned by our client. Angle Property is generally supportive of the draft Local Plan and its approach, whereby the Council proposes to remove the site from the Green Belt and allocate the site for residential development. Our client is currently undertaking pre-application engagement with Officers at the Council to bring forward proposals that deliver on the aspirations of the site allocation and to make a valuable contribution to the Council’s housing requirements in the short term.

Housing Trajectory and Five Year Housing Land Supply
The Council published its Housing Trajectory and Five Year Housing Land Supply Statement in August 2022. This Statement identifies the Council’s five year housing land supply. It is incumbent on the Council to put forward a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against the housing requirement. The Council’s supply relies on Regulation 19 Green Belt sites to

deliver a five year supply, which includes Hazelwood Drive. Table 5 confirms that the site will yield 67 units (the quantum identified in the site allocation) in years 1-5 of the Plan period.

Our client has already commenced pre-application discussions with the Council on a scheme that complies with the draft allocation and will be in a position to make a fully documented planning application in the autumn that will enable delivery of the emerging policy objectives. We have therefore put forward extensive evidence to confirm the site is deliverable within the first five years of the Plan and fully support inclusion of the Site within the Council's five year housing land supply.

Question 6: You can upload any modifications below.

160922 Hazelwood Drive - Redacted Reg 19 Repts ISSUE, Angle Property.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/617161/PDF/-/160922%20Hazelwood%20Drive%20%2D%20Redacted%20Reg%2019%20Reps%20ISSUE%5F%20Angle%20Property%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory/5YLS	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127970	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
yes	Additional Comments: yes
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
no	Additional Comments: no
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
yes	Additional Comments: yes
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<ul style="list-style-type: none"> • "The Council is required to identify the infrastructure needed to support the development proposed over the next 15 years. This is done through the Infrastructure Delivery Plan (IDP)." 	
Question 6: You can upload any modifications below.	
220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618899/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf	
220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf	

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618900/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory/5YLS	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127971	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
yes	Additional Comments: yes
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
no	Additional Comments: no
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
yes	Additional Comments: yes
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<ul style="list-style-type: none"> • "The IDP outlines any potential gaps in provision and identifies what new infrastructure is required to mitigate some of the potential effects of the levels of development being proposed. This, together with the polices[sic] in the Plan, sets out how the needs of the Borough will be met over the plan period." 	
Question 6: You can upload any modifications below.	
220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618901/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf	
220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf	

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618902/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory/5YLS	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127973	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
YES	Additional Comments: YES
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: NO Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
YES	Additional Comments: YES
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Local Plan Housing Trajectory (June 2022)</p> <p>3.11. IV only seeks to make a small comment on the Housing Trajectory 2022. Firstly, IV questions the high level of change of use completions in 2022 – 2025. Not only is it substantially more than the past three years, the office – residential permitted development rights were reformed in 2021, making it more challenging to convert large premises. This feels overly optimistic.</p> <p>3.12. SBC will be relying on windfall urban area sites, which are often (through land ownership, remediation and cost implications) not consistent in coming forward.</p> <p>3.13. A way of remediating against this is to allocate a greater number of sites as contingency, and have a greater number of Green Belt sites coming forward later in the plan period. Currently, only 132 dwellings out of 892 (15%) Green Belt sites will come forward between</p>	

years 6-15 of the Plan Period. This causes concern that SBC may struggle to demonstrate a five-year housing land supply towards the end of the plan period, as SBC will also exclusively be relying on windfall and urban area sites.

Draft Statement of Five Year Housing Supply 2021

3.14. Annex 2 of the NPPF defines a deliverable site when assessing sites which can contribute to the 5 year Housing Land Supply (5YHLS). In essence, this should be a site which has detailed planning permission. Those sites which have been allocated, have outline planning permission, or on a brownfield register can only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years.

3.15. The PPG (paragraph 68-007-20190722) states occasions which might equate to this clear evidence, such as work starting on a reserved matters application or progress made towards submission of a detailed application. 3.16. Yet, in Table B, SBC count all large sites identified in the SLAA as being included within this 5YHLS – despite no planning permission being granted and no sub-assessment of how these sites will be able to delivered.

3.17. When assessing these sites in Table E of the document, many of these sites only have 'land owner availability (no outstanding planning application)' listed as the reason for why it is seen to contribute to the Five Year Housing Land Supply. As mentioned in the PPG, no further detail is given such as:

- Any progress made towards submission of an application;
- Whether a developer is involved with the site;
- No information on site viability or any assessment work.

3.18. In light of this information not being available, IV consider that a large proportion of the 1,658 sites listed in the supply calculation are not deliverable when assessed against Annex 2 of the NPPF or the PPG. Unless further detail is given on why they are deliverable, they should be removed.

3.19. If all these sites are removed from the 5YHLS, then SBC land supply would be 2.14 years.

3.20. The result being that SBC should urgently find a greater number of allocated sites to allow for greater contingency and avoid relying so heavily on windfall sites to come forward.

3.21. There is also no breakdown in the Draft Five Year Housing Land Supply Statement of the breakdown of housing provided for older people. This is required in PPG 68-035-20190722, whereby LPAs should count this as part of their housing supply. By doing this, it will help keep track of how SBC are meeting local need.

See pages 25-26 of attached document

Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618905/PDF/->

[/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618905/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf)

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618906/PDF/->

[/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618906/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence base - Housing Trajectory; CIL	
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Respondent: Diocese of London (42272161)

Organisation:

Response ID: 1128199

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Planning for Housing Delivery 3.30 The Planning for Housing Delivery Document has been prepared as part of the Local Plan evidence base. The purpose of this document is to consider potential risks to Spelthorne Borough Council (SBC) of excluding Green Belt sites from housing allocations in the emerging Local Plan. The data analysis uses the geography of the three Community Infrastructure Levy (CIL) Zones (see map below) in Spelthorne. The land East of Upper Halliford Road sits within Zone 3 (South). 3.31 The report confirms that Excluding Green Belt sites, the Local Plan identifies sites that meet the criteria for inclusion in the five-year housing land supply (5YHLS) with a capacity of 3,409 dwellings (681dpa, or 5.5 years' worth of supply). However, a 20% buffer is applicable as a result of past under delivery resulting in the Council falling short of the required land supply under paragraph 74 of the NPPF. This therefore results in a 4.5 year supply with the application of a buffer.
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3.32 While SBC may be able to demonstrate a 5YHLS without the application of a buffer, the pipeline beyond 2024/25 is significantly weaker and raises the prospect of the Borough potentially slipping into a significant shortfall. Furthermore, any unforeseen capacity reductions would impact the Council's ability to demonstrate a 5 YHLS and put the Council at risk of speculative applications coming forward under the presumption in favour of sustainable development.

3.33 It is evident that the Spelthorne Borough Council should seek to strengthen their land supply pipeline. Highly accessible and well contained sites, such as the Land East of Upper Halliford Road, should be included in the housing land supply to ensure development comes forward in suitable locations.

3.34 The report also highlights concern regarding Spelthorne's land supply pipeline which shows an imbalance of supply across the Borough. 10.8% of new homes are expected to be built in Zone 1 (North) while Zone 2 (Mid) accounts for 79.7% with Zone 3 (South) making up the remaining 9.5%. Over-concentration of homes in area will impact local infrastructure. Furthermore, it will impact the delivery rate of affordable homes.

3.35 The report advises that releasing additional land in Zones 1 (North) and 3 (South) will help reduce "policy risk" given the relative strength of historic supply of affordable units in Zone 1 (North), and the popularity of Zone 3 (South) for older residents.

3.36 The Planning for Housing Delivery Report highlights key risks with housing delivery across the district. First, the Council cannot demonstrate a 5 YHLS. Therefore, it is vital that Spelthorne allocate sufficient land going forward to meet housing requirements.

Furthermore, Green Belt release will be necessary to meet need. This reinforces Green Belt allocations coming forward as part of the Local Plan review.

3.37 Second, there is a significant imbalance between development across the Borough with the majority of development being focused in CIL Zone 2. Not only does this put undue pressure on social infrastructure, but it impedes delivery of affordable homes across the Borough. It is therefore important that suitable sites across the wider Borough are brought forward to even out the distribution of homes and in particular, affordable homes.

See attached document for full response.

Question 6: You can upload any modifications below.

GFS-SPS-AR-00-01-2_1 Redacted Existing Site Plan - Diocese of London.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617250/PDF/-/GFS%2DSPS%2DAR%2D00%2D01%2D2%5F1%20Redacted%20Existing%20Site%20Plan%20%2D%20Diocese%20of%20London%2Epdf>

220912 Halliford Reps Final Redacted - Diocese of London.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/617251/PDF/-/220912%20Halliford%20Reps%20Final%20Redacted%20%2D%20Diocese%20of%20London%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
Respondent: A2Dominion Group (42324225)	
Organisation:	
Response ID: 1128133	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Not Positively Prepared Not Justified Not Effective Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
3 The Sustainability Appraisal (SA) 3.1 Chapter 3 of the SA reviews the approach to strategic growth, and in doing so explains the approach adopted at Issues and Options, and Preferred Options that led to the adoption of option 4. Option 4 is described in table 7 as: 'Increase densities in town centres and near transport facilities where the character can accommodate it, allowing high rise development where appropriate and where they are of high quality design. Release some weakly performing Green Belt that would not adversely affect the integrity of the strategic Green Belt. Make use of a masterplan approach for Staines.'	

3.2 Para 3.18 of the SA suggests this was finessed by members wanting to pursue a local plan strategy comprising the following elements:

‘ Increasing densities in town centres and near transport facilities and other areas where the character can accommodate it and allowing high rise development in areas where the existing character permits and they are of a high quality design, having regard to the emerging Staines Development Framework.

- A small amount of dispersed Green Belt release for development where its release would not adversely affect the integrity of the strategic Green Belt. Any consideration of the potential release of Green Belt will have due regard for the sustainability of location and the quantity of previously developed land.

- Making use of a development framework for Staines but with housing as one of a range of uses that can be accommodated within the town and not favouring residential development over employment, retail and tourism uses.’

3.3 In reviewing the options considered, it appears that none looked at delivering more/ less than required by the Standard Methodology having regard to the issue of Elmbridge/ London’s unmet need, and the level of Green Belt releases required to meet the housing need.

3.4 Chapter 4 of the SA tests the objectives of the plan against the objectives of the SA, which we note include objectives related to community, affordable housing, the environment and service delivery. Chapter 5 then goes on to test the policies of the local plan, with table 12 highlighting the negative, neutral and unknow implications of policy ST2 as being: flood risk; biodiversity, heritage and open space and landscape; and pollution, climate change and water. Having reviewed the more detailed critique in appendix a (p90/91), we note that under food risk the SA suggests that

‘Development of some land in flood zones, particularly in Staines, but this will reduce the need to build on the highest risk areas in the Green Belt. The borough is severely constrained by flood risk therefore accommodating the proposed level of development can be expected to increase the number of people vulnerable to flood risk. Appropriate layouts and flood mitigation measures are therefore required.’

3.5 As is clear from the above this matter is something that is capable of mitigation and in some urban brownfield redevelopment could actually result in a betterment over the existing where no such mitigation may have been in place to start with – so the scoring of this as a negative is in some respects disingenuous. Likewise, the biodiversity score accepts that the development of sites in the urban area are likely to avoid impacts on biodiversity; that the loss of open spaces and overall impact on the landscape of the borough can be mitigated through sensitive design and layout, including appropriate screening and landscaping; and that the impact on climate change could in terms of the redevelopment of existing buildings, enable the provision of more energy efficient homes. The same could be true of the effects on water conservation as the redevelopment of existing buildings could enable the provision of more water efficient homes.

3.6 We note the SA concludes that policy ST2 is considered to be sustainable with positive impacts on social and economic objectives, and that whilst there is some uncertainty regarding environmental impacts as this is largely associated with how schemes are implemented, flood risk mitigation will help to overcome negative impacts.

3.7 Chapter 6 of the SA goes on to test the proposed site allocations. In noting the score attributed to the Land at Spelthorne Grove (SC1/021) and Land at Stanwell Bedsits (SN1/012), we would comment as follows:

i) Land at Spelthorne Grove

3.8 Table 13 scores the Land at Spelthorne Grove as follows: (as in attached document page 10)

3.9 Having reviewed the more detailed critique of the site as set out in appendix A (p229 /230), we note that in discussing flood risk the assessment suggests that 'The site is mostly within flood zone 2 and there is also a risk of groundwater and surface water flooding. The western part of the site is currently grassed and replacement of this with hardstanding would increase risk of surface water flooding. Introduction of a more vulnerable use to an area at risk of flooding. Permeable surfaces could help to mitigate this'

3.10 Whilst acknowledging the site falls within flood zone 2, its redevelopment, especially the current developed part provides an opportunity to introduce positive flood risk management, which could actively help reduce the flood risk issues in the area.

3.11 In discussing 'open space and landscape' the assessment suggests that 'Part of the site is occupied by a recreation/open space area and impacts would be negative if lost. Various schemes have been identified and if this area is retained or re-provided in the wider site the impacts would be neutral.' As A2Dominion are not looking to develop a scheme that would result in the loss of the existing play space (see below) and will in addition be looking to introduce new high quality, usable and well maintained public open space as part of the estates regeneration, we believe the sites scoring in this regard should be amended accordingly.

3.12 In discussing 'water' the assessment suggests that the 'Proposed use would likely result in additional water consumption and likely knock on impacts on its quality from construction and implementation. Mitigation could be included as part of the development such as the use of water meters and rainwater harvesting.' The redevelop of this estate, which was built long before energy efficiency and water conservation measure were introduced, actually provides generate a real betterment. As such, we believe the sites scoring should be amended accordingly.

3.13 As to the SA's assessment of the sites impact on 'pollution', we note that whilst under health, and transport, the site is said to be located within close proximity to local services, in assessing the sites redevelopment on pollution the assessment suggests that 'The proposed developments would result in more people moving around and associated noise impacts. The site is already subject to a significant amount of noise and air pollution due to the proximity to the A308. There is potential for this to be mitigated to an extent through construction however it is unlikely to be fully mitigated due to the number of vehicle movements' and that under the summary the SA says: 'The site is in a sustainable urban location with good links to the local services, in turn bringing about positive impacts on health, housing, transport and land use. The site is urban PDL therefore limited negative impacts are expected on the environment, although exposure to pollution could rise and flood risk mitigation is required.' Under Possible Mitigation it states: 'Mitigation could include flood risk mitigation, permeable surfaces, improved sustainable travel links and planting'

3.14 We fail to see how a site that is located close to local services, and within walking distance of local bus routes and a train station can require improved sustainable travel links, or how given its proximity to such services and facilities it will lead to increased vehicle movements. Indeed, redevelopment provides an ideal opportunity to create a less car dependent development which could integrate an electric car club that could actually bring about real improvements and should be actively encouraged through the planning policy approach to the redevelopment of this site. The provision of car parking in well-connected urban areas such as this needs to be balanced with the capacity of

the site to accommodate new homes and create a mixed and balanced community. This again would see the sites scoring in the SA change significantly.

ii) Land at Stanwell Bedsits

3.15 Table 13 scores the Land at Stanwell Bedsits as follows: (page 11 in attached document)

3.16 Having reviewed the more detailed critique of the site as set out in appendix a (p274 /275) we note that in discussing pollution the assessment states: 'All of Spelthorne is an AQMA. Scale of development is likely to increase pollution due to rise in car use and emissions. Site significantly affected by aircraft noise from Heathrow Airport and is within 60-63 Leq contour. Mitigation could be included within the development to reduce the impacts on future occupiers'. We also note that the summary states: Significant housing provision within a previously developed site would help to address local needs, particularly through the provision of affordable housing. The site could improve its access to local services through better sustainable and active travel links, with opportunities to boost local regeneration on a prominent site in the area.; and Possible Mitigation is listed as: 'sustainable construction, improved sustainable travel links and planting.'

3.17 The opportunity to provide for enhanced access to sustainable modes, and provide for cleaner modes of transport – such as an electric car club that could serve the development and a wider area could all help mitigate against the concerns associated with increased car use. Similarly the estate's regeneration could provide for enhanced building techniques that are more energy efficient, water efficient and acoustically insulated, all of which would help address the concerns raised and improve the sites scoring within the SA.

3.18 We would ask that in taking the plan forward for submission the council review the findings of the SA having regard to the above. See attached for full rep and relevant tables.

Question 6: You can upload any modifications below.

JAA Redacted letter to SBC for A2D re Reg 19 Plan - Sept 2022 - A2Dominion Group_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618803/PDF/->

[/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Dominion%20Group%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618803/PDF/-/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Dominion%20Group%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s)

A2Dominion Group have an interest in Land at Spelthorne Grove (SC1/021) and Land at Stanwell Bedsits (SN1/012), both of which are proposed allocations in the Pre-submission Spelthorne Local Plan 2022-2037. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan.

They therefore wish me to participate in the examination

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Malcolm Beecher (23601825)

Organisation:

Response ID: 1121137

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Education
The Infrastructure Delivery Plan assessment of education provision does not paint a sound picture. Spelthorne is reliant upon Surrey County Council to supply school places. Primary school places may appear evenly spread across the borough but there is little or no provision in Staines, where the bulk of development growth is planned. This means that Staines residents will have to travel out of town to find primary school places increasing the transport demand and pollution across the borough. And where developers are permitted to reduce parking provision, parents will require transport to get their children to school. Admittedly, the lack of primary school provision is not highlighted in developers' advertisements for 2- and 3-bedroom flats. High-rise development ploughs on with over 1,000 approved flats, which could potentially house 300 – 500 additional school children.
Moreover, development of secondary school places is planned for Sunbury across to the east of the borough to where there is limited public transport. This throws out of the question any compliance with "Twenty Minute Neighbourhood" provisions. Secondary school provision in

Sunbury is also taken up by pupils from outside the borough, coming in from Richmond and Hounslow. Similarly, secondary school pupils from Staines need to travel out of the borough to find places. The Matthew Arnold School is the only provision of secondary education in Staines, but also takes pupils from Ashford. An opportunity to incorporate a secondary school or even a sixth-form college was lost with the current proposals to develop flats alongside the NHS clinic on the Kingston Road Car Park site in Staines.

It is proposed to release a parcel of Green Belt, some 2.34 hectares, to build a 'private' sixth-form college. This parcel's importance as Green Belt was progressively down-graded once the proposal for a sixth-form college had been made. Included in that proposal was several houses. This was seen by councillors as a deliberate attempt to release vital Green Belt for housing on the back of the college application. This will add to the concentration of sixth-form places in the east of the borough. The former 'Debenhams' building in the centre of Staines could be repurposed as a sixth-form college close to the principal railway station in the borough. However, a predatory developer is still trying to develop the site in Staines town centre without compromising the locally listed building and the Staines Conservation Area.

There is little local provision for education and what there is is a mess. There is an apparent expectation that parents will continue to chauffeur their children to school across the borough and beyond with little or no regard towards air quality, safety, and traffic congestion. See attached document for full response.

Question 6: You can upload any modifications below.

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Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Malcolm Beecher (23601825)

Organisation:

Response ID: 1121141

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Healthcare
According to Practice Index, a General Practitioner should have around 1,600 patients on their list. With a current population of roughly 100,000, Spelthorne's health centres and surgeries should be staffed with at least 63 qualified doctors. (see attached document for relevant table, page 7).
that on average there are currently just about enough doctors. At a ratio of 1:1,558 there is just about sufficient general practitioners to meet current local needs boroughwide. The planned influx of new residents over the next 15 years will require the recruitment of a further 13 doctors as well as the retention and replacement of the existing 69 (some of whom are still in training). But this is not mentioned as part of the healthcare provision identified in the Infrastructure Delivery Plan. Indeed, healthcare delivery to support the Local Plan has only been allocated £21.6 million. What this funding does not identify is from where the NHS will acquire 13 fully trained general practitioners, the nursing and administration staff to support

them and, of course, the pharmacists to meet the dispensing needs of the extra patients. However, before we even get there, the critical shortage of doctors in Staines (3) and Stanwell (2) needs to be addressed. Moreover, even with a low conservative estimate of the population growth in Staines, the town will need an additional 7 new doctors with support staff and facilities. From where are these new doctors to come? It takes 10 years from entering university, if the student successfully gets one of only 7,500 places in England to study medicine, to qualify as a general practitioner. Is this on Surrey Heartlands timetable? And with the Local Plan effectively front-end loaded, these doctors need to be in post earlier than 2033. The much-heralded NHS Cavell Centre in Staines is not going to address the shortage of GPs. This centre only pulls together patient services from across the borough and upgrades the current GP facilities within Staines. It does not appear a fair or sound strategy to plan to build the most housing and attract the largest number of new residents in the part of the borough which currently has the least healthcare provision available. But it is consistent with the other failings of the Local Plan. The demand for new housing comes from the central government's desire to build 300,000 new homes each year for the next five years, but at the same time when there is a critical shortage of doctors, who are essential to the development of a community, the government sets a cap of 7,500 new medical students for 2022. See attached document for full response.

Question 6: You can upload any modifications below.

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Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Malcolm Beecher (23601825)

Organisation:

Response ID: 1121142

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Emergency Services
With a population expected to increase to well over 120,000 residents before 2037, Spelthorne is served by only 1 fire station, which only has 1 front line appliance (a crew of 4 firefighters) overnight. Most domestic fires, with the threat to life, occur between 6pm and 8pm, at the same time as Spelthorne's fire cover is reduced from two appliances to the single night-time appliance. It is domestic fires that are the greater threat to life than commercial fires, which may have a greater financial loss. Is Fordbridge fire station adequately equipped to fight a fire in a high-rise block in Staines? Are regular evacuation drills proposed or are residents expected to stay in a burning building like Grenfell Tower? Surrey Fire & Rescue Service management and Surrey County Council are content with the provision of fire cover in Spelthorne, but we are the ones who live here. Unfortunately, there is no independent verification as to whether their contentment is justified. At night, when most people are at home, there are just 4 firefighters with one appliance looking after over 120,000 people, the roads including two motorways, Staines Moor and Shortwood Common, and the River Thames. I only sleep well because I dare not think about it.

Moreover, as we have seen this summer, there is an increasing threat of wildfires across grass and moorland. The land around Staines, Staines Moor and Shortwood Common, form a significant threat of such fires breaking out.
See attached document for full response.

Question 6: You can upload any modifications below.

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Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Malcolm Beecher (23601825)

Organisation:

Response ID: 1121152

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Transport
Spelthorne Borough Council is not the transport authority for the borough and has little or no control over future transport provision. Surrey County Council is the local transport authority, but Spelthorne also receives buses from Transport for London (TfL) and rail services from South West Railways.
Surrey County Council has set out its own ambitious aspirations to reduce carbon emissions, 46% of which across the county come from road traffic.10 Statistics for car ownership across the county show that Surrey households have access to 687,000 cars, some 46% of households own two or more cars, and only 13% of households have no access to a car. Car ownership in Spelthorne averages at around 1.5 cars per household. With those statistics it seems ridiculous that Spelthorne council promotes developments that fail to supply sufficient parking space for even one vehicle, car or van, per household. If households across Spelthorne have 1.5 cars each, it is because experience has shown families that they need

mote than one car on average.

With over 70% of commuting in Spelthorne by car or van. Spelthorne has the second largest use of road vehicles to get to work of all Surrey's boroughs and districts. Much of that demand is to get to work in and around Heathrow. Just not making sufficient allowance for parking provision is not going to persuade residents to give up vehicle ownership. How else can they get to work? But it will lead to even greater parking congestion in narrow local streets, not a worry for developers.

The dependence upon cars and vans for commuting in Spelthorne is no surprise. The proximity of Heathrow Airport and all the ancillary services around the southern perimeter require a lot of workers from Spelthorne. Many are shift workers who cannot rely upon public transport because of early starts and late finishes. (See attached document for relevant table, page 9).

The above figures for rail passenger usage at the four stations in Spelthorne are totals for the year 1 April through to 31 March. The count is by entry and exit through the ticket barriers.

We can assume that the vast majority of these trips are commutes, there will be exceptions for day trips into London and other visitor attractions, Thorpe Park and Windsor, and trips to sporting venues. We could divide the total recorded passengers by 520 (for simplicity, that is two commutes on the average number of working days, with no allowance for holidays). It is a rough estimate, but pre-Covid total passenger numbers across Spelthorne were around 9,000. These will include a good number of school students as well as adult workers. Rail services across Spelthorne are generally restricted to into and out of London Waterloo. Going the other way can take the traveller from Staines, the busiest station, to Windsor, Reading and, for the adventurous, even as far as Portsmouth. If you want to go anywhere else, north or south, you need a car.

Moreover, increasing ticket prices above the rate of inflation discourages rail use except for essential commuting. The impact of working from home and the change in working practices away from daily commuting has yet to be fully understood since the Covid pandemic. Rail companies have responded by introducing more flexible ticketing. But it seems unlikely that passenger numbers will recover to pre-pandemic rates. We have already seen a reduction in services to London by South West Railways. The housing need for London commuters would appear to be in decline.

Surrey County Council as the Local Transport Authority only has plans to contribute £1m over the foreseeable future to the development of bus infrastructure in North-West Surrey (Spelthorne) and that development is associated with improved connectivity with Heathrow.

Additional funding is expected to come from central government, which would appear unlikely in the near to mid future. Any works will involve junction improvements, bus lanes, and bus-priority traffic signals, not services and routes. These improvements will not get more people onto buses while ticket prices are too high, and routes and timetables do not meet customer needs. Moreover, there is the ongoing threat of withdrawal of some unprofitable services.

If we are to encourage people to step away from private vehicle ownership, we need to improve bus services and make them affordable. This is unlikely to happen when the bus services are required to make a profit for the service providers. It will certainly not happen if the planned reduction in car ownership is simply encouraged by the lack of available parking provision. More buses will find their routes blocked or congested with parked cars.

Utilities

The Infrastructure Delivery Plan is more aspirational than a plan to deliver. There are no details as to how utility suppliers will meet Spelthorne Borough Council's increasing demand for electricity and water. There is barely any recognition of the size of the problem. And as we move away from fossil fuels there ought not to be any significant increase in gas demand, if any. Moreover, utility demand is assumed in isolation from what may be going on in neighbouring boroughs.

Electricity

We are already seeing the effects of the lack of investment in the electricity infrastructure by the privatised power supply companies. The Greater London Authority (GLA) has advised developers in the London Boroughs of Hillingdon, Ealing, and Hounslow, two of which border with Spelthorne, that there may not be sufficient capacity for new connections until 2035.

Why should the grid capacity be any better just across the border in Spelthorne? This question is not addressed in the Infrastructure Delivery Plan. Indeed, a restriction of supply could push housing and technology business development, which caused the problem in London, into Spelthorne.

It should be noted that of the three Grid Supply Points identified in the Infrastructure Delivery Plan supply the whole of Surrey, but only Laleham is in Spelthorne borough, neighbouring boroughs will have their own increasing demands from their Local Plans. We must not assume that there will be any spare capacity from other Grid Supply Points. Moreover, when the enlarged Shepperton Studios comes on-stream, with double the capacity, it is likely to become a major consumer of power in the future. It should be anticipated that Shepperton Studios will also bring ancillary businesses and support services into the borough.

We must also assume that the 9,270 new build properties in the Local Plan will not consume any additional fossil fuels and will only use electricity. Depending upon the size and energy efficiency of each property they would be expected to consume between 11,000 kWh and 18,000 kWh annually. By 2037, when the 9,270 new electric only properties have been built, the increased demand on local power consumption will be roughly 370 MWh daily. That is over and above the present demand and does not include any additional business development and Shepperton Studios.

Moreover, this does not account for electric vehicle (EV) usage which will only increase. As we wean ourselves off fossil fuels, there will be a serious uptake in EVs. The proposed expansion by TfL of the Ultra-Low Emission Zone (ULEZ) across the Greater London Authority (GLA) by the end of August 2023 will encourage more people to buy an EV. Not to mention a desire to avoid rising petrol prices.

If in 2019, Spelthorne had an adult population of around 71,000 (based on registered electors) and each new property brings in 2 adults, on average, then by 2037 the adult population of Spelthorne will be closing on 90,000. If, say, only half the population owns or uses a private electric vehicle there could well be some 45,000 EVs needing power. Of course, there will be some fossil fuel guzzling vehicles but let us assume that Spelthorne has gone Green. EVs will not be charged daily, but we can average the demand daily because not everyone will charge their EV at the same time. According to the RAC Foundation, a new car averages 28 miles (45 kilometres) per day.¹⁵ For an average EV that is equivalent to 9 kWh of electricity. With 45,000 EVs in Spelthorne by 2037 this creates a power demand of 405 MWh. There appear

to be no plans to deliver that demand through any network of charging points. A recent planning application to set up an EV charging station in Spelthorne was rejected by the Local Planning Authority.

By 2037, there will be an increased demand for electricity of over 775 MWh daily. We can only assume that neighbouring boroughs will have similar demands. The aggregate demand across the three Grid Supply Points is 759.9 MW in the winter, which is predicted to rise to 878.2 MW. Of which a third will pass through the Laleham GSP, some 253.3 MW. If we assume that the 253.3 MW is the current demand for Spelthorne. Therefore, by 2037 the demand will exceed 1,028 MW. The existing capacity across all three GSPs is 1,797 MW, but only a third, or 599 MW, can safely be attributed to the Laleham GSP. By 2037, Spelthorne will demand more than the grid can deliver, without significant development. Spelthorne will find itself then in a similar condition to that of Hillingdon, Hounslow, and Ealing now.

Furthermore, as the impact of climate change develops, and our summers get longer and hotter there will be an increasing demand on power from existing properties and some 'new' developments for domestic air-conditioning units. This has not been factored into future demand. However, on a small bright side some of this additional power demand will be met locally through PV cells and enterprising domestic wind turbines. But nowhere near the capacity that future developments will need.

There are no guarantees that there will be sufficient power available to implement Spelthorne's Local Plan. So, it would seem that as far as future electricity demand goes, the Local Plan is not sustainable, or sound.

Question 6: You can upload any modifications below.

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Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Malcolm Beecher (23601825)

Organisation:

Response ID: 1121155

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Water & Sewerage
Sewerage
Thames Water is responsible for sewerage and drains. There has been little or no investment in the infrastructure for Spelthorne's sewerage and drains. Although, Thames Water has stated an investment of £31 million to up-grade its Mogden Sewerage Treatment Works, there has been no investment in the drains and sewerage pipelines that feed the plant. All the investment is within the plant boundaries. It is generally assumed that if one connects into the existing drainage network it will cope. There is no proof that it can or will cope. In 2013, Thames Water was fined some £41,000 for illegally discharging and polluting the River Ash. More recently, this July, Thames Water has again discharged into the River Ash causing flooding of local properties. There has been a history of Thames Water discharging into both the River Thames and the River Ash, in 2015, 2017, and 2020. We can add 2022, even if Thames Water refuses to answer the phone

calls from the Environment Agency. If this is the situation with the existing population of 99,873, how are we to expect Thames Water to cope with the effluent of an extra 27,810 people? Moreover, it is recognised that the Mogden Sewerage Treatment Works discharges into the River Thames after deluges of rainwater, climate change indicates that deluges will become heavier and more frequent. There is no plan beyond 2026 as to how Thames Water proposes to deal with the increasing demand of new developments.

Potable Water

Potable water to Spelthorne is supplied by Affinity Water, a private utility company, across Staines, Stanwell, and Ashford, and Thames Water supplying the rest of the borough. Although the Local Plan may indicate that Spelthorne intends to build some 9,270 dwellings there is no assessment of how many people will be accommodated. There will be a mix of 1-, 2-, and 3-bedroom flats and houses. It is probably an under-estimate to assume 3 people per dwelling as an average, therefore 27,810 new residents in the borough. It is planned that these people will be limited to only 110 litres per person per day¹⁷. On that basis, we can estimate that an additional 1.2 million cubic metres of clean water will be required by 2037. However, future prolonged heatwaves as experienced this July and August will increase water consumption, not just for people, but also animals, gardens, and local agriculture.

According to Affinity Water's modelling, it has capacity for a further 2,927 domestic units, and 12 mixed / retail areas (whatever that means – commercial premises?). However, roughly 78% of new developments in Spelthorne will be within the Affinity Water catchment area, or 7,230 domestic units.

Well over Affinity Water's capacity. But this does not account for a 20% leakage rate. Although Water UK tells us that its water company members are committed to halving their leakage rate by 2050. Does Affinity Water's modelling make any allowance for leakage? Is their capacity for 2,927

domestic units or, allowing for loss through leakage, only 2,341? Whichever, it is grossly insufficient and disastrously unsound.

Moreover, Affinity Water has admitted "In the next 5 years and beyond, there may not be enough water to meet the needs of everyone who lives in our region ... Climate change and a growing population mean that water shortages are becoming more common."

"There is no set number of households that can be accommodated over the next 15 years." Or more accurately, we just don't know how many homes can be accommodated. This is not a sound policy. Continuing drought conditions in future years will seriously erode water companies' ability to meet not only current but also future increasing demand. In August 2022, this summer, we have been faced with restrictions in the current supply of potable water. What happens when Spelthorne's population has grown by 28,000 residents or more?

There is a strong sense that water company executives are failing to act on leakage rates and the impacts of climate change.

However, it is not a viable policy to place even greater demand on struggling water supplies until major investment and works have been completed to secure future supplies of potable water. It should be noted that Thames Water draws its supply from rivers and reservoirs, polluted rivers? Whereas Affinity Water draws its supply from aquifers, not yet polluted by fracking.

'A spokesperson for the Angling Trust said: "Let's not sugar-coat this, our rivers are dying. The situation is farcical, predictable and entirely a result of our abject failure to plan properly in this country. There hasn't been a new reservoir built in southern England since 1976, coincidentally

responding to the last major drought, yet since then millions more people are living here and using more and more water. With climate change impacts being felt here and now, the government and water companies have known this is coming. Yet they have prioritised profits over the needs of our environment and wildlife.”

In August 2022, this year, a pump failure at Thames Water’s Netley Mill left residents from over 8,000 Surrey households queuing for bottled water in Cranleigh, Guildford, Surrey Hills, Dorking and Horsham. Up to 1,000 households were without water supplies for three days. This is the state of

water infrastructure and the lack of investment by Thames Water. Into these conditions it is unconscionable to build more homes and apply further stress to a system falling apart?

Question 6: You can upload any modifications below.

Pre-Submission Spelthorne Local Plan - Review MB.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/596033/PDF/-/Pre%2DSubmission%20Spelthorne%20Local%20Plan%20%2D%20Review%20MB%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP

Respondent: Mr Martyn Bevan (33960033)

Organisation:

Response ID: 1122043

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

Assuming an average of 2 persons per home, 9270 new homes would mean a population increase of 18,000 plus in the borough, an increase of 18% over the period. The plan does not discuss any requirement to expand and improve utility infrastructure; sewerage, water supply, gas network expansion, electrical power transmission needs. Nor schools expansion. It only mentions working with partners, Surrey CC, Police and NHS. If the above are discussed in the Infrastructure Delivery Plan, it should be highlighted in the local plan. The IDP must consider the complete local plan timescale and not approach it piecemeal.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
Respondent: Miss Zoe Chick (41555105)	
Organisation: River Thames Scheme	
Response ID: 1127128	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Section 9. Infrastructure Delivery</p> <p>Supporting text paragraph 9.1</p> <p>Given that flooding is a key issue in the Borough, it would be prudent to include flood infrastructure in paragraph 9.1 as it will be a key piece of infrastructure that will support a sustainable future for the Borough.</p> <p>Recommended action: Inclusion of reference to flood infrastructure in paragraph 9.1.</p> <p>The RTS is included in Chapter 13 – Flood Infrastructure, of the Infrastructure Delivery Plan (IDP). Some of the text in relation to the RTS in the IDP is now out of date, as it still refers to three channels. We would be happy to work with Spelthorne Borough Council to update the wording.</p> <p>Recommended action: RTS to provide the council with updated the wording to use in the IDP.</p>	

We hope that our comments are useful. We would welcome the opportunity to work with you to address our concerns so that you may strengthen the current policy wording and supporting text in the Draft Plan.
Please see attached for full response.

Question 6: You can upload any modifications below.

RTS -Redacted RTS Letter Pre-Sub Spelthorne LP 2022-2037 - Surrey CC_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618713/PDF/->

[/RTS%20%2DRedacted%20RTS%20Letter%20Pre%2DSub%20Spelthorne%20LP%202022%2D2037%20%2D%20Surrey%20CC%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618713/PDF/-/RTS%20%2DRedacted%20RTS%20Letter%20Pre%2DSub%20Spelthorne%20LP%202022%2D2037%20%2D%20Surrey%20CC%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
Respondent: Mr Ian Motuel (42130017)	
Organisation: Royal Borough of Windsor & Maidenhead	
Response ID: 1127130	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Infrastructure and transport</p> <p>RBWM note that a highways impact assessment has been undertaken by Surrey County Council on behalf of Spelthorne BC to model the potential impacts on the highway network of the Draft Spelthorne Local Plan. The impacts are expected to be local to the developments and not severe, although there are likely to be some cumulative impacts in Staines, Stanwell, Ashford and Sunbury. The Strategic Highways Assessment 2022 suggest some cross boundary impacts on the A30 exit/approach to and from the M25 J12 crossing into RBWM and also B376 Wraysbury Rd crossing boundary into RBWM. As such we would like to understand if any mitigation proposals have been developed to address these impacts and seek to work collaboratively to agree them.</p>	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122141

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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no	Additional Comments: no
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Education (Chapter 4): Para 4.7 of the IDP Part 1 says "There is a clear impact on the need for additional school places as a result and the County Council [sic] required to set out the quantum of additional provision that will be required as a result of the anticipated growth." It then goes on to compare forecast demand for school places vs. places available over 15 years but only tabulates it for secondary school places over the next 10 years. Para 4.8 is unclear and Appendix 2 with the detail is not attached to see the maths. It reasons that primary school places won't be a problem overall but takes no account of the distribution. It shows a potential issue still with secondary school provision even with additional places at Thomas Knyvett College and provides no data for later years. All this whilst again not taking account of the distribution and pressure on secondary schools in Staines (there's only one!) AND the fact that it says in para 4.3 that "LPAs should give great weight to the need to create, expand or alter schools to widen choice in education". Conclusions - costs and funding (IDP Part 1, p.15,18,19,20):
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- Early Years - the IDP admits there will be a problem but offers no solutions
 - o it says the Council will keep talking to Surrey CC - not dealt with but deferred
 - Primary School provision - it says there are enough primary school places in the borough
 - o no recognition of huge increase in population, notably with over 5,000 new homes in Staines and a considerable number in Ashford (as well as around Sunbury)
 - o outcome presumably is that more children will have to travel intra- and inter-borough (against principle of 20 minute neighbourhoods and building new homes near local services)
 - o IDP says "no identified additional costs"
 - Secondary School provision - it says there is a need but it will be met to some degree
 - o "Based on current forecasts there is a need for additional secondary school places in Spelthorne. From 2022, the expansion at Bishop Wand School, increased available capacity at Thomas Knyvett School and the opening of Heathside in Walton will go some way towards meeting the identified needs"
 - o "Surrey CC will continue to monitor the situation in respect of how the anticipated shortfall will be met and keep the Borough Council informed" - this is deferral
 - o "There are no identified additional costs in relation to secondary school provision in the Borough"
 - o again no consideration given to increase in population in Staines which only has one secondary school - outcome again that many more children will have to travel further intra- and inter-borough
 - SEND provision - the IDP hasn't identified any additional costs
 - o "There are no identified additional costs in relation to SEND provision in the Borough"
 - Sixth Form provision - proposal for new sixth form in Sunbury, close to six other schools (two with sixth forms)
 - o funding is unclear but it was made clear in at least one meeting that location was not a strategic decision but based on sites offered up
 - o the four other primary towns in the borough (Ashford, Staines, Stanwell and Shepperton) currently have no state sixth form options
 - Higher education provision - IDP says "no costs have yet been identified"
 - o IDP actually says with regards to potential expansion that there are "limitations due to the location of the Ashford campus on a school site" (Surrey CC deliberately moved the location a few years before to release the previous site for housing! - see EM3 success story - LINK 12)
- Other areas in IDP Part 1 includes the following:
- Flood Infrastructure (Chapter 13) - this chapter only really talks about the River Thames Scheme, admittedly vital in terms of mitigating flood risk from the main river in the borough but the information is out of date (referencing 17km in 3 sections, rather than 8km in 2 sections as it currently stands*, as it has been for a while) and there's no mention of other identified risks or potential mitigation costs.
 - * the River Thames Scheme appears to be shown correctly on the Policies Map
 - Transport (Chapter 11) - this chapter is in three sections and deals primarily with "highways improvements and alternative modes of transport" (under SCC as highways authority) and rail with a small piece on Heathrow expansion proposals at the end. A Forward

Programme of over £67m is mentioned for Surrey Highways but this document was last updated in November 2018 and includes some items which have now been completed as well as £25m (in 2016 prices) for Staines Bridge Capacity Improvements which needs reviewing. Furthermore the document is missing costs for some schemes and doesn't include all the potential new Spelthorne LCWIP costs. For rail, schemes are more nebulous and funding less certain (albeit likely to be funded by others).

• Waste & Recycling (Chapter 12) - it mentions that "SCC has identified a funding gap of circa £310,000 previously across Surrey. The Council will work with SCC to determine the impacts upon Spelthorne". The figure of £310,000 can be seen in the 2017 Infrastructure Study but the estimate is 5 years old and it can be seen that none of it was actually attributed to Spelthorne.

NB Part 2 of the IDP appears to be limited to possible amounts to be raised through developer contributions linked to site allocations and, so far, only has figures for health and police. IDP Part 2 concludes by saying it doesn't have the information to work out the funding required through developer contributions for education and highways improvements, stating:

"Additional funding could be secured for education and highways improvements for SCC if, and when this information is made available. Once the relevant traffic modelling work has been undertaken, any identified costs associated with potential mitigation, if necessary, can be included within the IDP."

Overall these findings are not encouraging. Or acceptable for an Infrastructure Delivery Plan upon which so much depends.

The IDP says in para 1.6, "The new Local Plan is required to be based on the most robust, up-to-date evidence available".

The purpose and scope of the Infrastructure Delivery Plan as laid out in IDP Part 1, paras 1.18-1.23 is the textbook definition of what's required but the IDP as provided in June 2022 does not do this. IDP Part 1 also says in para 2.9, "An accurate appreciation of planned, secured, and committed funding also needs to be established to gain a thorough understanding of the types of infrastructure which may be at risk if funding is not available and the potential effects of this on local populations." I don't believe the Council has established this either. I can pretty much categorically say that Policy ID1 Parts 1 and 2 are not supported by the IDP as it currently stands - the IDP does not set out "what is needed, where it is needed and when it is needed" (Local Plan, Section 9.3, p.123).

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618765/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1126438

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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9. Infrastructure and Delivery - ID1 / ID2 and IDP Parts 1 & 2
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Question 6: You can upload any modifications below.
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Sanders, Kath.pdf

https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618773/PDF/-/Sanders%5F%20Kath%2Epdf

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
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Respondent: Nikki Scholes (42037633)

Organisation:

Response ID: 1122611

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
--

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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Much more needs to be done to ensure policies ID1 / ID2 are sound and legally compliant. As it stands this part of the plan is not justified by the Evidence Base and is not effective.

8). I have regularly travelled by train from Staines station into London with a wheelchair. It is a nightmare! Living in sunbury I have to drive to staines as none of the local stations are accessible. There I have to pay extortionate parking rates. Then I have to pray the lifts are working the other side of the station for when I get home again, because if they are not I then have to walk with a wheelchair up hill and down dale. Not to mention the amount of people on the trains. I have to ask the guard to push through people that are standing in order to get through people. So to say the infrastructure of the trains and busses is suitable is not forethought at all.
--

The infrastructure will not take them to work...or get them GP appointments.. the effort of this will be huge on the mental health of new residents doing train journeys where trains are packed day in and day out. The same applies to the busses.
--

Question 6: You can upload any modifications below.
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No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
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Respondent: Mr Greg Smith (42425089)

Organisation: Redrow Homes (Kempton Park)
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Response ID: 1122684

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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The Infrastructure Delivery Plan (Part 1) was first published only on 26th April 2022. As such, one could maybe assume it would be relatively complete and up-to-date having been in development for a couple of years. However, it is sadly lacking essential detail and many parts are already out-of-date. There is no overview and no conclusions to speak of apart from two short paragraphs at the end of the last chapter. The IDP Part 2, first published on 10th May 2022, offers only partial information and no overview.
--

The comments made in the officer site assessment in the DAAS, June 22 were made on proposals that assumed the potential relocation of at least some of the racecourse car park to greenfield areas in and around the racecourse.
--

2.2 Further assessment of the parking requirements associated with the racecourse, and further work with regards to the capacity of the site and ability to retain/reprovide parking within the PDL site alongside residential development, have determined that this is no longer the case.
--

2.3 All parking requirements for the proposals will now be located within the PDL site or within areas already permitted for parking. All comments in regard to loss of biodiversity, an impact on flooding in areas to the east of the racecourse and a loss of openness in terms of impact on the Green Belt, due to parking reallocation can now be disregarded.

2.4 Within the site information section in response to: 'is the site located in previously developed land?' The officer statement states:
"Mixed – hardstanding occupies most of the site"

2.5 The PDL site is on 100% previously developed land.

Response to comments regarding landscape character

Existing landscape character assessment

3.1 Under the Sustainability Appraisal (SA) Objective number 8, page 357 of the DAAS, June 22, the officer comments state:

"This site is previously developed land however given the scale, there is potential to negatively impact the borough's landscape character"

3.2 The 2015 Surrey County Council landscape character assessment identifies the site as being within landscape character type UW "significant greenspace within urban areas", which is sub-divided into landscape character areas, with the site lying within UW3 – Kempton Park.

3.3 The proposal will introduce new development to the site, into an area that is currently mostly used for surface car parking but does contain a number of portacabin buildings for stands as well as structures such as floodlighting. For proposed heights of the proposals see figure 1. It is notable that the site is well related to the adjacent residential area of Sunbury and the built elements of the racecourse and as stated throughout the DAAS, June 22:

"there is likely to be opportunity for higher density development, with the potential to tap into the sustainable transport locations near Kempton Park Railway Station..."

3.4 One of the key characteristics given for all landscape character types within the UW group of individual areas is that they:

"Provide a visual and physical break of rural or natural open character within the Built-Up Area"

3.5 Grandstands and other tall structures including flood lighting predominate as characteristics along the western edge of Kempton Racecourse. Development within the PDL site will not alter this key characteristic. The open more semi natural character of the racecourse and the open areas of grassland and lakes towards the east of the racecourse will remain intact to provide a visual and physical break to the built-up areas.

3.6 The actual key characteristics specifically for Kempton Racecourse are provided in the character assessment for area UW3 – Kempton Park. Of relevance are the following:

- "...Contains Kempton Park Racecourse, plus fields, water bodies and woodland to the east
- Although there are glimpses of the Grandstand buildings, perimeter vegetation and buildings filter views into the race course. Elsewhere the grounds are ringed by a variety of fencing and walls
- There are no public rights of way or roads through the area

• Parts of the grounds are covered by a variety of ecological designations, including a small part of the South West London Waterbodies Special Protection Area. Kempton Lake and Half Moon Covert SNCI was selected for its importance for birds, including heron, but also its important grassland and swamp habitats

• Although providing a visual relief from surrounding Built Up Areas, this is a private landscape. Although not readily accessible physically to the residents of the surrounding urban area, long open views across the site are available from the southern frontage along Staines Road East.”

3.7 The proposals will not significantly alter any of the key characteristics for UW3 listed above.

Response to general officer comments regarding landscape character

3.8 Under Stage 3c – Visual Amenity, page 361 of the DAAS, June 22, the officer comments state:

3.9 “The proposed development site is somewhat urban in character given its close proximity to the Sunbury built up area, however its current strong associations with the wider racecourse give it a sense of rurality”

3.10 We find it difficult to understand how a vast area of hard surfaced car parking surrounded by lighting columns, signage, tall grandstands, stables blocks, boundary walls and fencing and numerous other buildings associated with the racecourse in an area adjacent to the urban edge of Sunbury can possibly be termed as “somewhat urban”. The PDL site is urban.

3.11 Furthermore, most of the hardstanding areas, especially within the north of the site are screened off from views of the racecourse. Notwithstanding this point, we fail to see how the PDL element of the racecourse can be termed a rural landscape or how the racecourse can provide a sense of rurality to a car park in this location – located generally between built development.

3.12 We agree with the comment on page 361 of the DAAS, June 22 which states:

“Aside from some trees lining the site, the carparking area currently does not include and valued landscape character features”

3.13 Further on in the officer assessment on visual amenity, page 361, in describing the boundary treatment to the south of the racecourse the officer comments state how this boundary treatment:

“...does however contribute to the rural feel of this part of the road and provides a sense of transition and separation from Sunbury to Hampton, even without being able to see into the site.”

3.14 The proposals will not alter this observation, and we disagree that a hedgerow adjacent to the racecourse boundary fence can be seen to provide a rural feel as you pass along the busy A308 Staines Road East with residential properties lining the south of the road opposite the racecourse.

4.0 Response to comments regarding visual amenity

4.1 As stated by the officer in Stage 3c – Visual Amenity, in the closing paragraph on

“A development of this scale, character and height would have a significant visual impact on nearby and more distant views of the site and from multiple vantage points.”

4.2 Figure 2 indicates the zone of theoretical visibility (ZTV) and has been prepared using the heights of proposed development indicated on Figure 1. This has been mapped using specialist computer software and 1m Lidar data producing a digital surface model. This figure clearly illustrates that the officer comments that there will be more distant views of the site from multiple vantage points is not the case.

4.3 The visual splay is remarkably small. It is contained to the south by the existing hedgerow boundary treatment along the A308 Staines Road East, with only a small area of visibility extending beyond the racecourse boundary opposite the southern racecourse entrance. There are no views from the west.

4.4 From the north there is a very short length of Snakey Lane from where views may be afforded and from an exceptionally small area within Hanworth Park. There are also areas along the A316, especially on the elevated sections immediately north of the PDL site. There will also be views of the proposals from Kempton Park Station. The remaining small areas of visual splay are across areas that are not publicly accessible.

4.5 To the east, views will be restricted to the residential roads of Park Road and the A308 Staines Road East immediately adjacent to the site and from small sections of residential roads behind these roads when views are orientated towards the PDL site. Examples of these are sections of Oak Grove, Hamilton Place, The Avenue and Kempton Avenue. The only remaining area of visibility in the west is from within the Kempton Cricket Club, although this is a private club and therefore not publicly accessible.

4.6 The only significant visual effects are predicted to be limited to the users of these residential areas immediately adjacent to the western edge of the site. In regard to these impacts, the majority of the proposed development, as viewed from the A308 Staines Road East, will be viewed above the boundary wall as a broken line of development between 19.5 and 10m high, set back from this boundary wall and lower in height than the existing 23m high Festival Enclosure, which is presently visible when travelling northwards as the road passes Kempton Avenue.

4.7 There are no proposed buildings at the junction of A308 Staines Road East and Park Road in order that the “iconic” Grandstand ranging between 29 and 32m high, with its taller roof elements at 42m high would remain clearly visible.

4.8 With a maximum proposed height of 26m, the taller elements will be visible from elevated sections of Park Road as it passes over the railway, from elevated sections of the A316 and from the areas further north, as described above. However, these will be markedly smaller than the Grandstand and will also be viewed in the context of taller buildings within Sunbury Cross. Analysis of the assessment of the Green Belt contribution of the PDL site

5.8 In using the Arup methodology to assess the PDL site against its contribution to Green Belt it has been assessed as performing weakly. It scored 1 for purpose 1 – sprawl, and 0 for purpose 2 – merging, 0 for purpose 3 – encroachment and 0 for purpose 4 -historic setting.

5.9 The assessment of the PDL site shows that all the officer comments raised in the DAAS, June 22 no longer apply. Development of the PDL site and its release from the Green Belt will create only a very limited visual impact upon the openness or rurality of the surrounding Green Belt land to the north and east and will not constitute sprawl, reduce the importance of the open racecourse area in forming a strategic gap or the racecourse's role in preventing neighbouring towns from merging.

5.10 That said, we would point out that, in terms of the wide racecourse land being described as having a rural character we have argued in previous representations that we do not agree with this statement and consider the remaining open space from the racecourse to the western edge of Portlane Brook to have a semi-urban rather than rural character.

5.11 The PDL site development, along with the existing Grandstand, can adequately create a permanent defensible Green Belt boundary in line with the NPPF, July 2021, paragraph 143, section f.

5.12 Overall, it is considered that the PDL site as a whole is urban and plays a minimal, if any, role in terms of the purposes of Green Belt.

5.13 Further, its removal would not harm the performance and integrity of the wider strategic Green Belt (particularly in relation to Purpose 2).

Openness

5.14 Throughout the officer site assessment there are comments that relate to openness. Namely it is stated that the relocation of car parking within and around the racecourse will create a loss of open land and reduce the openness of the Green Belt. Clearly this statement is inconsistent with the officer's statement that the existing surface parking on the PDL site is 'rural' and 'open'. This highlights the inconsistency and bias inherent in the assessment of the PDL site.

5.15 Nonetheless, as stated earlier, parking will only be located on previously developed land or the area in the centre of the racecourse where parking is already permitted.

5.16 In Stage 3a – Green Belt, page 362, it states:

"...given the large scale of the site, the actual and perceived sense of openness will be drastically reduced."

5.17 We do not agree with this statement. As stated in the officer comments within Stage 3c – Visual amenity, page 361, there are limited views of the site from outside of the racecourse. If this is the case how can the perceived sense of openness be drastically reduced. Views of the open areas of the racecourse are extremely limited, the racecourse is on private land and there are no public rights of way across and

adjacent to it. However, it has been argued by Spelthorne Council in the past that while people may not be able to physically see it, it is nevertheless perceived to exist and form the open gap between Sunbury-on Thames and Hampton.

5.18 The proposals will not drastically reduce this actual and perceived sense of openness. Development on what is already developed land is located on and around areas of the racecourse that are already recognised as developed and 'built-up'. The open racecourse and associated open space, woodland and lakes are to remain unchanged. Therefore, if people can only perceive the openness of this area beyond the existing grandstands, although they can largely not actually see it, then the proposed development will not alter this perception.

5.19 Comments also describe the PDL site as being mostly hardstanding but largely open and free of development and mass. While this may be the case it is still developed land and not the open racecourse. As such whilst there will be a degree of material impact on its openness, we do not consider this will constitute substantial harm to the openness.

Question 6: You can upload any modifications below.

Comber, Emily [Terence O'Rourke] on behalf of Redrow Homes_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618730/PDF/->

[/Comber%5F%20Emily%20%5FTerence%20O%5FRourke%5F%20on%20behalf%20of%20Redrow%20Homes%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618730/PDF/-/Comber%5F%20Emily%20%5FTerence%20O%5FRourke%5F%20on%20behalf%20of%20Redrow%20Homes%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - IDP	
Respondent: Jules Wilmhurst-Smith (19568129)	
Organisation: NHS Surrey Heartlands (ICB)	
Response ID: 1127123	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Emerging Policy ID1: Infrastructure and Delivery</p> <p>Our experience has shown that the provision of new purpose-built healthcare infrastructure to mitigate the impacts of development will require extensive capital funding. This means significant funding secured through S106 or CIL allocations for health should be anticipated over the Local Plan period. The ICB and Ashford and St. Peter's Hospitals NHS Foundation Trust encourage that the Council continue its engagement with NHS teams to identify opportunities to utilise CIL funding towards the delivery of new and expanded health facilities to support growth.</p> <p>The NHS, Council and other partners must collaborate to plan the infrastructure and necessary funding required to support the projected housing development and related population growth across the borough. A vital part of this is ensuring that the NHS has the resources required to develop additional healthcare infrastructure where necessary. The ICB and Ashford and St. Peter's Hospitals NHS Foundation Trust welcome continued partnership working with the Council on the provision of infrastructure to support sustainable development in the</p>	

borough. The updates to the Infrastructure Delivery Plan, and the capital allocation process for the Community Infrastructure Levy must support and result in funding allocations towards health care infrastructure in order to ensure the Council meets the objectives of the Local Plan as a whole.

Question 6: You can upload any modifications below.

Wilmshurst-Smith, Jules - NHS Surrey Heartlands_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618702/PDF/->

[/Wilmshurst%20Smith%5F%20Jules%20%2D%20NHS%20Surrey%20Heartlands%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618702/PDF/-/Wilmshurst%20Smith%5F%20Jules%20%2D%20NHS%20Surrey%20Heartlands%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - LCWIP; Retail Study; HRA	
Respondent: Miss Victoria-Jayne Scholes (41882049)	
Organisation:	
Response ID: 1117273	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: Documentations have not been published in accordance with the regulations. The consultation which was published on the 15th June was done so with documentation not being present. Whilst regulation states that there is a statutory 6 weeks before consultati
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
	Additional Comments: I do not consider the Pre-Submission Spelthorne Plan as a whole to be sound. Section 20(2) of the PCPA specifically states that the LPA must not submit the plan unless they think it is ready for independent examination. The LPA should not submit if there
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
The evidence given is not up-to-date. As the forward from Councillor Harvy and co has stated, they are being forced by the government to use documentation which is a decade out of date. They have also missed vital evidence such as the Spelthorne Cycling and Walking Plan as this was released on the 6th of September which was after the original closing date of the plan but does not give enough time for anyone to read the plan to see how effective it is.	

In total there are over 20 documents and Appendices that have been released, some of which have a published date of 2015. An example of this is the 'Spelthorne Retail and other Town Centre Uses study' which was published in 2015. Since then we have had a pandemic and cost of living crisis. The type of shops people use has changed. Using data which is just three years off being a decade old, could have a devastating effect on both residents who use the centre and the businesses who rely on the usage.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - LGS	
Respondent: Mr R Wisdom (41658689)	
Organisation:	
Response ID: 1128563	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>Is concerned regarding the plans for the Green and other LGS and the situation regarding the encroaching of the Green Belt. I wish Heatherlands to be protected as LGS as with with others in Sunbury Common area. Heatherlands Green is compact, too small for development and has over many years suffered with drainage problems. Parking is an issue too. Many people from Vicarage Road are forced to park here due to lack of space along their road. We have two healthy trees growing on the Green which help to contribute towards clean air and gives a pleasant outlook. Sunbury Common suffers from very high pollution due to traffic and sometimes aircraft making it an unpleasant and unhealthy place to live so please don't make things worse. We need more trees not buildings.</p>	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence Base - SFRA	
Respondent: Mr Stuart Carruthers (19545249)	
Organisation:	
Response ID: 1122383	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: No - Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: No
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No	Additional Comments: No - Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
The SFRA should identify FZ3b - this is the LPA responsibility.	
Question 6: You can upload any modifications below.	
No Response	
Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?	
Yes/No/Not answered: yes	

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence Base - SFRA	
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Respondent: Mr Ian Swinglehurst (25691265)

Organisation:

Response ID: 1119504

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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To quote Chapter 9 of the Local Plan (Sections 9.1 and 9.2):
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Question 6: You can upload any modifications below.
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SBC_Level_1_SFRA_2022-05-051 - extract p.20-22.pdf https://spelthorne.inconsult.uk/qf2.ti/a/1409506/589327/PDF/-/SBC%5FLevel%5F1%5FSFRA%5F2022%2D05%2D051%20%2D%20extract%20p%2E20%2D22%2Epdf

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - SFRA; SLAA; Housing Trajectory	
Respondent: Mrs Kath Sanders (19813377)	
Organisation:	
Response ID: 1122112	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
no	Additional Comments: No
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>4. Strategic Land Availability Assessment (SLAA), SLAA Methodology and Site Selection Methodology</p> <p>Availability of land with respect to flood risk</p> <p>The Strategic Flood Risk Assessment (SFRA) is clear that there should be a Sequential Test for the Local Plan. This would presumably assess the borough's overall position in relation to flood risk (from all its sources) not just site-specific Sequential Tests as found in the Level 2 SFRA. This is not contained within the SFRA itself - either Level 1 or Level 2 although reference is made in both.</p> <p>In searching for a Sequential Test for the Local Plan which might assess the suitability of areas of the borough for development based on flood risk, there was no obvious sign. It seems to have fallen between the cracks. According to the guide on p.3 of the Level 1 SFRA 'Taking Flood Risk into account in the preparation of a Local Plan', step 2 states: "The LPA uses the SFRA to: (i) Inform the scope of the SA for consultation; and, (ii) Identify where developmen[sic] can be located in areas with a low probability of flooding."</p>	

The SA seeks to balance all the different objectives but the Sequential Test was not clearly documented within it - note the updated Level 1 SFRA was only published in May 2022 and is supposed to inform the SA which was published in June 2022. One could realistically expect that the Level 1 SFRA should also inform the Strategic Land Availability Assessment (SLAA). However, there is no publicly available 2022 version of the Strategic Land Availability Assessment (SLAA) which discusses flood risk.

The current SLAA on the Evidence Base is the 2021 Update - Strategic Land Availability Assessment - 2021 [831.24KB]. This was, it says, based on evidence collected up to 31st March 2021. It says in Section 2.10 that "The SLAA methodology sets out the approach taken to assessing sites, including the constraints impacting the suitability of a site for development". Furthermore, Section 2.14 says that the Council was currently producing a viability assessment for the emerging Local Plan and that "this evidence will feed into the SLAA once available". However, no SLAA 2022 Update appears to have been published yet and the 2021 SLAA only mentions flood risk once (for one site in Sunbury). NB The Viability Assessment was published on 25th July 2022 (see below).

The SLAA Methodology [635.03KB] updated in December 2021 mentions flood risk a lot albeit it does not appear to conform with the view that all forms of flooding will be considered in determining a site's suitability (see p.14/15). There was no reference on the Council's SLAA page as of 18th September 2022 to a 2022 version of the SLAA reflecting this new methodology.

The Local Plan Housing Trajectory and Five Year Housing Land Supply [758.69KB] published on 16th August 2022 does reference a new SLAA in its graph on p.3. However it states in Section 2.10 that: "The Council is in the process of updating the SLAA for 2022 but in the interim has updated sites through the Regulation 19 stage of the Local Plan." Furthermore, it asserts in Section 2.18 that all the allocations it had listed were in suitable locations stating: "All the sites listed in Tables 4 and 5 above are in suitable locations and will contribute to the creation of sustainable mixed communities by providing appropriate housing to meet identified needs." However, there is no evidence presented to back up the suitability of the locations in this document.

Finally turning to the Site Selection Methodology - January 2022 [567.54KB]. Flood risk should clearly be assessed initially as part of Stage 1 and is alluded to in Chapter 1 'Stage 1 Assessment' as part of Stage 1b) - Initial Sift: Absolute Constraints. It is also covered in Chapter 5 'Stage 2 Assessment' as part of Stage 2b - Non-Absolute Constraints (see para 5.10). However, by the time specific sites are being discussed, we're already past the strategic plan-making point.

It may well have happened after the Level 1 SFRA was updated in 2021 (the Level 1 SFRA was apparently revised in March 2021 but wasn't made public) but as per the latest Level 1 SFRA, the Sequential Test for the Local Plan should be clearly documented, even if it's just a summary of the Stage 1 site assessments. This would make it legally compliant with the NPPF para 161 where it states "All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property".

The gap is where the new SLAA should be. The impression it leaves is that the Council is just trying to hit a preconceived target and shoehorn development in to fit.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618762/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - SFRA; SLAA; SA	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122106

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
--

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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There is no obvious place where the Sequential Test “for the Local Plan as a whole” has been carried out and documented. It is referenced in the Level 1 SFRA as being required which states in Section 4.2: “The Sequential Test should be undertaken by Spelthorne BC and accurately documented to ensure decision processes are consistent and transparent”. It is referenced in the Level 2 SFRA as having been a requirement where it states in Section 1.2.3: “Using the strategic flood risk information presented within the Level 1 SFRA, Spelthorne BC can undertake the Sequential Test which is the decision-making process whereby future development is steered towards areas of lowest flood risk.” The Level 2 SFRA goes on to analyse individual sites. Neither document appears to include the ‘Sequential Test for the Local Plan’. I have also checked the SLAA, the SA and even the Site Selection Methodology (which says absolute constraints should have been assessed at Stage 1).

These are discussed further in Sections 3 and 4 below.
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The overwhelming impression is that the Council are not in control of the process. It cannot be said that the Local Plan is legally compliant.
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Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618760/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - SHMA	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127974	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
YES	Additional Comments: YES
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
	Additional Comments: NO Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
YES	Additional Comments: YES
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
See page 26 of attached document for tables Strategic Land Availability Assessment (SLAA) (2021 Update) 3.22. As has been discussed at length in this representation, IV comment that Land at Vicarage Road should have been assessed on a more fine grain basis in the Green Belt assessment, rather than together with and Land East of Groveley Road. 3.23. The Spelthorne Stage 2 GBA includes the site as part of a much wider parcel (16-a) and as a result judges it to be an area of 'strong' green belt. This is reflected in the SLAA site SC1/010. 3.24. IV consider that if the site is considered as a separate sub-area, in the same way that 16-b and 16-c are, such as 16-aa and using the same methodology, the site is an area of 'moderate' Green Belt. Any development on the site would not result in any sprawl beyond the	

existing northern extent of Sunbury-on-Thames (Purpose 1); would still allow a significant gap to be maintained between Sunbury-on-Thames and Feltham (Purpose 3) and, due to its urban fringe character, would not result in significant encroachment into the countryside. 3.25. As such, IV considers that based on the work undertaken to date on a planning application, and promotion of the Site under a narrower boundary, Land at Vicarage Road should be included as a SLAA site as below. This follows the detailed Site assessment done in Section 2 of this report when assessing the Site against the Green Belt.

Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618907/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf>

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618908/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence base - SLAA	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127976	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
YES	Additional Comments: YES
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
	Additional Comments: NO Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
YES	Additional Comments: YES
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>See page 27 of attached document Spelthorne Strategic Housing Market Assessment (October 2019, November 2015)) (Reviewed as part of Housing Supply) 3.26. The SHMAA 2019 / 2015 has already been reviewed within this representation. IV welcome that SBC recognise there is an acute need for specialist housing in the Borough, yet as mentioned, consider that this should correlate with appropriate allocations in the emerging Local Plan. 3.27. As mentioned in Section 2, IV has strong objections to the SHMA methodology, as no distinguishment has been made between market/affordable/extra care or any other tenures, instead simply setting out a level of need for C2 housing. 3.28. In the Contact Consulting Needs Assessment (Appendix 2) IV has instructed a Needs Assessment by Contact Consulting which makes this distinction. This assessment shows an additional +417 units of market extra care are needed by 2035 within the Borough.</p>	

Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

[https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618909/PDF/-](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618909/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf)

[/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618909/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf)

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

[https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618910/PDF/-](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618910/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf)

[/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618910/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Evidence base - SLAA and Methodology; Evidence base - Housing; Duty to Cooperate	
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Respondent: Mrs Kath Sanders (19813377)

Organisation:

Response ID: 1116861

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No	Additional Comments: NB The guidance notes you have linked here don't correspond to the questions set here.
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No	Additional Comments: No. "3.2 The next iteration of the SLAA will form part of the evidence base that supports the publication and submission Local Plan. The SLAA that will be submitted with the Local Plan for examination will set out the annual housing delivery figure and w
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

Unsure. NB The guidance notes are not linked but the guidance notes section for Q2 and Q3 linked here https://www.spelthorne.gov.uk/article/20806/Guidance-Notes-on-Submitting-a-Representation indicate that a failure in the Duty to cooperate would render	Additional Comments: Unsure. NB The guidance notes are not linked but the guidance notes section for Q2 and Q3 linked here https://www.spelthorne.gov.uk/article/20806/Guidance-Notes-on-Submitting-a-Representation rel="noopener"> <a 604="" 648"="" 82="" 913="" data-label="Text" href="https://www.spelthorne.gov.uk/artic</td> </tr> </table> </div> <div data-bbox="> <p>Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.</p>
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

The whole consultation process has been difficult to follow, not least because the structure of the questionnaires has changed since the beginning of the consultation and differs to the guidance on the website, even now (20th September). This makes the whole thing very difficult to access and to navigate although I get that it is not principally geared to residents.

There are many minor and, in my view, a good number of major issues with the Local Plan Pre-submission document, both in the policies and site allocations.

There was just one online questionnaire on the Local Plan as at 15th June 2022 (and another for the SDF). This was changed in July I believe and increased to 82 for the Local Plan following a test phase early July (after the consultation had started) obviously in an attempt to make it more consistent with the 'paper' version referenced in Q6 above and the stringent guidance for representations. The last update to this main questionnaire was made 8 weeks ago, so around the middle of July 2022, the other 81 (26 policies and 55 allocations) were added in July and last updated around 7 weeks ago.

I believe the whole issue of how the consultation process has been run (with lots of documents being added late, in some cases mid-August) brings into question whether the whole thing complies with the procedure guide for Local Plan examinations, referenced above and linked again here - <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations> .

I am not a lawyer, so cannot be sure of the legalities around legal compliance and this guidance does possibly relate to the examination itself. I also note that it states therein:

"The legislative requirements for the examination are contained in the Planning and Compulsory Purchase Act 2004 (as amended) [PCPA] and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) [the Regulations]. Some guidance on procedure is also provided in the PPG chapter on Plan-making. However, 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.

Nonetheless there is a need for reasonable consistency in the way that local plan examinations are conducted. Together with the PPG, therefore, this document provides the main operational framework for examinations. Inspectors will also have regard to the spirit of other procedures adopted in the planning system. For example, timescales for making documents available and giving notice to hearing participants will be based on established good practice. As in all their work, Inspectors will adhere to the Franks principles of openness, fairness and impartiality."

I would like to refer specifically to 'Section 1: Before submission' and what is expected, in particular with regard to 'Evidential requirements'. I am not familiar with the Franks principles as such but would hope that all matters will be viewed with openness, fairness and impartiality.

No, I do not agree that the evidence used for the Pre-submission Local Plan is adequate, up-to-date and relevant.

ISSUE (SLAA & SLAA Methodology):

I consider Spelthorne's Local Plan to be unsound for the following reason.

The Council's Strategic Land Availability Assessment (SLAA) is significantly inconsistent with its own SLAA Methodology and hence fails on several tests of soundness.

I also consider it fails to meet the 'Evidential requirements' laid out in the government's Local Plan guidance - <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations>. It therefore possibly also fails on legal compliance.

The SLAA Methodology [635.03KB] was updated in December 2021. The current Strategic Land Availability Assessment - 2021 [831.24KB] was published earlier in the year and is still in an older format.

The Methodology is not directly listed individually on the online Evidence Base but is on one of the click through links from the online page here (also see Appendix 1) -

Strategic Land Availability Assessment - SLAA
2021 Update

It writes at length about flood risk and suitability of sites which the SLAA should rightly consider - it is a substantial constraint to be overcome in Spelthorne.

Section 135 of the SLAA Methodology states:

"135. Each Council's final SLAA will consist of two documents:

- A Report, which details the SLAA assessment background, methodology and conclusions
- A Sitebook, showing each site to scale and including various physical constraints and officer assessment of the developable and deliverable nature of the site, including the type and estimated quantity of development. The Sitebook may be broken down into separate sections/documents to reflect different site typologies, sizes and phasing."

The issue is that the current SLAA is the 2021 Update which is based on evidence up to March 2021 and only mentions flood risk once (for a site in Sunbury). It is completely inconsistent with its own methodology (not to mention the Strategic Flood Risk Assessment) and was supposed to have been updated in 2022 for Regulation 19 but has not been replaced.

... (continued under Q3)

Thank you.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618732/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I would like to attend because I do not consider that the voice of residents has been heard.

Policy / Evidence Base / Part of Plan: Evidence base - SLAA; Housing Trajectory/5YLS	
Respondent: Mrs Kath Sanders (19813377)	
Organisation:	
Response ID: 1122103	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
The Strategic Land Availability Assessment (SLAA) is out of date. The "SLAA Methodology" was updated in December 2021 and is on the Evidence Base. The current SLAA on the Evidence Base (the 2021 Update) reflects the position as at 31st March 2021. So the SLAA Methodology post-dates the current SLAA. The current SLAA states in its conclusion that the "next iteration of the SLAA will form part of the evidence base that supports the publication and submission Local Plan." This is critical as the current SLAA (and at least the two before it) didn't address the flood risk issues when considering the suitability of sites, something it was supposed to do - in fact only one site in the whole assessment (in Sunbury) references flood issues. Obviously aware of this, the SLAA Methodology planned to address the issue and mentions flooding 76 times. However, an updated SLAA has not been published. One of the last documents published on the online Evidence Base (the Local Plan Housing Trajectory and Five Year Housing Land Supply, itself only published on 16th August 2022), says the Council is still in the process of updating the SLAA for 2022.	
Question 6: You can upload any modifications below.	

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618759/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Viability	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122115

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: No
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
--

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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<p>5. Viability Assessment (and Appendices)</p> <p>The Viability Assessment and all 8 appendices were only published for the first time on the 25th July 2022 according to the online Evidence Base. Obviously, 25th July 2022 was over a month after the start of the consultation and was not available (at least for public view) when the Council decision was made to proceed with Regulation 19 on 19th May 2022.</p> <p>The main takeout from this report is that it suggests that at least 5 site allocations in Staines are likely to be 'non-viable' under the 4 scenarios tested, certainly with the degree of affordable homes which is suggested in Local Plan policy H2 (30% per H2, Part 1).</p> <p>These are as follows:</p> <ul style="list-style-type: none">• ST4/019 Former Debenhams, Staines• ST3/014 Birch House/London, Fairfield Rd, Staines• ST4/024 Frankie and Benny's/Travelodge, Staines
--

- ST4/011 Thames Lodge Hotel, Thames Street, Staines
- ST4/009 The Elmsleigh Centre and Adjoining Land, Staines

This is based on a number of cost assumptions and provides various caveats. However, this could put a serious dent in the level of affordable housing that these sites (and potentially others too in other viability scenarios) can provide for the borough as a whole. The authors also state that they have not taken into account all potential infrastructure costs to which the developer would be expected to contribute towards. It seems unlikely too that they will have considered some of the specific site requirements which came out in the Level 2 Strategic Flood Risk Assessment published on the 26th July 2022.

My main recommendation is that an urgent review of at least these five site allocations is required.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618763/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Evidence base - Viability Assessment	
Respondent: Liz Pickering (42118273)	
Organisation:	
Response ID: 1127126	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: Not justified, Not effective - were also selected
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: No Not positively prepared Not justified, Not effective - were also selected Please find attached a response to your Local Plan Reg 19 consultation, submitted on behalf of the Department for Education. Please note we consider the plan to be unsound aga
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No	Additional Comments: Not justified, Not effective - were also selected
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
5. The Viability Assessment makes no allowance for any policy costs associated with education infrastructure delivery. While we might accept that CIL will be the funding vehicle for most developer-funded infrastructure in Spelthorne, due to the size of development sites available, the Infrastructure Delivery Plan (IDP) Part 2 identifies contributions to healthcare and police services through Section 106, with specific costs against each development site. If health and police services are to be funded through Section 106, there is no clear justification for education facilities being treated differently. When housing development generates a demonstrable need for additional education	

provision, as evidenced by the county council through their pupil yield calculations and assessment of available capacity in existing provision, Section 106 provides ringfenced funding for essential increases Department for Education Sanctuary Buildings Great Smith Street London SW1P 3BT Tel: 0370 000 2288 www.gov.uk/dfe 2 in education capacity that is necessary mitigation for the impact of development. Whether CIL or Section 106 will be applied, there is no indication in the IDP Part 2 table of what education provision is needed per site, what it will cost, and to what extent this should be funded through developer contributions.

6. We note that forecast capacity in existing primary and secondary schools is likely to meet the needs of housing development over the plan period, so there is no need for the IDP or the Local Plan to set out requirements for additional school provision. However, the IDP Part 1 includes an objectively assessed need for new education provision for young children (early years), sixth form, and specialist school places for children with special educational needs and disabilities (SEND), which are not addressed in the IDP Part 2 table or Local Plan policies. We do not consider that occasional references to “potential education contributions” are sufficient to demonstrate soundness.

Early Years

7. The Department has published guidance for local authorities on securing developer contributions for education.¹ This advises that developer contributions should be secured for early years provision where required, including children from birth to the age of four when they start school. The IDP currently only refers to the need for early years provision relating to children between the ages of two and four. Nevertheless, this identifies an early years yield from housing development of 43 places per year, equating to 645 places over a 15 year plan period. If the DfE guidance is applied as recommended, the cost per place for early years provision currently stands at £23,283, before adjusting for inflation. Even using the figure of £9,615 per place as set out in the IDP at present, there is an estimated early years funding requirement of over £6 million, which should be reflected in the IDP Part 2 table, where health and police services have been costed but education is absent.

8. There should be a clear commitment in the IDP, the Local Plan and future Infrastructure Funding Statements that either Section 106 or CIL will help to fund this early years provision. As above, we would question why health and police services appear to be funded through Section 106, but not education, implying that education is a low priority for Spelthorne Borough Council.

Special educational needs

9. The IDP identifies a substantial county-wide need for additional specialist school places for children with SEND. The cost of meeting SEND needs across Surrey is estimated at £74m, but it cannot be certain at this stage whether the county council’s capital investment programme or future funding from central government will be sufficient to meet this need.

10. The Spelthorne Local Plan and the IDP should recognise the essential role of CIL in helping to fund this specialist provision. Pupil yields for children with SEND are small compared to those for mainstream education but planned development in Spelthorne might still generate approximately 185 pupils requiring specialist school places, depending on the precise pupil yield figure used by Surrey County Council. At approximately four times the cost of mainstream school places, the specialist school places arising from planned housing development in Spelthorne could cost in the region of £17m. We recommend that Spelthorne Borough Council engages further with Surrey County Council to

incorporate the costs of SEND places in the IDP more effectively, and make an explicit statement that CIL will help to fund this significant strategic infrastructure need.

Sixth form capacity

11. The IDP also recognises a need for additional sixth form capacity, but again this is not costed in the IDP. Paragraph 4.52 of the IDP states that funding may be available from CIL or Section 106 to expand Bishop Wand Secondary School; we request that this is strengthened to show clear support for developer contributions funding this provision, through the provision of land and/or financial contributions associated with Policy HS1/012b, and contributions from other developments if required. Including this in the Local Plan's evidence base would strengthen the Council's ability to secure the developer contributions for the delivery of this sixth form facility.

Conclusion

12. I hope the above comments are helpful in finalising the Spelthorne Local Plan, with specific regard to the provision of land and developer contributions for education facilities.

13. The Department recommends that Spelthorne Borough Council works collaboratively with Surrey County Council in the run-up to Local Plan submission and throughout the Examination period, to clarify and attach costs to education requirements, and strengthen the plan's position on education provision as a priority. While we do not consider that the Local Plan is sound in its current form, the issues we have identified could be resolved through a schedule of minor amendments and updates to your IDP.

14. Please notify the department when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted. The Department may wish to attend the Examination in Public.

15. Please do not hesitate to contact me if you have any queries regarding this response. DfE looks forward to continuing to work with Spelthorne Borough Council to develop a sound Local Plan which will aid in the delivery of new school places and other education provision.

Question 6: You can upload any modifications below.

Spelthorne Local Plan Reg 19 - Redacted DfE response Sep 2022_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618807/PDF/->

[/Spelthorne%20Local%20Plan%20Reg%2019%20%2D%20Redacted%20DfE%20response%20Sep%202022%5FRedacted%2Epdf](https://spelthorne%20Local%20Plan%20Reg%2019%20%2D%20Redacted%20DfE%20response%20Sep%202022%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s)

Please notify the department when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted. The Department may wish to attend the Examination in Public.

Policy / Evidence Base / Part of Plan: Consultation and Community Engagement

Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122165

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

no	Additional Comments: no
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

no	Additional Comments: no
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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no	Additional Comments: no
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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<p>18. Consultation and Community Engagement</p> <p>Reading the Council's Statement of Community Involvement (SCI), one could be forgiven in thinking that residents are broadly happy with the process and how everything has unfolded and reached this point. Talking to residents, you may get a different impression. It turns out a lot of it was just going through the motions - consultations were often box-ticking exercises, not really listening, papering over any cracks - many things had been decided long before.</p> <p>I'm happy to provide any of my responses to previous consultations and questions to Council if helpful.</p> <p>Relevant consultations responded to include the following:</p> <ul style="list-style-type: none"> • Green Belt consultations x2 • Issues and Options consultation 2018 • Local Green Belt Assessment Methodology 2018

- Open Space Assessment questionnaire 2019
- Preferred Options consultation, Nov/Dec 2019
- Staines Town Centre Development Framework, "Objectives and Options" consultation 2021
- LCWIP Stakeholder working group meetings x2, 2021
- Local Green Space Review - Oct/Nov 2021
- Review of Staines Consultation Area 2022
- Six summer consultations, 2022
- Staines Development Framework consultation, Jun-Sep 2022

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618775/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Consultation process	
Respondent: Mrs Kath Sanders (19813377)	
Organisation:	
Response ID: 1122087	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
I. The process Over the last 5 years I have witnessed residents not being listened to and have seen their views mis-represented and brushed aside on countless occasions. Many feel they have no voice. Many have given up. I do not envy Members - the route to this point has been difficult and acrimonious as the Foreword to the Local Plan makes painfully clear. However, the Route to 2037 and beyond will be a lot worse for many if Spelthorne doesn't change course.	
Question 6: You can upload any modifications below.	
Sanders, Kath.pdf https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618755/PDF/-/Sanders%5F%20Kath%2Epdf	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Duty to Cooperate	
Respondent: A2Dominion Group (42324225)	
Organisation:	
Response ID: 1128132	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound?	
No Response	Additional Comments: No Not Justified Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.	
<p>General Policy Overview and the Issue of Viability.</p> <p>5.15 Only in policy ID2 (1(e)) is it made clear that the Infrastructure Delivery Plan (IDP) upon which the plan relies is still forthcoming – whilst obvious from a review the evidence base, the lack of an IDP does call into question how the council have sought to test the requirements they are placing on the proposed allocations and the requirement of policies such as PS1, ID1 and ID2. And thus, highlight's the need for these policies to be caveated in such as way that enables a variation from the policy requirement when compliance is shown to be unviable.</p> <p>5.16 In the context of the above, we do note that the Local Plan and potential Community Infrastructure Levy (CIL) Review Viability Assessment (2020 - 22), (July 2022), in reviewing the estimated effects of the potential policy costs emerging from the proposed submission plan (i.e. affordable housing requirements, housing standards (accessibility and adaptability), sustainability requirements, water efficiency</p>	

requirements, BNG requirements and infrastructure costs), and assuming the continuation of the existing CiL charging costs considers most schemes to be viable. It does however make it clear in section 3 that 30% affordable housing/ the policy requirements of the plan will make some PDL sites challenging (see para 3.3.4), that none of this 'can show exactly how individual sites and scheme viabilities will pan out – it is an overview' (see para 3.3.5) and that:

'This does not mean that sites or types which we have indicated as potentially marginally or non-viable would not come forward at all – they could do, but the signs are that it would most likely be difficult to secure AH / planning obligations on them at other than compromised levels in viability terms (and potentially even were a sub-30% AH headline to be put in place for some site types / locations). In practice a wider range of AH could be seen overall on PDL sites, within say a 30% potentially down to 0% AH range depending on circumstances.'

5.17 Para 3.37 continues:

'It is also worth noting that this is not down to the charging of CiL either – it is more of an inherent issue with a weak relationship between the estimated value and cost of assumed development, with the Existing Use Value based site value assumption (Benchmark Land Value) also playing a significant role in the overall viability indications'.

5.18 We totally concur with the above and note the findings of tables 1a, 1h and 1i of appendix 1 of the Viability Appraisal. We also note that none of the PDL flatted schemes assessed in the Viability Assessment included the two estate regeneration schemes being promoted by A2Dominion Group. These schemes which have to provide for the buying back of existing properties at Open Market Value, and the phased development that allows for the rehousing of existing tenants and private occupants who want to remain have very different EUV than a normal PDL development which is why we believe the proposed policy approach adopted within the submission local plan has to have regard to the viability implications of the requirement and allow for a variation from the policy where it can be demonstrated its not viable to deliver as per the policy requirement

5.19 Para 2.18 of the submission local plan indicates that one of the objectives of the plan is Effective Service Delivery, which includes:

Ensuring the Local Plan and its requirements on developers are viable and capable of delivery. Given the above we believe it only fair and reasonable that policies PS1, ID1 and ID2 are caveated as suggested.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Spelthorne Grove (site ID SC1/021) and Land at Stanwell Bedsits (site ID SN1/012) for strategic scale redevelopment, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the wording of policies SC1/021) and SN1/012; and the wording of policies PS1, PS2, H1, H2, ID1 and ID2 and justification for some of the criteria contained therein.

We would however like to highlight A2Dominion Group's desire to continue to work with the Council on the delivery of the proposed strategic allocations at Spelthorne Grove and Stanwell Bedsits and to this end would welcome the opportunity to meet with officers to discuss our comments on the Reg 19 Plan as soon as is practically possible.

We believe that the development of the land at Spelthorne Grove and Stanwell Bedsits can come forward in a timely way, to help accommodate the housing needs of the area and provide tangible benefits for the local community in terms of creation of attractive, well

designed places with new homes that are energy and water efficient, enhanced pedestrian and cycle links, reduced flood risk and new / enhanced open space and play facilities. Said development will also provide for a better unit mix, with land at Stanwell replacing the existing bedsits with a mix of one, two, three bedroom apartments, thus creating a more 'mixed and balanced community' and addressing the housing mix deficiencies in the area identified in the GL Hearn 'Planning for Housing Delivery' report, and the redevelopment of the land at Spelthorne Grove also helping to create a more 'mixed and balanced community' whilst also replacing buildings whose fabric is coming to the end of its life and requires replacement. It will also provide much needed affordable housing and in doing so help to reduce the pressure in the borough in terms of Green Belt releases.
see attached for full rep

Question 6: You can upload any modifications below.

JAA Redacted letter to SBC for A2D re Reg 19 Plan - Sept 2022 - A2Dominion Group_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618802/PDF/->

[/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Do%20minion%20Group%5FRedacted%2Epdf](https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618802/PDF/-/JAA%20Redacted%20letter%20to%20SBC%20for%20A2D%20re%20Reg%2019%20Plan%20%2D%20Sept%202022%20%2D%20A2Do%20minion%20Group%5FRedacted%2Epdf)

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s)

A2Dominion Group have an interest in Land at Spelthorne Grove (SC1/021) and Land at Stanwell Bedsits (SN1/012), both of which are proposed allocations in the Pre-submission Spelthorne Local Plan 2022-2037. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan.

They therefore wish me to participate in the examination

Policy / Evidence Base / Part of Plan: Duty to Cooperate	
Respondent: Inspired Villages Ltd (43043713)	
Organisation:	
Response ID: 1127972	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant?	
yes	Additional Comments: yes
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound?	
No	Additional Comments: Not Positively Prepared, Not Justified, Not Effective, Not Consistent with National Policy
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate?	
YES	Additional Comments: YES
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.	
Duty to Cooperate (May 2022) (partly reviewed under housing section) (Page 24 of attached document) 3.1. Duty to Cooperate has been touched on under the housing section of this representation. Firstly, there is no evidence that SBC has proactively tried to accommodate any unmet need from Elmbridge, other than to urge 'Elmbridge to consider other local plan strategies'. Despite this, it had become clear since March 2022 that Elmbridge were not going to be putting forward a plan that met its housing target in full. 3.2. After this time, SBC should have formally explored and documented any attempt to accommodate a proportion of this unmet need. This is outlined in the PPG Paragraph 61-012020190315.	

3.3. IV considers that more work should have been done in the Regulation 18 and stage between EBC publishing their emerging Local Plan and SBC publishing it's, to positively see if this could be accommodated. Yet, from the wording on page 10 of the Duty to Cooperate (May 2022), other than urging EBC to allocate more sites, nothing else has been looked at.

3.4. Whilst the Duty to Cooperate Report (May 2022) which is submitted as part of the evidence base is useful to understand what cooperation has been happening, it does not constitute a Statement of Common Ground (SOCG). This is elaborated in paragraph 2.14 of the report, in which SBC state: "Spelthorne Borough Council is in the process of preparing a statement of common ground outlining its cooperation with strategic bodies. This will be available prior to the submission of the Local Plan."

3.5. The PPG makes clear when LPA's should be preparing SOCGs in 61-020-20190315. Of particular note, is the need for 'statements to be prepared and maintained on an ongoing basis' and 'SOCGs should be available by the time LPAs publish their draft plan'.

3.6. Despite this, no up-to-date SOCGs are available, highlighting a potential lack of cooperation between SBCs and neighbouring authorities and groups. The latest SOCG with Runnymede and EBC was in 2018, at a very early stage in plan development.

3.7. IV considers the lack of recent and up-to-date SOCGs available at this stage of the plan process to be a major flaw, and does not provide evidence to understand how substantive matters of cooperation have been addressed.

Green Belt Assessment

3.8. IV has already touched upon it's concerns with the ARUP Green Belt Review / Assessment above. This has been reviewed at length. In summary, IV considers the way land was assessed was inconsistent, with some parcels being sub-divided and others assessed as part of a large parcel. This skewed results and meant that potentially suitable sites were missed.

3.9. IV suggest that relying solely on the results of this report create a flawed outcome of the most suitable sites for Green Belt release and considers that a finer grain approach is necessary in order to holistically assess the Borough's Green Belt.

3.10. IV, as mentioned above, also strongly contend that an Exceptional Circumstances Report should have been published, as no assessment of how Exceptional Circumstances are evident as required by NPPF Paragraph 141 has been done. Savills' assessment of Exceptional Circumstance is given for Land East of Vicarage Road in Section 2.

Question 6: You can upload any modifications below.

220819 - Redacted SBC Regulation 19 - Inspired Villages Ltd_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618903/PDF/-/220819%20%2D%20Redacted%20SBC%20Regulation%2019%20%2D%20Inspired%20Villages%20Ltd%5FRedacted%2Epdf>

220912 - Redacted_ SBC R19 Rep IV Supplement - Inspired Villages Ltd[3877]_Redacted.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618904/PDF/-/220912%20%2D%20Redacted%5F%20SBC%20R19%20Rep%20IV%20Supplement%20%2D%20Inspired%20Villages%20Ltd%5F3877%5F%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: YES - To help Spelthorne Borough Council produce a sound Plan and set out Inspired Village's case in terms of the necessary modifications to the Plan in order to achieve this.

Policy / Evidence Base / Part of Plan: Duty to Cooperate	
Respondent: Joanne Capper (25693857)	
Organisation: Richmond and Wandsworth Borough Councils	
Response ID: 1112422	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate?	
Thank you for consulting the London Borough of Richmond upon Thames on the Regulation 19 Draft Spelthorne Local Plan. We have in previous correspondence and discussions with Spelthorne identified: housing as a strategic, cross-boundary issue between our	Additional Comments: Thank you for consulting the London Borough of Richmond upon Thames on the Regulation 19 Draft Spelthorne Local Plan. We have in previous correspondence and discussions with Spelthorne identified: housing as a strategic, cross-boundary issue between ou
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.	
No Response	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Duty to Cooperate	
Respondent: Mrs Kath Sanders (19813377)	
Organisation:	
Response ID: 1122093	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
Duty to Cooperate No LPA anywhere, ever, really wants to take any other LPA's unmet need. This points to one of the biggest failures of the planning system, the Duty to Cooperate, which is beyond the scope of Spelthorne's Local Plan but will nevertheless potentially have a huge impact. NB That's before any potential further movement on Heathrow expansion, Crossrail 2 or Southern Rail Access to Heathrow which would bring Development Consent Orders and mean all bets were off - and we've had enough trouble locally just with the Esso Pipeline Project. There are many things I've seen and read along the way which hint at a failure in the Duty to Cooperate in the preparation of Spelthorne's Local Plan. However, as a lay person, the legalities are beyond me and it potentially opens up a whole other can of worms. I will stop short of going down that route.	
Question 6: You can upload any modifications below.	
Sanders, Kath.pdf	

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618757/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Duty to Cooperate	
Respondent: Tarun Hundalani (42239329)	
Organisation: Hund'ani & Company	
Response ID: 1128190	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant?	
No	Additional Comments: No Not Positively, Prepared Not Justified, Not Effective, Not Consistent with National Policy
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound?	
No Response	Additional Comments: No
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate?	
No	Additional Comments: No Not Positively, Prepared Not Justified, Not Effective, Not Consistent with National Policy
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
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No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.	
<p>Duty to Cooperate:</p> <p>The NPPF (paragraphs 24 to 27) confirms that the Duty to Co-operate ('DtC') continues to be a basic procedural requirement of plan making. In particular, paragraph 26 details that this joint working should determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.</p> <p>The purpose of the DtC is to ensure strategic priorities are properly co-ordinated and clearly reflected in Local Plans. The failure to demonstrate compliance with the DtC would render the Local Plan incapable of being found to be legally compliant. We support, therefore, the principle of the Council working with neighbouring authorities to address strategic issues and emphasise the need to continue this process throughout the Plan-making process.</p>	

However, it is concerning that the Council is “only in the process of preparing statement of common ground outlining its cooperation with strategic bodies” (Duty to Cooperate (May 2022) – Para 2.14). We suggest that given the stage (Regulation 19), the Local Plan should be based on already agreed positions on all strategic matters with all relevant parties. The Council will need to work proactively with its neighbouring authorities to ensure the needs are met.

There are also major infrastructure projects that should, whilst temporarily on hold, for instance the planned expansion of a third runway for Heathrow Airport, be taken into account given the importance of the National Significant infrastructure Project (‘NSIP’). The anticipated benefits for the South East from the Heathrow expansion include up to £30bn in economic benefits and the creation of 33,200 new jobs. Given the immediate proximity of the Borough to Heathrow, it is perfectly placed to provide complementary development (both housing and economic) to the NSIP.

Suggested modifications:

Employment Land Needs Assessment & Green Belt Review

The Council’s Employment Land Needs Assessment (ELNA) (2022) forms part of the evidence base for the emerging Local Plan and sets out that over the plan period over 18,000 sqm of E(g)(i) and E(g)(ii) Office and Research & Development will be required, together with ~12,000 sqm of B8 Warehousing and Storage. This is a slight reduction from the Council’s previously published ELNA (2018), which supported the Preferred Options consultation in 2020. The ELNA (2022) states that due to the locations and nature of the floorspace, it is unlikely that even with the reduced need for B2 use (expected to reduce in requirement by ~11,000 sqm) and associated release of that land for redevelopment, the identified need for other employment uses is unlikely to be met on those former B2 industrial sites.

Notwithstanding this, the Council has determined that the identified need for this employment floorspace can instead be met on brownfield sites and through intensification of existing ones, rather than through the release of Green Belt land. The Council states that it is the view of officers and Members that the need for employment floorspace without the proposed expansion of Heathrow Airport, together with relatively low level of need for employment floorspace identified in the ELNA (2022), the need can instead be met through re-use or intensification on existing sites, such that the need is not so great as to outweigh the harm caused by release of Green Belt sites for employment floorspace. The Council states that the collective view, in consultation with local residents, was that the more pressing need is for housing and that the community would prefer to see sites released for residential development over an employment use. The Council concludes that “This position can be revisited at the 5-year review stage of the Local Plan from adoption to take account of the status of the expansion plans at that time and the sites available to meet need”.

As such, and as required by Paragraph 140 of the NPPF, the Council has concluded that Exceptional Circumstances do not exist, as required, to justify the alteration of the existing Green Belt boundaries to cater for this need. Consequently, the Council no longer proposes any Site Allocations and associated Green Belt release to deliver the required floorspace. This is a change of position from the Council’s Preferred Options stage, where it had previously considered Exceptional Circumstances did exist, and proposed to release two sites in close proximity to those of Hund’lani & Company. Those sites are SN1/005 (Land at Northumberland Close, Stanwell) and SN1/006 (Land to west

of Long Lane and south of Blackburn Trading Estate). We note that both sites are still proposed for release from the Green Belt, but on the basis that they could support residential development instead of employment uses.

We do not agree with the Council's conclusion and consider that Exceptional Circumstances do exist to allow the release of Green Belt land to meet emerging need for employment floorspace. The NPPF advises that LPAs should "where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period" (paragraph 143(c)) and that as part of any review "be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period" (paragraph 143(e)) and "define boundaries clearly, using physical features that are readily recognisable and likely to be permanent" (paragraph 143(f)). Although temporarily on hold, Heathrow Airport will continue to expand and additional land will be required to provide all of the infrastructure and services necessary to deliver this. The brownfield sites and intensification of existing sites will not alone be able to cater for this need. This was evidenced by the land previously identified by HAL as forming part of the obvious and logical masterplanning of the airport's growth. Therefore, future additional land will be required to support its growth and sites should be allocated now so that they can either be developed now or in the future once the expansion plans for Heathrow Airport resume. As such, Exceptional Circumstances do exist and the Council should propose the release of some weakly performing Green Belt land to meet the need, which would not adversely affect the integrity of the strategic Green Belt. Without this, we consider that the Local Plan will be unable to meet the stated identified need for E(g)(i), E(g)(ii) and B8 uses set out in the ELNA, which will only be exacerbated when Heathrow continues its plans for expansion, such that the Local Plan can be capable of being found sound at EiP.

With this in mind, Hund'lani & Company's sites at SN1/007a and SN1/014 are the most appropriate to meet this need, being available, developable and suitable, and should be proposed to be removed from the Green Belt and included as Site Allocations in the Local Plan. Both sites were assessed initially at Stage 1 of the Council's Green Belt Assessment, as part of the Local Area 6 and the Council's conclusion, when considered against the purposes of the Green Belt (as set out now in paragraphs 138 and 139 of the NPPF), was that the Local Area was "strongly performing". At Stage 2 of the Green Belt Assessment, which provided a finer grain assessment, the sites were considered as part of the wider subarea 6-d, which covered an area of 12 hectares. The Council's conclusion again was that the Green Belt sub-area was "strongly performing". However, we outlined in our letter of 21st January 2020 that we considered that the Council's approach was still too broad brush and meant that it had omitted two self-contained sites (SN1/007a and SN1/014) which should have been assessed independently as their own independent sub-areas. We provided an assessment of those sites in our letter of 21st January 2020 demonstrating that when considered individually and on their own merits, they perform weakly and should instead be recommended for release from the Green Belt. The Council has subsequently assessed these sites on an individual basis, concluding in each case that the sites are not considered appropriate for allocation and release for the Green Belt due to their performance against Green Belt purposes. The Council's assessment states that the sites should be discounted from consideration but reviewed at the five year review stage in the context of potential wider economic needs. We do not agree with the Council's assessment, for the reasons set out further below, and consider that both sites comprise weakly performing Green Belt (our assessment of both sites is found further below), with qualities more similar to

brownfield and previously developed land. Both sites should be given a Site Allocation which would assist with meeting the identified need in the ELNA (2022).

Additionally, we note that the Council has assessed the Green Belt land subject to proposed Site Allocation SN1/005 (Land at Northumberland Close) as weakly performing. That parcel of land shares the same characteristics as Hund'lani & Company's site at Greenacre Farm (SN1/007a), being surrounded by development on three sides, and with a frontage onto Bedfont Road to the north, but with SN1/005 being simply a narrower strip of land. We consider, therefore, the Council's assessment of the site at SN1/007a to be at odds with that of at SN1/005 and therefore incorrect, and that it should instead be assessed as 'weakly performing' Green Belt.

Alternatively, if the sites at SN1/007a and SN1/014 cannot be given a Site Allocation for development now, the sites should be safeguarded for future development in line with Paragraph 143(c) of the NPPF, assisting with meeting "longer-term development needs stretching beyond the plan period" (NPPF Paragraph 143c). Green Belt boundaries would therefore not need to be reviewed again in the future (Paragraph 143e) and both sites can be defined by clear boundaries, with "physical features that are readily recognisable and likely to be permanent" (Paragraph 143f). With these amendments to the Green Belt boundaries, we consider that the Local Plan can be capable of being found sound at EiP.

Please see attached document for full rep.

Question 6: You can upload any modifications below.

Hundlani _ Company - Reg 19 Letter of Representations_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618812/PDF/-/Hundlani%20%5F%20Company%20%2D%20Reg%2019%20Letter%20of%20Representations%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: Yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: Yes, I wish to participate in hearing session(s). To confirm that Exceptional Circumstances exist to justify the release of Green Belt land for employment use, that the Council's Green Belt assessment of sites SN1/007a and SN1/014 is incorrect, and that both sites should be released from the Green Belt and given a site allocation for future development.

Policy / Evidence Base / Part of Plan: Plan preparation	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122090

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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<p>Overall impression</p> <p>Every mix-up only adds to the impression of a Council which obfuscates and confuses rather than communicates and clarifies, whether by accident or design. At every turn it feels like the whole thing becomes more impenetrable - truly daunting for anybody actually wanting to make a contribution.</p> <p>It's very apparent that a lot of the work done is "desk-based research" or has involved taking something somebody else has said or written as factually correct without checking it or going out and looking for oneself or, heaven forbid, actually listening to residents. In this way, it's perhaps easy to see how "partly important" becomes "partly less important", "less strongly performing" becomes "more weakly performing" and on we go - it feels a bit like a game of Chinese Whispers.</p> <p>Possibly emboldened by early success (the redevelopment of Brooklands College campus in Ashford for housing, for example, which incidentally overruled an objection from Sports England), it has continued on, inexorably and painfully to this point, seemingly unstoppable.</p>

Unstoppable despite the fact that the Council did indeed declare a Climate Emergency in October 2020 which added a whole new dimension and should have added a whole raft of additional constraints, backed by the whole Council and based on a solid understanding of what we're facing. The approach to the Local Plan should have fundamentally changed then and should now be calling for/demanding "radical" reductions in greenhouse gas emissions when considering new development and taking "full" account of flood risk in line with para 152 of the National Planning Policy Framework (NPPF, July 2021).

Unstoppable despite the fact that even Surrey's Interim Local Strategic Statement 2016-2031 says the area is "severely constrained" and the whole Upper M3 area of Spelthorne/Runnymede/Elmbridge might not be able to meet housing need within its boundaries - see Interim LSS, starting at para 3.6 and culminating at para 3.21 which states:

"Given that land in the Upper M3 area is severely constrained, it is unlikely that all the development needs identified will be met in full. To seek to maximise housing delivery, consideration will need to be given as to whether other less constrained sub-areas in Surrey, or beyond the county boundaries are able to support additional development in order to meet any unmet needs."

That sounds sensible, let's do that.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/qf2.ti/a/1409506/618756/PDF/-/Sanders%5F%20Kath%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Plan preparation; Publishing Evidence; Consultation	
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Respondent: Mrs Kath Sanders (19813377)
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Organisation:

Response ID: 1122098

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: No Response
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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1. Variations on Spelthorne's Local Plan 2022-2037 Notwithstanding the caveat that gave permission for minor amendments to be made prior to publication, what the Environment & Sustainability Committee and subsequently full Council signed off on 26th April and 19th May 2022 respectively was significantly different to what was published as the Pre-submission Local Plan (and associated Evidence Base) on 15th June 2022 - the structure changed (chapters shuffled), policies moved and renamed (DS2), references to (non-existent) "key evidence" removed (Spelthorne BAP), a good deal of detail filled in. It was still incomplete and littered with errors even on publication, compounded by the changes which added to the inconsistencies both within the document itself and with a good number of documents on the Evidence Base. Evidence of this can be seen by a quick review of the documentation available to Members at the meetings on 26th April and 19th May 2022 (LINKS 8 & 9) and the status of the online Evidence Base as at the start of 19th May (see attached Appendix 1). NB Many more documents

were made available on the online Evidence Base during the course of 19th May alone but its unreasonable to expect all Members to have had sufficient time to take in all the additional information on the day.

This is indicative of the haphazard approach and the rush at the end to get things through. One could be forgiven for thinking it was deliberately so - so much data, so little time. The Council has form on this.

There were further inconsistencies generated when the online plan and associated documents were published which one may have noted, not least regarding the Policies Maps and Monitoring Framework - more on that below. I did highlight some and others were picked up and corrected after the fact but some not for weeks after the start of the public consultation and some not even now.

Question 6: You can upload any modifications below.

Sanders, Kath.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618758/PDF/-/Sanders%5F%20Kath%2Epdf>

Sanders, Kath - APPENDIX 1_Redacted.pdf

<https://spelthorne.inconsult.uk/gf2.ti/a/1409506/618953/PDF/-/Sanders%5F%20Kath%20%2D%20APPENDIX%201%5FRedacted%2Epdf>

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Plan preparation; Publishing Evidence; Consultation

Respondent: Mrs Kath Sanders (19813377)

Organisation:

Response ID: 1122101

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **legally compliant**?

No Response | Additional Comments: No Response

Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be **sound**?

No Response | Additional Comments: No Response

Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan **complies with the Duty to co-operate**?

No Response | Additional Comments: No Response

Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.

Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is **not legally compliant** or is **unsound** or **fails to comply with the duty to co-operate**. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the **modification(s)** you consider necessary to **make** the Pre-submission Spelthorne Local Plan **legally compliant** and **sound**, in respect of any legal compliance or soundness matters you have identified above.

2. Status of the Evidence Base
The Evidence Base has been slow in being made available with a torrent of information being issued only on and since 26th April 2022 as mentioned above, despite a number of documents seemingly being finished prior (for example the Local Green Space review dated January 2022 was only published on 26th April 2022). It was still missing Key Documents on 15th June 2022 with a further 20* documents being published all the way up to 17th August 2022 (LINK 10). Even then it was incomplete.
* the list shows 21 documents but one is a duplicate
The upshot of adding evidence late is that many stakeholders will have not been aware of all the additional documentation when making their representations, nor would they have had the time to filter the extra detail (which included the Viability Assessment, the Habitats Regulations Assessment, another Green Belt Assessment and critically the Level 2 Strategic Flood Risk Assessment). These documents contain absolutely key information which should have been subject to earlier review, if not by the public, then at least by Members.

Furthermore, standing back and looking at the bigger picture, a number of things look awry, or at least are still missing from the online Evidence Base as at 18th September 2022.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: yes

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: General comment - consultation	
Respondent: Mr Alan Mockford (25050241)	
Organisation:	
Response ID: 1112054	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No Response	Additional Comments: No Response
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
<p>This is not a realistic consultation. How on earth are residents expected to respond to this document? Firstly you would need to be highly educated & spend several weeks studying the mass of documentation. Secondly the decision has already been made by the secretary of state. Spelthorne Council has no say in the matter.</p> <p>The Green Belt was designed to prevent urban sprawl. The only realistic consultation would be to ask residents if they wish to maintain the Green Belt or to build on it. However it will make no difference as the decision has already been made by the secretary of state.</p> <p>For what it's worth I am totally opposed to any inappropriate building on the Green Belt & in particular, the prime Green Belt land off Groveley Road & Vicarage Road in Sunbury Common, which marks the boundary of Greater London.</p>	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: General comment - consultation	
Respondent: Mrs Michelle Marshall (33734369)	
Organisation:	
Response ID: 1107727	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No	Additional Comments: Very unlikely. Explain why Staines has been chosen. Who made these decisions.
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
No	Additional Comments: No Have not considered the residents of Staines
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No	Additional Comments: No as have made these plans but have not consulted or considered the residents in Staines
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
No idea but not likely to be adequate. This is too complicated to follow Residents feel scammed by the Council	
Question 6: You can upload any modifications below.	
No Response	

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: General comment - not evidence base	
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Respondent: Mrs Lynne Bulmer (24338305)
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Organisation:

Response ID: 1111667

Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?

No Response	Additional Comments: No Response
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Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?

No Response	Additional Comments: Reasonably
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Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?
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No Response	Additional Comments: No Response
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Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.
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Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response

Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.
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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:

No Response

Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.
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This whole thing is too technical for ordinary people

Question 6: You can upload any modifications below.
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No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response

Policy / Evidence Base / Part of Plan: Publishing Evidence; Consultation Process	
Respondent: Mr Chris Hyde (25674497)	
Organisation:	
Response ID: 1119562	
Question 1: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be legally compliant ?	
No Response	Additional Comments: No Response
Question 2: Do you consider this part of the Pre-Submission Spelthorne Local Plan to be sound ?	
	Additional Comments: Soundness I am surprised that consultees are being asked to make a judgement at this stage on whether they consider the Plan to be sound, as I would expect that to be a matter to be considered by the Planning Inspector following full consideration of all
Question 3: Do you consider this part of the Pre-Submission Spelthorne Local Plan complies with the Duty to co-operate ?	
No Response	Additional Comments: No Response
Question 3a: If you do not consider this part of the Pre-Submission Spelthorne Local Plan to be sound, please select which test/tests of soundness this relates to.	
Not positively prepared/Not justified/Not effective/ Not consistent with national policy: No Response	
Question 4: Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate . Please be as precise as possible.	
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments:	
No Response	
Question 5: Please set out the modification(s) you consider necessary to make the Pre-submission Spelthorne Local Plan legally compliant and sound , in respect of any legal compliance or soundness matters you have identified above.	
Evidence Base The Pre-Submission Spelthorne Local Plan was published for consultation on 15 June 2022. Since then, from 6 July to 17 August, Spelthorne Borough Council has provided 21 updates or additions to the Evidence Base, which are set out in a table on the Council website. https://spelthorne.gov.uk/New-Local-Plan-Evidence These updates relate to significant aspects of the Evidence Base, including flooding, Green Belt, habitats and infrastructure, which I expect will have a material impact on the contents of the Local Plan. Either the Pre-Submission Local Plan has been prepared in the absence of all the required evidence, or that evidence was not shared with residents and other consultees when the Local Plan was released for	

consultation. If the former is applicable then it needs to be demonstrated how the Plan could be judged to be sound if it was prepared on an incomplete evidence basis. That has not been demonstrated to me therefore I cannot say that the Plan is sound.

Consultation Process

I am concerned that the Pre-Submission Spelthorne Local Plan was published for consultation before significant parts of the Evidence Base were shared. This is a concern for the following reasons:

* Those taking the time and effort to prepare and submit responses would have done so on an incomplete basis. Having submitted their responses in good faith, the release of subsequent new or updated and amended evidence had the potential to undermine the validity of some or all of their responses, through no fault of theirs.

* The 'drip feed' of elements of the evidence base after the publication of the Pre-Submission Plan, between 6 July and 17 August, had the effect of increasing the difficulty of preparing consultation responses, and either increasing the time and effort to respond or potentially misleading consultees who might be unaware of the availability of new evidence.

* The closure of the consultation period was amended to 21 September however the Habitats Regulations Assessment including the Pre Screening Information, and the Planning for Housing Delivery Report were released on 17 August, leaving 5 weeks for consultation. My understanding is that the minimum period for consultation is 6 weeks.

I am also concerned that there are inconsistencies in the details of the consultation process. At least two consultation closure dates are given on the Council website, with 19 September and 21 September both appearing on the website. The original consultation end date of 5 September also still appears on the Council website. If dates change then the date should be amended on a consistent basis throughout the website. Also the downloadable Regulation 19 representation form differs from the format of the online questionnaire.

I do not consider my participation in the hearing session to be essential, however I would be happy to participate if it is considered useful by the Planning Inspectorate.

Question 6: You can upload any modifications below.

No Response

Question 7: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes/No/Not answered: No Response

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: No Response