

Comments on the Preferred Options Consultation Policies document

<p>General comments</p>	<p>This is a plan which appears to have only one objective and that is to delivery the level of housing being demanded by the government with no regard to the impact on the existing residents and the local environment. Many of the policies are aspirational and with no mechanisms to enforce the policy objectives.</p> <p>We understand that Spelthorne Borough Council is required to comply with the directives of central government, but the Local Plan should be an opportunity to be clear about the future shape of the borough. As currently formulated the new Plan appears to represent a passive acceptance of the impacts of government policy and which articulates vague aspirations and places minimal restraints on developers.</p>
	<p>It is proposed to replace almost all of the borough specific policies and so planning decisions will be made on new and up to date policies. It should be made absolutely clear to developers that failure to comply with policies will lead to the rejection of planning application by the Council. Applicants should recognise that the policies will be supported by officers and the Planning Committee and failure to comply will result in refusal. In any discussions with applicants Council Officers must assert the requirement for an application to comply with all policies. Officers should have no latitude on policy compliance in respect of delegated decisions. Any failures to comply with any policy should be highlighted and a detailed description provided in a discrete section in any report put before the Planning committee.</p>
	<p>The Plan must ensure that there is no conflict with NPPF and PPG directives. The Planning committee should never be put in a place where they are required to overrule a local plan policy because it conflicts with national policy or guidance</p>
	<p>The "Sustainability appraisal indicators" for may policies are unrealistic and show considerable optimism bias which is not justified. In most cases there is no evidence to support spurious assertions of improvements, for example in health or heritage or pollution. All the indicators should be reassessed.</p>
	<p>Much of the plan is concerned with avoiding the adverse impact of additional development in the borough. This plan is far more about mitigation than with defining a new vision for the borough that is an</p>

	<p>improvement on the current situation. At the present time there are serious problems with the environment and local infrastructure and the plan does even attempt to address any of the existing challenges.</p>
<p>ST1 Presumption in favour of sustainable development</p>	<p>There is no reference within this policy of the need for infrastructure enhancement to be met in order to support sustainability. Failure to meet the current and future infrastructure needs of the borough will materially degrade the quality of life for existing residents - this should be considered when determining what is sustainable development.</p> <p>The sustainability appraisal indicators for this policy are not realistic and fail to recognise the impact it will have. The presumption in favour of "sustainable" development will be used to justify degradation to the existing local environment. For example, to suggest that transport and health will be beneficially impacted by a "presumption in favour of sustainable development" is grossly misleading.</p>
<p>ST2 Planning for the borough</p>	<p>This Plan is not meeting "objectively assessed" housing need, it is meeting a government-imposed target. The Strategic Housing Market Assessment (SHMA) exercise which was undertaken before the target was imposed was deeply flawed and took no consideration of the ability to supply.</p> <p>The only concern of central government is to build more houses without reference to the impact on the local environment and to assert that we are in some way meeting an objectively assessed local need is not true. The 603 dwelling per annum will not be used to address local needs, but instead they will accommodate people leaving London in search of less expensive housing.</p> <p>Table 1 indicates that a high proportion of housing developments will not be expected to deliver any affordable housing which would be to the benefit of local people.</p> <p>The expected delivery of 1,600 units associated with the Staines Masterplan is riddled with assumptions, none of which are identified in the document. There is no realistic prospect of this delivering any units in the early years of the plan and there is an assumption of the availability of finance for this type of speculative development that may not be forthcoming. If the developments anticipated to arise from the masterplan are to be financed by SBC this should be made explicit.</p> <p>The statement that "Spelthorne sits within a housing market area (HMA) with Runnymede Borough Council and the two boroughs also form a Functional Economic Market Area (FEMA)" is not justified and does not reflect the real relationships with neighbouring localities.</p>

SP1 Staines upon Thames	<p>This policy just contains a series of unquantifiable platitudes relating to the future of Staines, for example “Growth of the town will be dependent on enhanced infrastructure” and “Proposals that contribute to culture, the arts and access to the River Thames will be considered favourably”. These do not provide anything that can be objectively assessed and therefore do not provide any useful guidance for either developers or support to the Planning committee in determining applications.</p> <p>The justifications for the Sustainability Appraisal Indicators contained in the document appear to take no account of the impact of a significant increase in population on the town centre. The suggestion that all but two of the indicators will improve in the area is completely unrealistic. It is worth noting that the monitoring indicators are only concerned with numbers and there are none that relate to quality of the environment, for which improvements are claimed.</p>
SP2 Ashford, Shepperton and Sunbury Cross	<p>It is difficult to understand the point of this policy. It sets out a series of potentially desirable outcomes with no indication of how they are to be achieved. Statements are made about transport for which there is no evidence of why or how these would be achieved. A reference is made to renewable power/CHP without any context or explanation of what is intended. “The Council will support proposals”, but there is no suggestion that these aspirations can be delivered.</p> <p>The identified monitoring indicators seem to be unrelated to the aspirations of the policy.</p>
SP3 Stanwell and Stanwell Moor	<p>Given the proposals for Heathrow expansion, the suggestion that the Council will “support proposals which enhance the function and setting of the local watercourses and river corridors” appears to be somewhat bizarre. There is no explanation of how the Council “will ensure that adverse impacts of Heathrow expansion are minimised”, given that there will have no control once the Heathrow DCO is in place. This policy appears to set up unrealistic expectations.</p> <p>The suggestion in the sustainability appraisal indicators that there are no adverse consequences on the area from the likely changes in the next 15 years is patently absurd.</p>
SP4 Local centres, shopping parades and isolated retail units	No specific comments.
SP5 Colne Valley regional park	No specific comments.

SP6 River Thames and its tributaries	<p>The Local Plan in point 4 refers to developments enhancing the waterside character but does not seem to take into account that on reaching Staines at the point where they want to put a new mooring site the tourists will be leaving the boat and looking straight ahead at 14 storey buildings which I don't think links into what they are trying to get us to visualise as having 'waterside character'.</p>
SP7 Heathrow airport	<p>The expansion of Heathrow Airport cannot ever be described as sustainable and it is ridiculous to suggest that anything Spelthorne does will alter this fact. The expansion will cause serious damage to Stanwell which will change the area for the worse permanently.</p> <p>Given that a DCO will be put in place, the suggestion of any ability for Green Belt protection by Spelthorne is just wishful thinking and misleading. The whole area will be massively disrupted well beyond the 15-year period of the plan. The idea of “supporting initiatives that encourage modal shift towards more sustainable forms of transport” is just a meaningless platitude and there is no evidence that any such benefit will ever be offered by HAL or anyone else.</p> <p>The failure of the Sustainability Appraisal Indicators to show the Climate Change impact as significantly negative is not acceptable. The increase in air travel that the expansion represents will have a massively negative impact on Climate Change which must be acknowledged.</p> <p>The policy states that “The main objective of this policy is for the Council to ensure that the expanded Heathrow Airport (future expansion at Heathrow Airport) secures and provides the best possible outcomes for its residents and businesses”. This is undeliverable and it is misleading to suggest that there is any good outcome for the area.</p> <p>The only monitoring indicator will be for noise. This is inadequate and fails to recognise the other impacts on the area which the development will entail.</p> <p>The option appraisal states that the policy “will allow the Council to effectively manage the potential impacts of Airport growth on the Borough.” This statement is not true and is disingenuous.</p>
H1 Homes for all	<p>The policy states that “All new residential development will be expected to meet with the minimum space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG).” These standards are minimum levels and they must be complied with in all circumstances. There is no reason why a development offering less than this space should ever be allowed.</p>

	<p>The policy item 5 – which allows below standard Studio flats – should be deleted. This is not acceptable and contradicts any notion that Spelthorne expects developments to be of a high standard. There is no context in which this could be considered to be acceptable. If there are special circumstances where this might be appropriate, then these should be defined.</p> <p>Policy points 7 and 8 should be reworded to make it clear that full compliance is mandatory with current regulations.</p> <p>The policy has a footnote that states “[Thresholds subject to viability work]”. This is unsatisfactory as it stands as it gives no indication of what threshold and in what circumstances.</p> <p>The Sustainability Appraisal Indicators for this policy are not credible. For example, to suggest that building housing will improve health, transport or water usage is ridiculous, particularly given the other negative indicators for flooding, soil, pollution and biodiversity – the approach to these indicators is inconsistent.</p>
H2 Affordable housing	<p>The requirement for 40% affordable housing falls short of the London aspiration of 50%. There is a massive deficit in affordable housing provision in the borough and it must be the Council’s priority to deliver this target as a minimum. Despite this, the policy encourages developers to justify failure to provide at this level through viability assessments. At the November Overview and Scrutiny committee meeting it was made clear that the Council does not expect to meet this threshold with its own developments, with the target figure being described as “naïve”. The policy should set out that any development for more than 10 units will be refused unless there is at least 40% provision of affordable housing.</p> <p>As currently constituted this policy will not deliver the target level of affordable housing and as such is unsatisfactory.</p> <p>Alternative off-site provision of affordable housing units should not be allowed unless it relates to a site that is identified and for which an application has been submitted. In which case a condition of approval should include the granting of any associated permission to deliver the affordable units.</p> <p>The policy should define the viability calculation that will be accepted. This calculation should not allow for any contingency to be included and require that this is done separately should unforeseen circumstances arise. The Council should by default refuse any contingency as the applicant should have been aware of the</p>

	<p>site circumstances before submitting the application. “Any site-specific abnormal costs should be disaggregated and supported by robust evidence (including contractor costs)” - Homes for Londoners¹.</p> <p>A viability assessment should only be required where an applicant is not prepared to provide that threshold minimum level of affordable housing. Where this is the case, the viability assessment should not be confidential but instead made available to the Planning committee and the public. Homes for Londoners says of viability assessments that “This information should be available for public scrutiny and comment like all other elements of a planning application, as should any review or assessment of the appraisal carried out by or for the LPA”. Spelthorne should adopt the same approach.</p> <p>The RICS² has said that viability assessments "should be published in full, except where this may compromise delivery of the proposed application scheme or infringe other statutory and regulatory requirements". It adds: "Any exceptions to this must be discussed with the local planning authority and documented early in the process." In addition, viability assessments on behalf of developers and any subsequent reviews "must be accompanied by non-technical summaries of the report so that non-specialists can better understand them".</p> <p>The policy states “it is considered that the 40% affordable housing contribution and tenure splits in Policy H2 are viable and realistic”, but this has not been the case in the last few years. No evidence is offered to explain why there is reason to believe that 40% affordable housing will be possible in future. On this basis it is possible that the requirement will be found to be unsound. An evidence base for supporting the achievement of 40% affordable housing should be included in the policy. This would assist the Planning Committee in determining individual applications.</p> <p>Some other local planning authorities have chosen to distinguish between Green Belt and brown-field sites in the approach to affordable housing. Where Green Belt land is to be developed it is considered to be better able to provide more affordable units and with a corresponding higher level of affordable housing expected. This approach should be considered by Spelthorne.</p>
<p>H3 Gypsy, travellers and travelling show people pitches and plots</p>	<p>No specific comments.</p>

¹ Homes for Londoners - Affordable Housing and Viability Supplementary Planning Guidance 2017 - https://www.london.gov.uk/sites/default/files/ah_viability_spg_20170816.pdf

² RICS October 2018

E1 Green Belt	<p>The policy fails to explicitly recognise that the default position will be to refuse any development in designated Green Belt areas. An applicant should not be allowed to take away the impression that there is any expectation of the Council approving any development in the Green Belt. The policy wording in defence of the Green Belt should be strengthened.</p> <p>The policy does nothing to enhance the Green Belt and so the indicators for open space/landscape are wrong. Simply maintaining the status quo is not making a positive contribution.</p>
E2 Flooding	<p>The implementation of this policy will not enhance the indicators health, flooding, economy and climate change. The policy simply seeks to maintain the status quo and will not making a positive contribution.</p>
E3 Environmental protection	<p>Despite stating that “the Council has little or no influence over traffic” or most of the other environmental protection parameters, the Sustainability Appraisal Indictors suggest that the policy will actually improve the local environment. This position is not justified within the document. The development anticipated within the new Local Plan will damage and not enhance the existing environment regardless of what the Council does.</p>
E4 Green and blue infrastructure	<p>The Sustainability Appraisal Indictors grossly overstate the probable outcome of this policy, which is at best going to mitigate the worst consequences of the expected level of development. One of the measures to be used to assess this policy will be the “Gains in biodiversity provided by development” with the expectation of contribution from all developments. No measures are defined and in reality developers will make vague undertakings which will not materialise as envisaged. The other three indicators are not directly related to local plan activities.</p>
E5 Open space	<p>No specific comments.</p>
EC1 Meeting employment needs	<p>The public transport available in the borough is very limited. The lack of integration with London transport facilities and inclusion in a TFL zone limit force many people into cars for employment purposes.</p>
EC2 Retail needs	<p>The rise of online shopping is going to impact on the retail units that will be needed in the future and this should be taken into account in the Local Plan. Staines has been unable to attract and retain a mainstream supermarket and given the housing planned for the area and the expectation of reduced car usage this will present a major problem if not addressed</p>

EC3 Leisure and culture	No specific comments.
DS1 Place shaping	<p>This policy provides no methods by which objective assessments can be made and therefore is totally subjective. As the old policy H05 is to be replaced, there are to be no limits or target densities defined giving free rein to developers. This policy, in its current form, will leave the whole borough open to whatever developers consider to be “good design”, with no limits specified.</p> <p>In the 2019 Conservative manifesto it describes “Beautiful, high-quality homes. We will ask every community to decide on its own design standards for new development, allowing residents a greater say on the style and design of development in their area, with local councils encouraged to build more beautiful architecture.” It is not clear if this aspiration is consistent with the way the existing policy has been arrived at.</p>
DS2 Sustainable design and renewable/low carbon energy generation	<p>It would be a mistake to remove the requirement for a minimum of 10% renewable energy for all new housing. Not requiring any renewable energy for new developments would be a retrograde step. Whilst minimising the target emissions rate (TER) for a development is clearly a desirable objective, the inclusion of a requirement for a significant renewable element should be part of any energy efficiency strategy. Without some renewable energy, it is hard to see that the TER of a development will be minimised.</p> <p>It is noted that a TER of 20% below Building Regulations is only required on “greenfield sites” - a term which is not defined in the policy document.</p> <p>Whilst the policy includes objective Monitoring Indicators, there is no explicit requirement for individual developments to contribute to either of the first two indicators i.e. all applications could meet the policy with no net contribution.</p> <p>The policy supports the development of combined heat and power (CHP) and combined cooling, heat and power CCHP systems as being energy efficient. The Carbon Trust has noted that CHP works best “when the demand for heat is high and consistent” which is not the domestic environment.”³ They further state that “As the carbon intensity of grid electricity is expected to be reduced in the UK over the next 20 years, the benefits of micro-CHP relative to alternative heating systems will also fall.” Outside of major developments in central Staines it is very unlikely that any (C)CHP schemes would be cost-effective. It is also likely that any such schemes would have to be gas fuelled and make no contribution to renewable energy generation.</p>

³ Carbon Trust - Micro-CHP Accelerator Final report – March 2011 https://www.carbontrust.com/media/77260/ctc788_micro-chp_accelerator.pdf

DS3 Heritage conservation and landscape	No specific comments.
ID1 Infrastructure and delivery	<p>The policy document notes that “Growth within the Borough has often out-paced the provision of necessary infrastructure”. The 2019 Conservative manifesto said "Infrastructure first. We will amend planning rules so that the infrastructure – roads, schools, GP surgeries – comes before people move into new homes". There is a serious backlog of infrastructure provision across the borough and it is not sustainable to carry on in the current way. In the plan period it is proposed to build almost 10,000 new homes which will result in an increase of 20,000 residents. Whilst it is understood that the Infrastructure Delivery Plan is yet to be produced, past performance in this respect does not give any confidence that this will be sufficient or even delivered.</p> <p>Local infrastructure providers (notably Surrey CC and the NHS) have to date given no indication that they will be prepared to meet the predicted increases in demand. Many of the local facilities are over-stretched and there appear to be no realistic plans to address even these existing issues. The level of CIL being collected will do very little to help resolve existing issues. The undertaking to ensure that “the infrastructure will be provided in a timely manner” is at this time totally unsupported by any firm commitments from any of the relevant providers.</p>
ID2 Sustainable transport and new developments	<p>This policy contains many admirable aspects but does appear to have only a very tenuous grip on reality. There is currently no appetite or money available for the “provision and improvement of public and community transport” or for “funding to deliver the transport projects and highways improvements required to support the spatial strategy”. The strategy needs to be clear on the need for liaison with Surrey CC to improve the scope, frequency and operation hours of the bus service if reliance on car usage is to be reduced in future. It cannot be expected that developers will make contributions that will enable any significant public transport improvements. This policy should be reviewed once the Infrastructure Delivery Plan has been prepared.</p>