

Revocation of Supplementary Planning Guidance (SPG) (Planning, Policy & Economic Development)

Synopsis of report:

The purpose of this report is to ask Members to revoke three existing Supplementary Planning Guidance (SPG) documents; the Addlestone Town Centre Strategy (1999), Residential Extensions & Replacement Dwellings in the Green Belt (2004) and Trees, Woodlands & Hedgerows (2003).

The three SPGs are no longer supported by either national and/or local planning policies, have been largely superseded by other policies and guidance and are considered to be out of date attracting little or no weight in the decision making process.

Recommendation(s): The Planning Committee are recommended to RESOLVE to:

- i) **APPROVE** the revocation of the Addlestone Town Centre Strategy Supplementary Planning Guidance (SPG), Residential Extensions & Replacement Dwellings in the Green Belt SPG and Trees, Woodlands & Hedgerows SPG from 29th March 2023.

1. Context of report

- 1.1 To support the implementation of Local Plan policies, the Borough Council can prepare and adopt supplementary guidance which gives guidance and advice on how Local Plan policies should be interpreted and/or help guide development within a small area or a specific site.
- 1.2 Prior to the Planning & Compulsory Purchase Act 2004 (as amended) supplementary guidance took the form of Supplementary Planning Guidance (SPG) and following enactment Supplementary Planning Documents (SPD).
- 1.3 SPG adopted by the Council include the Addlestone Town Centre Strategy SPG (1999), Residential Extensions & Replacement Dwellings in the Green Belt SPG (2004) and Trees, Woodlands & Hedgerows SPG (2003). All of these SPG are still adopted documents even though the policies which supported them no longer exist, having been superseded on adoption of the 2030 Local Plan.
- 1.4 The Town & Country Planning (Local Planning) (England) Regulations 2012, sets out that local planning authorities can revoke SPD and when doing so take steps as it considers necessary to draw the revocation of the SPD to the attention of persons living or working in their area.
- 1.5 Whilst the three SPGs outlined in paragraph 1.3 of this report were prepared and adopted prior to the 2004 Act and 2012 Regulations, they were rolled forward when the Runnymede Local Plan (2001) policies were saved in 2007 and continued to be a material consideration until adoption of the current 2030 Local Plan. As such, the process for revoking SPDs set out in the 2004 Act and 2012 Regulations is considered to be applicable to SPGs.

2. Report and options considered

- 2.1 The Addlestone Town Centre SPG defined the 'shopping core' of the centre, sets out policy for change of use of premises, identified potential development sites and included design guidance. The proposed sites identified in the SPG have been redeveloped (Pyle Close adjacent Addlestone Rail Station and the Civic Offices/Addlestone One) and policy on use

classes and town centre boundaries have been superseded by Policy IE6 of the 2030 Local Plan. Guidance on design is now set out with the adopted Design SPD. As such, the advice and guidance in the Addlestone Town Centre SPG is now redundant.

- 2.2 The Residential Extensions & Replacement Dwellings in the Green Belt SPG, sets out guidance on how Policy GB6 of the 2001 Local Plan should be interpreted in terms of calculating floor area of buildings/extensions, permitted development rights, residential curtilage and outbuildings. Policy GB6 has been superseded by Policy EE14 of the 2030 Local Plan as well as updated national planning policy in the NPPF. As such, the SPG is now redundant.
- 2.3 The Trees, Woodlands & Hedgerows SPG sets out a series of FAQs with respect to trees, hedgerows and woodlands and how these will be treated in planning applications. The SPG supported Policies NE12 (Protection of Trees), NE13 (Tree Preservation Orders) and NE14 (Trees & Development Proposals) of the 2001 Local Plan, all of which have been superseded by the adopted 2030 Local Plan Policy EE11 (Green Infrastructure). Further guidance supporting Policy EE11 is also set out in an adopted Green & Blue Infrastructure SPD adopted by the Council on 24 November 2021 and as such the SPG is now redundant.
- 2.4 Given that all three SPGs are considered to be redundant following adoption of more recent national and local planning policy as well as supplementary planning documents (SPDs) it is considered that the three SPGs be revoked.

3. **Policy framework implications**

- 3.1 Supplementary Planning Guidance (SPG) and now Supplementary Planning Documents (SPD) do not form part of the Development Plan for Runnymede but are a material consideration in decision taking.
- 3.2 However, it is considered that the three SPGs proposed for revocation are out of date and are no longer supported by Local Plan policies. As such, they would hold only limited or no weight in decision taking and revocation would have no policy framework implications.

4. **Financial and resource implications**

- 4.1 There are no additional resource implications beyond that provided for within the agreed Planning Policy budget.

5. **Legal implications**

- 5.1 The Town & Country Planning (Local Planning) (England) 2012 Regulations set out the procedure for revoking SPD. Whilst it is necessary to bring to the attention of the public the decision by the Council to revoke, there is no requirement for consultation.

6. **Equality implications**

- 6.1 The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the need to:
 - a) Eliminate unlawful discrimination, harassment or victimisation;
 - b) Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
 - c) Foster good relations between those who share a relevant characteristic and persons who do not share those characteristics;

in relation to the 9 'Protected Characteristics' stated within the Act.

6.2 The revocation of the three SPG is currently being screened to establish whether there may be an impact whether positive or negative on any of the nine protected characteristics (namely, age, disability, race/ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage/civil partnership). The conclusion of a draft EqIA screening assessment has determined that a full EqIA assessment is not required. Confirmation of this conclusion will be verbally updated to Members of the Planning Committee on the evening of the Committee meeting. A copy of the draft EqIA screening is set out on the [Council's website with the Committee Agenda](#).

7. **Environmental/Sustainability/Biodiversity Implications**

7.1 The three SPGs are not part of the Development Plan for Runnymede and as such revocation is not subject to Sustainability Appraisal.

7.2 In accordance with the provisions of the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9 (1)), the Borough Council must determine if a plan requires an environmental assessment. In accordance with Regulation 105 of the Conservation of Habitats & Species Regulations 2017, the Borough Council is the competent authority for determining if a plan requires Appropriate Assessment.

7.3 Whilst the Council is not preparing plans in this instance, but instead revoking guidance in the form of adopted SPG, it is considered prudent to undertake an SEA/HRA screening determination to consider the effects of their revocation as the guidance will not be wholly replaced by other supplementary guidance or documents.

7.4 The conclusion of a screening determination is that SEA/HRA is not required for revocation of the three SPGs. The three statutory bodies (Environment Agency, Historic England, Natural England) were consulted with Historic England and Natural England agreeing with the conclusion of the screening determination. No response was received from Environment Agency within the statutory time limit for consultation. A copy of the SEA/HRA screening determination is set out on the [Council's website with the Committee Agenda](#).

8. **Other Implications**

8.1 None.

9. **Conclusion**

9.1 Planning Committee is asked to RESOLVE to:

- i) **APPROVE** the revocation of the Addlestone Town Centre Strategy Supplementary Planning Guidance (SPG), Residential Extensions & Replacement Dwellings in the Green Belt SPG and Trees, Woodlands & Hedgerows SPG from 29th March 2023.

(To resolve)

Background papers

- i) Draft Equalities Impact Assessment
- ii) SEA/HRA Screening Determination

Both background papers are set out on the Council's website with the Committee Agenda. [Agenda for Planning Committee on Wednesday, 22nd March, 2023, 6.30 pm – Runnymede Borough Council](#)