

'ACCESSIBLE HILLINGDON' SUPPLEMENTARY PLANNING DOCUMENT

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning and Transportation
Officer Contact	Charmian Baker/Ali Kashmiri, Planning & Community Services
Papers with report (all appendices circulated separately)	Accessible Hillingdon Supplementary Planning Document (SPD) (a) Amended document of September 2009 (Appendix 1) (b) Sustainability Appraisal 2009 (Appendix 2)

HEADLINE INFORMATION

Purpose of report	Cabinet approval is sought for a six week period of public consultation on the revised Accessible Hillingdon Supplementary Planning Document (SPD) and the associated Sustainability Appraisal.
Contribution to our plans and strategies	Council Plan Hillingdon's emerging Local Development Framework Hillingdon Partners Sustainable Community Strategy Hillingdon's Local Implementation Plan
Financial Cost	The costs of consultation will be approximately £2,500, which will be contained within the 2009/10 budget for Planning and Community Services.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	Borough-wide

RECOMMENDATION

That Cabinet:

1. Approves for consultation purposes the proposed revisions to the Accessible Hillingdon Supplementary Planning Document, and the associated Sustainability Appraisal, as contained in Appendices 1 and 2 of this report.
2. Instructs officers to undertake a six week consultation period with stakeholders in accordance with the Council's Statement of Community Involvement and to bring a report on the consultation response to a future Cabinet meeting.

INFORMATION

Reasons for recommendation

In the past few years there have been significant changes to planning policy including the implementation of the requirement for Design and Access Statements (Planning and Compulsory Purchase Order Act 2004) to accompany most planning applications, the revised London Plan Consolidated with Alterations (2008) and various amendments to Planning Policy Statement 3 (Housing) and PPS12 (Local Spatial Planning).

The original HDAS document 'Accessible Hillingdon', was compiled between July 2004 and 2005. Since its adoption in July 2006, there have been considerable developments in good practice regarding accessibility issues, including the new draft British Standard BS8300:2009 'Design of buildings and their approaches to meet the needs of disabled people'.

Accordingly a revised document was written and reported to Cabinet in September 2008. This updated guidance was prepared in accordance with the new British Standard. At that time a Sustainability Appraisal had not as yet been prepared. With the appointment of a new Access Officer, the document has been revised, to include more illustrations and a simplified text to make it easier to use.

The document now before Cabinet is accompanied by a Sustainability Appraisal, which provides an indication of the current accessibility of the Borough's buildings, and a rigorous examination of the legislative, policy and data collection context for the document. Although, since April 2009, this document is no longer a legal requirement, it was, nevertheless, considered to be good practice to assess the Accessibility guidance and its aims and objectives in this way.

Alternative options considered / risk management

It remains open to the Council to go out to public consultation on the 'Accessible Hillingdon' Supplementary Planning Document, as authorised in September 2008. However, it is considered that this revised document will be easier to use and more effective in its message. It is now accompanied by a Sustainability Appraisal.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

1. The 'Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document (SPD) was prepared as part of the emerging Local Development Framework (LDF) process in accordance with the requirements set out in the Town and Country Planning (Local Development (England) Regulations 2004. This comprised six sections on a range of topics, one of which is 'Accessible Hillingdon'.
2. 'Accessible Hillingdon' provides detailed advice and guidance on the provision of equal, easy and dignified access to buildings, places and spaces. Although not a statutory document, it had the status of a Supplementary Planning Document, as it had been through a formal consultation and adoption process, as set out for the Local Development Framework and associated documents. It was published in July 2006, and, since then, has been an important

material consideration in the determination of planning applications for new developments or alterations to existing buildings.

3. In 2008, 'Accessible Hillingdon' was updated to take account of recent legislation, in particular The Planning and Compulsory Purchase Order Act 2004, Circular 01/2006 (which made provision for Design and Access Statements to accompany planning applications), the GLA's guidance relating to Wheelchair Accessible Housing best practice, published in 2007 and the revised London Plan of March 2008, which placed more emphasis on the need for accessibility.

4. This document was reported to Cabinet on 18th September 2008. It included updated design guidelines for residential development, with more detailed guidance on minimum floor space standards and recommended standards for cooking, eating and living areas. Updated and additional information was also included for public and commercial buildings, for example design guidance for lifts, consideration of lighting schemes to assist the visually impaired and the relative merits of hearing enhancement schemes. Authorisation was given to go out to public consultation, in line with the Council's Statement of Community Involvement, and following the preparation of a Sustainability Appraisal.

5. The new Access Officer has completed the Sustainability Appraisal and improved the document's layout and presentation, so that the design guidance is clearer, more succinct and easier to follow, uses less jargon and is illustrated with attractive drawings, diagrams and photos. There has also been a need to update legislation and guidance, and additional information has been added to help clarify the position regarding residential accommodation. The changes in the latest version include:

1. Detailed guidance on accessible housing, so as to advise developers how to meet London Plan Policy 3A.5. Also clarification regarding the numbers of lifts needed in blocks of flats.
2. Guidance on 'changing places' toilet facilities.
3. Emphasis on the need to provide reliable means of escape a new developments to allow people who are not able to use stairs to evacuate independently.

Sustainability Appraisal

The preparation of a Sustainability Appraisal for each Local Development Framework document was a requirement set out in the Planning and Compulsory Purchase Act 2004 until 6 April 2009, although guidance is awaited from DCLG as to what replaces it. However, a Sustainability Appraisal for this revised document has been completed as it is considered to be good practice in terms of providing a sound basis and context for the Supplementary Planning Document (see Appendix 2).

Financial Implications

The costs of consultation will be approximately £2,500 which will be contained within the 2008/09 budget for P&CS.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

Residents, Service Users and the Borough's various Communities will have an opportunity to influence the revised 'Accessible Hillingdon' through the public consultation. The updated and improved access standards contained in 'Accessible Hillingdon' will benefit disabled and older people in particular.

Consultation Carried Out or Required

It is proposed to carry out a 6 week consultation on the draft revisions to 'Accessible Hillingdon' with all stakeholders, in accordance with the Council's adopted Statement of Community Involvement. The consultation document will also be published on the Council's website and copies will be distributed to all borough libraries, to Hayes One-Stop Shop and Planning Reception. In addition, a drop-in session at Uxbridge Library will be offered to anyone wanting to talk to the Access Officer in person about the document, and the Access Officer will also offer to talk to forthcoming meetings of Council Forums.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that any associated costs can be accommodated within existing P&CS revenue budget for 2009/10.

Legal

There are two forms of local development documents: - supplementary planning documents and development plan documents. A supplementary planning document (SPD) is a statutory document, and the legal requirements in relation to its preparation and adoption as a local development document are prescribed by the Town and Country Planning (Local Development) (England) Regulations 2004 (the 2004 Regulations). An SPD must be produced in accordance with the 2004 Regulations.

This report deals the approval by Cabinet of the third step of the three main steps in the SPD procedure. The 2004 Regulations require that:

- a SPD is published and open to consultation for a period of not less than 4 weeks and not more than 6 weeks (regulation 17);
- the consultation responses and representations are considered by the local planning authority (regulation 18);
- the SPD is adopted by the local planning authority (regulation 19).

The council's constitution requires the Cabinet to collectively take key decisions to amend its policy framework.

Consideration of representations

A local planning authority shall not adopt an SPD until they have considered any representations made in accordance with paragraph; and have prepared a statement setting out a summary of the main issues raised in these representations, and how these main issues have been addressed in the SPD which they intend to adopt.

Procedure after resolution to adopt (if appropriate)

As soon as reasonably practicable after the local planning authority adopt an SPD they must make it available for inspection during normal office hours at the places at which the SPD was made available for consultation (and on their website)

- (i) the statement of the main issues raised in representations and how they were addressed and
- (ii) an adoption statement, and
- (iii) the SPD;

The local planning authority must also send the adoption statement to any person who has asked to be notified of the adoption of the SPD.

Decision making

Section 38 of the Planning and Compulsory Purchase Act 2004 places a duty on the local planning authority, and the Secretary of State to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

An SPD does not form part of the development plan. However, the SPD will form part of the Local Development Framework, and it will be a material consideration for the determination of planning applications on the Former NATS site. The weight to be given to an SPD is a matter for the decision maker.

An amendment made to section 19(5) of the Planning and Compulsory Purchase Act 2004 by the Planning Act 2008, means that since April 6, 2009 the Supplementary Planning Document has not required a Sustainability Appraisal. Nonetheless, it was considered good practice to undertake it.

BACKGROUND PAPERS

NIL