

# ACCESSIBLE HILLINGDON: SUPPLEMENTARY PLANNING DOCUMENT (SPD)

<b>Cabinet Member(s)</b>	Cllr. Keith Burrows
<b>Cabinet Portfolio(s)</b>	Planning, Transportation and Recycling
<b>Officer Contact(s)</b>	Charmian Baker / Ali Kashmiri Residents Services
<b>Papers with report</b>	Draft Revised Accessible Hillingdon Supplementary Planning Document (SPD)  <b><u>NOT INCLUDED WITHIN AGENDA:</u></b> <b><u>AVAILABLE AS REFERENCE COPY IN GROUP OFFICES</u></b>

## **1. HEADLINE INFORMATION**

<b>Summary</b>	Cabinet approval is sought for a six week period of public consultation on the Draft Revised Accessible Hillingdon Supplementary Planning Document
<b>Contribution to our plans and strategies</b>	Hillingdon's emerging Local Plan Hillingdon Partners Sustainable Community Strategy
<b>Financial Cost</b>	The cost of consultation will be approximately £100, which will be contained within the 2012/13 budget for Residents Services
<b>Relevant Policy Overview Committee</b>	Residents' and Environment Services Policy Overview Committee (RESPOC).
<b>Ward(s) affected</b>	Borough-wide

## **2. RECOMMENDATION**

That the Cabinet:

- 1) **Notes the contents of the Draft Revised Accessible Hillingdon Supplementary Planning Document.**
- 2) **Approves the Draft Revised Accessible Hillingdon Supplementary Planning Document for public consultation.**
- 3) **Grants delegated authority to the Deputy Chief Executive and Corporate Director of Residents Services to agree, in consultation with the Cabinet Member for Planning, Transportation and Recycling, any minor editing and textual changes to**

**the Draft Revised Accessible Hillingdon Supplementary Planning Document, before it is formally published.**

- 4) Approves the Draft Revised Accessible Hillingdon Supplementary Planning Document as a material consideration for the purposes of development management.**
- 5) Instructs officers to report back to a future meeting of Cabinet on the outcome of the public consultation and recommendations for changes to the document prior to its consideration for adoption by full Council.**

#### **Reasons for recommendation**

Since the adoption of the current Accessible Hillingdon Supplementary Planning Document (SPD) in January 2010 there have been a number of changes in planning policy and legislation pertinent to accessibility and inclusive design, at both the national and local level, in addition to changes in Best Practice and other technical guidance. Furthermore, the Council seeks to ensure that the planning process is instrumental in securing the provision of Brown Badge parking spaces as part of new development proposals. Thus the updating of the SPD was considered to be necessary.

#### **Alternative options considered / risk management**

It remains open to the Council to retain the existing SPD document. However, the guidance contained in it is out of date, as is the legislation and much of the national policies to which it refers. Its influence is therefore weakening over time.

#### **Policy Overview Committee comments**

None at this stage

### **3. INFORMATION**

#### Supporting Information

1. The Accessible Hillingdon SPD provides detailed advice and guidance on the provision of equitable, easy and dignified accessibility to buildings, places and spaces. Although not a statutory document, it has the status of a Supplementary Planning Document, as it has been through a formal consultation and adoption process as defined by statutory planning regulations. The SPD was first adopted in July 2006 and has since undergone a number of revisions, the last being in January 2010.
2. It has now been updated to take account of the following recent changes to legislation, Government and local policy:
  - The Disability Discrimination Act has been subsumed into the Equality Act 2010 as has a large part of the Special Educational Needs and Disability Act 2001.
  - The new London Plan, 2011 has revised all policies relating to accessibility and inclusion. These amendments are summarised in the policy section of the draft

revised Accessible Hillingdon SPD document and have been included in the guidance throughout the document in all relevant sections.

- In November 2012, Cabinet adopted the relevant policies from the former Core Strategy as 'Hillingdon Local Plan; Part 1 – Strategic Policies.
- The National Planning Policy Framework (March 2012) replaced many of the former Planning Policy Guidance Notes and Planning Policy Statements.
- Accessible Hillingdon has been updated to maximise the application of UDP Saved Policy AM15, to include detailed guidance on the provision for Blue Badge and Brown Badge parking spaces.
- Wheelchair Home Standards guidance has been significantly improved to provide more detail on the technical standards to which the Council aspires. The standards are fundamentally based on the Greater London Authority's best practice guidance 'Wheelchair Accessible Housing' document. Many of the technical drawings included in the revised draft SPD are based on those contained within the 'Wheelchair Housing Design Guide', second edition, with permission given to the Council by the copyright holder.
- Lifetime Home Standards have been updated by Habinteg, in collaboration with some of the major national house builders. Many of these new standards are considered by accessibility professionals to have downgraded the standard of accessibility achieved by the previous pre-July 2010 Lifetime Home Standards. Therefore, the only revised standards which have been included in the revised draft SPD are those which promote a design for new homes which enable maximum flexibility, with a resulting reduction in cost to the Council of post-construction adaptations to homes as people age, acquire a disability or move home.

3. Appendix 1 includes the draft revised Accessible Hillingdon SPD. The additions are highlighted with italics and the deletions are shown with 'strikethroughs'.

### **Financial Implications**

The costs of consultation will be approximately £100, which would be contained within the 2012/2013 revenue budget for Residents Services.

## **4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendation?**

Residents, service users and the Borough's various communities including organisations of disabled people, will have an opportunity to influence the draft revised Accessible Hillingdon SPD through the public consultation. The updated and improved access standards contained in draft revised Accessible Hillingdon SPD will be of particular benefit to those designing buildings or landscapes in the public realm and this in turn will help to provide improved accessibility for the community at large.

## **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, and Planning Reception. In addition, the Access Officer will seek the views of local older and disabled people, through informal dialogue and presentations to forthcoming meetings of the Council's Older People's Forum, the Access & Mobility Forum, and through outreach to member led organisations including organisations of disabled people.

## **5. CORPORATE IMPLICATIONS**

### **Corporate Finance**

Corporate Finance has reviewed this report and concurs with the financial implications set out above, noting that all costs detailed in this report will be contained within existing Residents Services budgets.

### **Legal**

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.

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).

Whilst the Council's constitution makes it clear that the Cabinet are responsible for developing the policy framework, the Council's constitution also states that it is full Council who must formally adopt documents forming part of the Local Development Framework (such as SPDs).

### **Consideration of representations**

A local planning authority shall not adopt an SPD until they have considered any representations made 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 Council's Local Development Framework and it will be a material consideration in the determination of all relevant planning applications. 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.

### **Corporate Property and Construction**

Corporate Property and Construction supports the recommendations set out in this report.

### **Relevant Service Groups**

The Council's Planning Policy Team have been involved throughout the revision process of the draft revised Accessible Hillingdon SPD.

## **6. BACKGROUND PAPERS**

NIL