

# LOCAL PLAN - REGULATION 18 CONSULTATION

<b>Cabinet Member(s)</b>	Cllr Eddie Lavery
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Residents' Services
<b>Officer Contact(s)</b>	Gavin Polkinghorn – Team Leader Planning Policy Planning, Regeneration and Environment, Central Services
<b>Papers with report</b>	Appendix 1: Consultation Material for Local Plan Regulation 18 Consultation Appendix 2: Integrated Impact Assessment Scoping Report. Appendix 3: Draft Local Development Scheme <b>(Appendices circulated separately)</b>

## HEADLINES

<b>Summary</b>	<p>This report seeks Cabinet agreement to undertake a public consultation on the Local Plan in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations. A draft version of the consultation document is provided (Appendix 1). This decision also seeks approval for a number of other related steps that are deemed necessary to progress the Local Plan after the Regulation 18 Consultation.</p>
<b>Putting our Residents First</b>  <b>Delivering on the Council Strategy 2022-2026</b>	<p>This report supports our ambition for residents to:</p> <ul style="list-style-type: none"><li>• Live active and healthy lives,</li><li>• Enjoy access to green spaces, leisure activities, culture and arts,</li><li>• Live in a sustainable borough that is carbon neutral,</li><li>• Be/feel safe from harm,</li><li>• Live in good quality, affordable homes in connected communities,</li><li>• Stay living independently for as long as they are able,</li><li>• Achieve well in education, with opportunities for learning at all ages, and</li><li>• Have opportunities to earn an income that supports their families.</li></ul> <p>This report supports our commitments to residents for:</p> <ul style="list-style-type: none"><li>• Safe and strong communities,</li><li>• Thriving, healthy households,</li><li>• A green and sustainable borough, and</li><li>• A thriving economy.</li></ul>

<b>Financial Cost</b>	The costs of the Local Plan work including the estimated £3k cost arising from Recommendation 1 below to approve the Regulation 18 Consultation are funded from the existing Planning Service revenue budget.
<b>Relevant Select Committee</b>	Residents' Services Select Committee
<b>Relevant Ward(s)</b>	All Wards.

## RECOMMENDATIONS

**That the Cabinet:**

1. **Authorise Regulation 18 consultation for the Hillingdon Local Plan using the draft document (Appendix 1) as the basis for the consultation and consulting on the Integrated Impacts Assessment Scoping Report (Appendix 2);**
2. **Delegates authority to the Director of Planning, Regeneration and Environment, in consultation with the Cabinet Member for Residents' Services, to make any necessary editorial amendments and minor changes to the appendices prior to consultation;**
3. **Notes that completed documents forming part of the evidence base will be published alongside the two appendices;**
4. **Endorse and recommend the revised draft Local Development Scheme (Appendix 3) for adoption by Full Council;**
5. **Delegates authority to the Director of Planning, Regeneration and Environment, in consultation with the Cabinet Member for Residents' Services, to make any necessary editorial amendments and minor changes to the Local Development Scheme prior to agreement by Full Council; and**
6. **Authorise post consultation Local Plan work, including preparing a consultation report outlining responses to the Regulation 18 consultation and a subsequent Regulation 19 consultation with draft Local Plan policies, that will be brought back to Cabinet for approval.**

### Reasons for recommendation

The planning system is 'plan-led' whereby planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. A Local Planning Authorities' Local Plan forms the key part of the development plan and sets policies for their area. The National Planning Policy Framework (NPPF) directs that each Local Planning Authority should have a Local Plan. Failure to have an up to date adopted Local Plan reduces the

Local Planning Authority's ability to control development in accordance with local policies and priorities.

This decision, if approved, will authorise the first public consultation in the Local Plan process. The new Local Plan will replace the existing policies which were adopted in 2012 and 2020. Reviews at least every five years are a legal requirement for all local plans.

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

An alternative is to not update the Local Plan. The risk of this would be that Hillingdon's local planning policies would be considered out of date and there would be no mechanism to create new planning policies to respond to the challenges of building homes, allowing the economy to grow, and protecting character, amenity and green spaces. In decision making, the Council would not be able to place appropriate weight on policies which are out of date leading to inappropriate development. The Council would also be at higher risk of losing planning appeals and receiving applications for cost.

The Regulation 18 stage consultation is limited to seeking views on what the Local Plan should contain and consulting on the Integrated Impact Assessment (IIA) evidence base. In this stage the Council does not draft or adopt new local planning policies and as such there are no identified risks to disrupting the existing decision-making process on planning applications.

### **Democratic compliance / previous authority**

Cabinet is the requisite body to initiate a review to the Local Plan and to initiate consultation on it, with ultimately this forming part the Council's policy framework to be adopted by the full Council. As part this review process, Democratic Services note that the Local Development Scheme, if agreed, will need to be presented to a subsequent meeting of the full Council.

### **Select Committee comments**

The Residents' Services Select Committee will be engaged and consulted as part of the Local Plan review process.

## **SUPPORTING INFORMATION**

### **Introduction and background**

1. The purpose of this document is to seek approval to undertake the Hillingdon Local Plan Regulation 18 consultation using Appendix 1 as the basis for consultation. This document seeks to gather issues and feedback from residents and stakeholders on what the Hillingdon Local Plan ought to contain and ask for feedback on broad policy directions. The responses from this consultation will be considered by the Council when drafting the Hillingdon Local Plan.

2. The new Local Plan would replace the Hillingdon adopted Local Plan:

- Hillingdon Local Plan Part 1: Strategic Policies (adopted 2012)
- Hillingdon Local Plan Part 2: Development Management Policies (adopted 2020)
- Hillingdon Local Plan Part 2: Site Allocations (adopted 2020)

The Local Plan is important because through its planning policies it shapes the future development of the London Borough of Hillingdon. The Local Plan, alongside the adopted London Plan (2021), sets the overall spatial strategy for new development in the borough, as well as detailed policies covering housing, economic development, the environment, design, heritage, transport and infrastructure. The Local Plan will be key to delivering Hillingdon's Corporate Strategy.

3. Work has been underway on the Local Plan since 2023 to gather evidence, establish governance arrangements and programme the project. Evidence gathering is well underway with some reports completed and a programme of evidence gathering planned throughout 2024.
4. It is important to commence the Local Plan review now to ensure that the majority of adopted policies will be updated before they are five years old (the starting point for considering if a policy is out of date).
5. The Local Plan programme is currently being developed. At present the next major phase of the programme is proposed to be consultation on the Proposed Submission Local Plan in early 2025. This is a shortened programme to meet the governments deadline for Local Plans to be submitted under the current system by 30 June 2025. This programme may change as new information comes to light on the implications of this deadline, including the Government publishing details on the new planning system, planned for November 2024.
6. A Local Plan Governance Board has been established to steer the project. Two meetings have taken place and meetings are held every eight weeks. The Governance Board comprises:
  - Leader of the Council,
  - Cabinet Member for Residents' Services,
  - Chief Executive,
  - Corporate Director of Central Services,
  - Place Directorate
  - Director of Planning, Regeneration and Environment,
  - Head of Strategic Planning and Regeneration,
  - Planning Policy and Infrastructure Manager, and
  - Planning Policy Team Leader.

## Consultation

7. The consultation proposed is a formal statutory public consultation which will be carried out in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, specifically Part 6, Regulation 18.

8. The Regulation 18 consultation document (Appendix 1) sets out the content which is proposed to be utilised for the consultation. Consultation is proposed to be undertaken shortly following the Cabinet decision and to run for a minimum of six weeks. It will be undertaken in line with both the regulations and the Council's own Statement of Community Involvement (2021). Officers will continue to work with the Communications Service and Customer Engagement Team to ensure the consultation aligns with best practice.
9. The Council will undertake the following consultation actions:
  - Publish the questionnaire (based on Appendix 1) and details of how to respond and deadlines for comments on the Council website.
  - Make hard copies of the questionnaire and consultation details available for inspection at the Civic Centre reception.
  - Send emails to all contacts on the Hillingdon Planning Policy Consultation Database, including statutory consultees. Letters will be sent to contacts without email addresses.
  - Place notices at key locations around the borough.
  - Post information on the Council's social media accounts leading up to and during the consultation period.
  - Hold workshops: a minimum of one in-person and one online to present the Local Plan and answer questions from residents and stakeholders.
  - Place a notice in the West London Gazette.
10. The above consultation activities exceed the minimum consultation requirements set out in the regulations and in the Hillingdon Statement of Community Involvement 2021. By using social media, in person and online meetings and notices in key locations and in the local newspaper the proposed consultation goes beyond the statutory minimums to reach a broad range of residents and stakeholders and ensure an effective consultation.
11. Following the consultation, the Council will consider the responses received when preparing the Local Plan. The Council will prepare a consultation report setting out the consultation activities undertaken, a summary of the responses received and how they have been considered in drafting the Local Plan. This report will be published along with the Local Plan in the following stage of consultation. The next stage in the Local Plan will be subject to a separate Cabinet decision.

## Questionnaire

12. The Regulation 18 Consultation Document (Appendix 1) takes the format of a questionnaire. The document has been developed to help stakeholders focus their representations on matters which the Local Plan can address to improve the quality and relevance of consultation. The document is broken into 10 topic areas:
  - Objectives and vision
  - Growth and spatial strategy
  - Design
  - Housing
  - Social infrastructure

- Economy
  - Heritage and culture
  - Green infrastructure and natural environment
  - Sustainable infrastructure
  - Transport
13. For each topic area the questionnaire summarises key challenges, existing approach, what the Local Plan needs to achieve, and asks for feedback on these matters and what the Local Plan ought to contain. For some topic areas more directed questions have been included for policy matters which the Council has identified may need to be specifically addressed in the Local Plan.

#### Open space evidence

14. The questionnaire invites residents and stakeholders to submit evidence for the Council's Open Space Review to improve the study and take advantage of local knowledge. The Council is undertaking a review of open spaces in the borough which will be an evidence document for the Local Plan. As part of the Regulation 18 consultation the Council will invite residents and stakeholders to submit open spaces for assessment in the study. The scope of the open space review is open spaces that fall within the typologies set out in Appendix 1.

#### Call for Sites – additional consultation

15. The Council undertook a call for sites exercise to gather information on land that individuals or organisations may consider having development potential. This exercise ran from Friday 26 May to Friday 29 September 2023. The results of this exercise will form part of the evidence gathering for the review of the Local Plan. The Council received a number of submissions and is now in the process of reviewing and assessing these sites.
16. To ensure the Council has an up-to-date evidence base the Council will open the call for sites again for the period the call for views consultation. Stakeholders are again invited to submit sites they consider having development potential. The call for sites is for sites greater than 0.25 ha in area, able to accommodate 10 or more homes or 1,000 sqm or more of non-residential floorspace.

#### **Integrated Impact Assessment (IIA) Scoping Report**

17. The Local Plan will be subject to an Integrated Impact Assessment. This assessment includes Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA), Equalities Impact Assessment (EqIA), Community Safety Impact Assessment (CSIA), and Health Impact Assessment (HIA). The Council has started the IIA process by collecting baseline information in an IIA Scoping Report (Appendix 2). In line with best practice, the Council proposes consulting on the IIA Scoping Report in the Regulation 18 consultation. The IIA Scoping Report has been through an initial consultation stage in December 2023 to January 2024 where a draft report was shared for comment with statutory consultees and relevant key stakeholders. The IIA scoping report has been updated after consideration of representations from these stakeholders.
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## Publication of evidence documents

18. The Council is preparing a suite of up-to-date evidence documents to support production of the Local Plan. The evidence documents cover a wide range of topics including economic, environmental, design, housing, transport, infrastructure and viability. It is proposed that the Council publishes evidence documents that are complete at the time of Regulation 18 consultation. This will comprise:
- Hillingdon Townscape and Character Study 2023 (Urban Initiatives)
  - Hillingdon Employment Land and Capacity Study 2023 (Avison Young)

## Next steps

19. Following the decision, if approved, the Council will undertake the Regulation 18 consultation as soon as practical. Consultation responses will be reviewed by the Council and will inform preparation of the draft Local Plan. Local Plan work, including collecting evidence and drafting policies will proceed throughout 2024 and into 2025.
20. A separate approval by Cabinet will be required for the next stage of consultation (Regulation 19) of the Local Plan, which will involve consultation on a full set of policies. As set out in Appendix 3, a revised draft Local Development Scheme (Appendix 3) has been prepared for endorsement and progression to the next appropriate Full Council meeting.
21. In accordance with Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) the London Borough of Hillingdon ('Hillingdon') must prepare and maintain a Local Development Scheme (LDS). The LDS is a three-year project plan for the preparation of new planning policy documents. Officers will be revising the LDS accordingly and proposing a new version for agreement at the next available Full Council meeting.

## Financial Implications

22. The costs of the Local Plan work including the estimated £3k cost arising from Recommendation 1 above to approve the Regulation 18 Consultation are funded from the existing Planning Service revenue budget. Officers will seek to manage costs associated with the consultation, utilising economical approaches wherever possible, whilst ensuring it remains effective and far-reaching. Costs will be funded from within the Planning Service revenue budget.

## RESIDENT BENEFIT & CONSULTATION

### The benefit or impact upon Hillingdon residents, service users and communities?

23. The Local Plan will benefit Hillingdon residents, service users and communities by providing an up-to-date suite of planning policies which help achieve the aims of the

Council Strategy and help achieve sustainable development, including building homes, supporting economic growth, conserving heritage, improving design and accessibility, and protecting green spaces and community facilities. The full effects on Hillingdon residents, service users and communities will be thoroughly tested through the IIA.

### **Consultation carried out or required**

24. This decision is to allow the first stage of formal consultation for the Local Plan (regulation 18 stage). As set out above, the results of the consultation will feed into the next stage of the Local Plan, which will be a further consultation subject to a separate Cabinet decision.

## **CORPORATE CONSIDERATIONS**

### **Corporate Finance**

Corporate Finance have reviewed this report and concur with the Financial Implications set out above, noting there are no material financial impacts associated with the recommendations included in this report, with £3k of expenditure required to support the consultation that will be met from within the approved budget.

### **Legal**

The Planning and Compulsory Purchase Act 2004 requires the LPA to prepare its Local Plan in accordance with the local development scheme and have regard to policies and plans including national policies, the London Plan, national waste management plan, and policies developed by a local transport authority, any other local development document adopted by the LPA.

When preparing the Local Plan, the LPA must comply with consultation requirements set out in Regulation 18 of The Town and Country Planning (Local Planning) Regulations 2012 (“the Regulations”) and ensure that it consults with specific consultation bodies as defined in Regulation 2 of the Regulations and where the LPA considers that such bodies may have an interest in the proposed local plan. Any representations received will have to be taken into account before proceeding to a formal consultation on the documents that are proposed to be submitted together with the statement of the representations procedure (“Regulation 19”).

### **Property**

Property Services support the proposal.

## **BACKGROUND PAPERS**

- [Hillingdon Townscape and Character Study 2023 \(Urban Initiatives\)](#)
- [Hillingdon Employment Land and Capacity Study 2023 \(Avison Young\)](#)