

HILLINGDON LOCAL DEVELOPMENT FRAMEWORK: PRE-SUBMISSION DRAFT CORE STRATEGY

Reporting Officer: Head of Democratic Services

SUMMARY

This report presents the Local Development Framework Pre-Submission Draft as a policy framework document and seeks approval to proceed with arrangements to submit the Draft Core Strategy to the Secretary of State for an Examination in Public, following Cabinet endorsement on 28 July 2011. Submitting the documents to the Secretary of State will enable the Council to make meaningful progress on the Local Development Framework Core Strategy in order to meet targets approved by the Mayor of London in the Council's Local Development Scheme.

The Core Strategy will in due course replace the Unitary Development Plan Saved Policies, 2007. Strategic policies in the Core Strategy are intended to provide a more up-to-date framework to determine planning applications forming a material consideration alongside the Unitary Development Plan and the London Plan, Consolidated with Alterations 2008, and the Replacement London Plan 2009.

The Core Strategy has been drafted to reflect the provisions of the emerging Replacement London Plan on key issues such as housing, employment growth and nature conservation. The version approved by Cabinet in July was prepared soon after publication of the London Plan Examination in Public Panel report in May. It took account of the Panel's recommendations to include:

- 1) an aspirational target for 50% of all new housing in London to be provided as affordable housing; and also
- 2) to include sub regional targets for gypsy and traveller pitch provision across London.

The London Plan was subsequently adopted and published on 22 July 2011. The Mayor chose not to accept these recommendations. Instead the adopted London Plan encourages boroughs to seek to maximise affordable housing provision and sets an overall annual target for London of 13,200 new affordable homes. With regards to gypsy and traveller pitch provision the Mayor expects boroughs to assess the needs of these groups and make appropriate provision in consultation with local communities.

Policies H2 (Affordable Housing) and H3 (Gypsy and Traveller Pitch Provision) in the Core Strategy will need to be further amended in order to reflect the wording that is now contained in the adopted London Plan on these particular issues. Officers intend to propose further amendments in this regard at the Core Strategy Examination in Public. Members should note that if any further amendments are required to the Core Strategy in order to adhere to the terms of the July 2011 London Plan, such amendments will also be put forward by officers at the Examination in Public.

Appendix 3 – the Pre-Submission Draft Core Strategy has been circulated to all Members as part of this agenda.

Appendix 1 (Consultation report), Appendix 2 (schedule of proposed changes) and Appendix 4 (Sustainability Appraisal) are all available as reference copies in Group Offices and available for public inspection and also on the Council's website.

RECOMMENDATION: That the:

- **Local Development Framework Pre-Submission Draft Core Strategy**
- **Schedule of Proposed Changes**
- **Report of Consultations on the Pre-Submission Draft Core Strategy**
- **Consultation Statement for the Consultation Draft Core Strategy and**
- **Final Sustainability Appraisal Report**

be submitted to the Secretary of State for formal examination and that the Deputy Chief Executive, Corporate Director of Planning, Environment, Education & Community Services, in consultation with the Cabinet Member for Planning, Transportation and Recycling, be authorised to make any further minor amendments required during the examination stage.

INFORMATION

The Local Development Framework Core Strategy - Background

1. The Core Strategy is a spatial plan, providing the strategic vision and direction for new development through to 2026. It aligns closely with the Sustainable Community Strategy and conforms to the Mayor of London's London Plan.
2. The drafting of the Core Strategy has taken into account relevant planning legislation, national planning policy statements; on-going advice from the Government Office for London and the Planning Inspectorate, and also from lessons learnt from professional planning bodies and agencies, in particular the Planning Advisory Service (PAS). In summary the Core Strategy has evolved from the following documents:
 - Issues and Options (Spring 2005)
 - Preferred Options (Autumn 2005)
 - Revised Preferred Options (Spring 2007)
 - Consultation Draft (June 2010)
 - Pre-Submission Draft (February 2011)

The Consultation on the Pre Submission Core Strategy

3. At a meeting on 18 November 2010, the Cabinet agreed to approve the Pre-Submission Draft Core Strategy for public consultation and requested that the results of the consultation be reported to a future meeting, which was on 28 July 2011.
4. The detailed arrangements made to involve the public and key stakeholders in consultations on the Draft Core Strategy have followed the approach set out in the Council's Statement of Community Involvement (SCI) adopted in November 2006. The SCI sets out a minimum of six weeks for public consultations for each of the stages in the plan making process. Consultations on the Draft Core Strategy were carried out over a six-week period between 9 February and 25 March, 2011.
5. During this period:
 - Press notices were published in the Hillingdon Leader, Gazette series (all Hillingdon editions) and in the London Gazette on the 9 February.

- Consultation documents were available for viewing and comment at all borough public libraries, the Hayes One Stop Shop, and the Planning Information Services section at the Uxbridge Civic Centre.
 - Public information displays on the Draft Core Strategy were exhibited at Uxbridge Library and at Planning Information Services, Civic Centre, Uxbridge.
 - Six information drop in sessions were held at Ruislip Manor, Uxbridge and Botwell libraries.
 - An article was placed in Hillingdon People in the January 2011 edition and an audio advertisement was placed in Hillingdon talking Newspaper for the visually impaired.
 - The consultation was also advertised on the Council's Website from 9 February.
6. A number of local events and meetings were also attended by officers to raise awareness and encourage discussion about the draft Core Strategy. These included the:
- Youth Council (10 January)
 - West Drayton Town Partnership (12 January)
 - Hillingdon Motorists Forum (12 January)
 - Older Peoples Steering Group (12 January)
 - Cleaner Greener Group (25 January)
 - Hayes Town Partnership (7 February)
 - Local Strategic Partnership - Executive Meeting (8 February)
 - Hillingdon Force - Older People's Steering Group (18 February)
 - Yiewsley Community Fair (26 February)
 - Yiewsley & West Drayton Town Centre Partnership (2 March)
 - Hillingdon Interfaith Network (2 March)
 - Access and Mobility Forum (7 March)
7. Approximately 3,000 letters and emails were sent to various groups and individuals, inviting comments on the consultation documents. The letters included a brief summary about the draft Core Strategy, where to view it and how to provide comments. Relevant groups were also provided with a CD Rom. Responses were invited on-line, by email, by completing a Consultation Response Form, by letter or fax.
8. All elected Members and local MPs were posted a letter explaining the consultation process and an invitation to a drop-in session, with a hard copy of the Consultation Draft Core Strategy delivered to the group offices, with additional hard copies delivered upon request. A letter and CD-Rom was sent to all statutory consultees (119). Residents Associations (115) were also sent a letter and CD-Rom.
9. Letters were also sent to 50 randomly selected residents per ward from the electoral register (1100) and to 197 randomly selected businesses from the 2008 Hillingdon Business Directory.
10. Two drop-in information sessions for Council Members were held at the Civic Centre during the evening on 16 February and 1 March.

The Local Development Framework Pre-Submission Draft Core Strategy – Consultation Results

11. Over 570 responses from 128 organisations and individuals were received on the various chapters, policies and proposals. A full set of responses received is attached at Appendix 1 to this report together with a list of people and organisations making representations. The main areas of concern which arose are summarised below:
- a. **Green Belt designations:** some objectors from commercial organisations consider it anomalous that the Green Belt designation continues to cover the Terminal 5 site at Heathrow. Some objectors also consider that designations in the north of the borough no longer fulfil a true Green Belt function and sites should be released for housing or other uses. The officer response is that various detailed Green Belt designations will be reviewed along with a series of other site designations as part of work for the forthcoming Site Allocations development plan document. The Core Strategy simply shows the broad extent of the Green Belt in the borough.
 - b. **Heathrow:** one major airline has requested that the Core Strategy should:
 - recognise that land should be reserved to enable future consideration of the need for Runway Three – it should not be released for other uses which would jeopardise future development of a third runway;
 - permit airport-related hotel and employment development in line with anticipated demand;
 - allow for more intensive use of the runways; and
 - remove the Council's opposition to supporting greater numbers of flights.

The officer response is that it would not be reasonable to effectively safeguard land originally required for the Runway 3 proposal in case the Government reconsiders the case for it at some future date. Officers have also re-iterated the Council's position that land at the Airport is finite and should be primarily used for operational purposes and that it remains opposed to more intensive use of the runways or greater numbers of flights.
 - c. **Employment Land:** some commercial organisations believe the borough's population growth projections require more employment land to be released than that identified in the Core Strategy. The officer response is that the current housing trajectory data does not require further land releases in the light of work on the Strategic Housing Land Availability Assessment. Future work on a Site Allocations Development Plan Document may also identify further sites available for housing development which are not on existing employment land.
 - d. **Retailing:** several major supermarket operators consider the borough should have a more updated retail study, e.g. in view of recent housing development and that planned in the borough. In response, officers have noted the recent comparison retail study position statement and suggest that a further major retail study could be undertaken relatively early following adoption of the Core Strategy. Preparation of a Site Allocations Development Plan Document may also bring forward sites which offer further retail development potential in the borough.

- e. **Heathrow Opportunity Area Boundary:** some local organisations have asked that the Opportunity Area boundary should be clearly set out in the Core Strategy. The officer response is that the Opportunity Area is a proposal in the London Plan and that it remains for the Mayor of London to issue details of the intended Opportunity Area boundary.
- f. **Mayor of London – London Plan conformity:** the Mayor has raised two issues of general conformity with the London Plan and has asked the borough to amend the Core Strategy to address these issues. As there will be three Crossrail stations in the borough at Heathrow, West Drayton and Hayes, he requests that the Core Strategy makes reference to Crossrail specifically as a strategic infrastructure project; and that it highlights the relevant London Plan Policies and Supplementary Planning Guidance under which Section 106 funding will be sought from office and retail development through Planning Obligations and the proposed Mayor's CIL. Officers intend including these references within the Core Strategy as required by the Mayor.

The Mayor has also requested that Policy EM11 on Sustainable Waste Management should clearly set out the waste apportionment target for Hillingdon from the London Plan - which is 382 thousand tonnes per annum by 2026 – and that the commitment to safeguard all waste sites needs to be within the Core Strategy policy as well as in the supporting text at paragraph 8.159. Officers propose to amend the Core Strategy as requested by the Mayor.

2009 Replacement London Plan - Panel Report

- 12. Following the borough's consultations on the Pre-Submission Draft Core Strategy, Members should note that a Panel Report for the Examination in Public on the Draft Replacement London Plan was published on 3rd May. As a result, there are some amendments required to the Core Strategy. Overall, the Panel found the Replacement London Plan to be sound. Their key recommendations were as follows:

Policy 3.5: Quality of Design and Housing Developments. The 'presumption against' development on back gardens is to be removed from part A of the policy. It is to be replaced with new provisions allowing local authorities to introduce 'policies to control' such development. In Hillingdon such policies would be proposed in the forthcoming Development Management Development Plan Document.

Policy 3.5: Quality of Design and Housing Development: Table 3.3 (Minimum Space Standards) is to be amended to incorporate indicative space standards for 1-bed flats / studios of 37 square metres. Again, in Hillingdon detailed local policies could be proposed in the forthcoming Development Management Development Plan Document.

Policy 3.9: Gypsies and Travellers: Table 3.4 which set out borough-wide pitch provision targets is to be replaced with sub regional targets for the Homes and Communities Agency London sub regions. Hillingdon is in the North West London sub region which is expected to provide 40 – 43 additional pitches between 2007 and 2017.

Policy 3.12: Affordable Housing Targets: Part A of the policy is to be changed so that boroughs “..should aspire towards securing 50% of all new housing as affordable.”.

13. To reflect the provisions of the London Plan and the associated Panel Report, the wording of policy H2 in the draft Core Strategy will be amended to state that Hillingdon will seek to maximise affordable housing provision. The supporting text will refer to the conclusions of Hillingdon's economic viability assessment and the recently published London Plan Panel Report.

Schedule of Proposed Changes to the Pre-Submission Draft Core Strategy

14. Appendix 2 of this report contains a Schedule of Proposed Changes to the Pre-Submission Draft Core Strategy. Officers propose that this Schedule together with the Pre-Submission Draft will form the principal Submission documents for the Secretary of State.
15. The majority of changes represent minor editing of the text of the Core Strategy for clarification or to update particular wording or statistics - e.g. to reflect the findings of the Panel Report for the Examination in Public on the Draft Replacement London Plan. The main changes proposed in the Schedule are summarised below:
 - a. A reference to the borough's aspiration that the Central Line should be extended to Uxbridge is to be included in the Major Infrastructure Projects section of the Core Strategy as a new paragraph 3.10.
 - b. Following a request by the Planning Inspectorate, a further section is to be added to the Core Strategy listing those policies from the Unitary Development Plan Saved Policies, 2007 which will be superseded. (This is shown as "Appendix 5" in the revised text of the Core Strategy - attached for Members' information as Appendix 3 to this report.)
 - c. To meet the statutory requirement to be in general conformity with the London Plan: (i) additional wording is to be included at chapter 3 on the section covering strategic infrastructure, noting how Section 106 planning obligations and Mayoral Community Infrastructure Levy are to be implemented on Crossrail; (ii) policy EM6 will seek the use of Sustainable Urban Drainage Systems in new developments; (iii) policy EM8 will seek the incorporation of water efficiency measures in all new development; (iv) policy EM11 on Sustainable Waste Management is to be amended to include the waste apportionment target for the borough in 2026 and to note that existing waste sites are to be safeguarded for future waste management use.
 - d. Paragraph 5.20 is to be amended to note that the Bath Road area at Heathrow is identified in the Hillingdon Tourism Study as potentially suitable for hotel growth, alongside Hayes and Uxbridge.
 - e. Reference to the development of a night time economy in the borough's Hayes to West Drayton Corridor is to be added to the text of Table 5.3 to match a similar policy intention specifically for Uxbridge already included at paragraph 5.27 in the Core Strategy.
16. For Members' information, Appendix 3 attached to this report comprises a copy of the whole text of the draft Core Strategy incorporating the alterations proposed in the Schedule of Proposed Changes to the Pre-Submission Draft. These are highlighted in underlined text.

Submission Documents

17. Members should note that the following documents are to be submitted to the Secretary of State:
- Local Development Framework Pre-Submission Draft Core Strategy
 - Schedule of Proposed Changes (attached as Appendix 2 to this report)
 - Report of Consultations on the Pre-Submission Draft Core Strategy
 - Consultation Statement for the Consultation Draft Core Strategy (previously reported to Cabinet at its meeting on 18th November 2010)
 - Final Sustainability Appraisal Report (Appendix 4 to this report)

These documents have to be submitted together under the requirements of Regulation 30 of the Town and Country Planning (Local Development) (England) Regulations 2004.

Next Steps

18. The remaining timetable for production of the Core Strategy is outlined below:-
- (a) Officers to undertake further evidence base research and preparation of supporting topic papers prior to submission of the draft Core Strategy to the Secretary of State.
 - (b) A Programme Officer to be appointed by September to facilitate the organisation and running of the Examination in Public.
 - (c) Officers to seek full Council approval at the meeting on 8th September for the submission of the draft Strategy to the Secretary of State.
 - (d) Subject to any final editing, to advertise and submit the draft Core Strategy and accompanying documents to the Secretary of State by the end of September for subsequent Examination in Public before an independent Inspector.
 - (e) To agree the appointment of an Inspector for the Examination in Public with the Planning Inspectorate and arrange office accommodation and supporting facilities for the Inspector and Programme Officer at Uxbridge Civic Centre for the period in the run-up to, and for a further period following the Examination in Public.
 - (f) To arrange and advertise any Pre-Examination Meeting required by the Inspector. This would normally be expected to be held within eight weeks of submission, i.e. by the end of November.
 - (g) To arrange and advertise final arrangements for the Examination in Public, which can be expected to be held during January 2012.
19. The length of the Examination in Public will not be known until after the Pre-Examination Meeting when a final timetable and details of issues to be examined will be produced by the Inspector. Experience from other Core Strategy Examinations in Public held to date suggests that it is unlikely to extend beyond five days. The inspector will then produce a report whose findings will be binding on the Council. Publication of this is anticipated by April 2012. Providing the Inspector finds the Core Strategy sound, the Council should then be in a position to move forward to formally adopt the Strategy during May / June 2012.

Financial Implications

The cost of preparing and taking forward the draft Local Development Framework Core Strategy to an Examination in Public is estimated to be £75,000 and will be met from the existing planning budget.

Comments of the Residents' and Environmental Services Policy Overview Committee

The Residents' and Environmental Services Policy Overview Committee has been involved over the years in the development of the LDF, providing input as part of the process.

Financial Implications

Corporate Finance has reviewed this report and its recommendations and is satisfied, that the cost of preparing and taking forward the Local Development Framework Core Strategy to an Examination in Public, will be contained within the existing planning budget.

Legal

Section 15 of the Planning & Compulsory Purchase Act 2004 places a statutory duty on the Council to prepare and maintain a Local Development Scheme ("the Scheme"). The Scheme will specify those documents that are Development Plan Documents. Regulation 7 of the Town and Country Planning (Local Development) (England) Regulations 2004 states that the Core Strategy will be a Development Plan Document.

When preparing the Core Strategy, the Local Planning Authority must comply with the consultation requirements found both in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and the revised Planning Policy Statement 12 (Local Spatial Planning) which sets out government policy on Local Development Frameworks. This includes a duty to consult with specific and general consultation bodies, requirement to place an advertisement in a newspaper and general duty to comply with the Council's Statement of Community Involvement.

The Town and Country Planning (Local Development) (England) Regulations 2004 require that any representations received must be fully considered and conscientiously taken into account by the decision maker, including those which do not accord with the proposals.

The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) sets out specific functions that cannot be the sole responsibility of the Executive. These functions include and relating to the Development Plan Documents "the approval, for the purposes of its submission to the Secretary of State for his approval of any plan or strategy" (Regulation 4(3)(c)). Accordingly, once approved by the Cabinet, this report will also need approval by the Council.

Corporate Landlord comments

Strategic Policies apply generally to all land and property in the borough regardless of ownership. The Strategy, including the Infrastructure Plan, has been prepared within the context of the council's asset management plan. In general terms the Plan aims to safeguard property assets in public service or community use. It also helps to identify opportunities where services need to expand, for example to respond to demographic changes. However in circumstances where community services need to be rationalised, the

effect of planning policy may tend towards the retention of community facilities, which may at times restrict sales of surplus Council assets for residential development.

BACKGROUND PAPERS:

- Cabinet Report 18 November 2010 - Hillingdon Local Development Framework Pre-Submission Draft Core Strategy
- Cabinet Report 27 May 2010 - Hillingdon's Local Development Framework Consultation Draft Core Strategy
- Cabinet Report 18 December 2008 - Hillingdon's Local Development Framework Revised Local Development Scheme.
- Statement of Community Involvement, November 2006
- Cabinet report 28 July - Hillingdon Local Development Framework Pre-Submission Draft Core Strategy