



The Planning  
Inspectorate

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# **Report to the London Borough of Hillingdon Council**

**by Douglas Machin BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 26<sup>th</sup> July 2012**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO  
THE HILLINGDON LOCAL PLAN PART I STRATEGIC POLICIES**

Document submitted for Examination on 31 October 2011

Examination Hearings held between 13 March and 30 May 2012

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## Abbreviations Used in this Report

AA	Appropriate Assessment
CGRSU	Convenience Goods Retail Study Update
FRAMEWORK	National Planning Policy Framework
EVA	Economic Viability Assessment
HS2	High Speed 2
LDS	Local Development Scheme
LSEL	Locally Significant Employment Location
LSIS	Locally Significant Industrial Site
MOL	Metropolitan Open Land
PTAL	Public Transport Accessibility Level
SIL	Strategic Industrial Location
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
TfL	Transport for London

### Non-Technical Summary

This report concludes that the Hillingdon Local Plan Part I Strategic Policies provides appropriate and sound policies to guide the planning of the Borough over the next 15 years, provided two Main Modifications are made. These are to include the presumption in favour of sustainable development, and to include a new Policy T5 to require developer contributions to Crossrail. The former is necessary for consistency with the National Planning Policy Framework, and the latter is necessary to conform to the London Plan. I am satisfied that there has been adequate opportunity for comment on those Policies, and that therefore it is unnecessary for the Council to advertise those Modifications before it proceeds to adopt the Local Plan. The Council has requested that I recommend those Modifications. The Plan will provide a sound basis for Part II of the Local Plan, which will contain detailed site allocations, development management policies, and a policies map.

## Introduction

1. This report contains my assessment of the Hillingdon Local Plan Part I Strategic Policies, in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the Local Plan is sound and whether it is compliant with the legal requirements. I have not considered whether the Council has complied with the new Duty to Co-operate because the Plan was submitted for Examination before that provision was brought into effect. Notwithstanding that, I am satisfied that the Local Plan has been prepared by good joint working and co-operation with neighbouring London Boroughs, with other statutory bodies such as Transport for London (TfL), and with other stakeholders.
2. The National Planning Policy Framework (the Framework) states that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with National policy. The starting point for the Examination is the assumption that the Borough Council has submitted what it considers to be a sound plan. The basis for my Examination is the submitted draft Local Plan (February 2011). I have also had regard to the consolidated Schedule of Minor Changes dated June 2012 that the Council intends to make to the published document. Many of those changes reflect the Policies in the London Plan 2011, and the guidance in the Framework. However, the inclusion of a model policy stating the presumption in favour of sustainable development is a Main Modification (**MM1**) that needs to be made. Another Main Modification (**MM2**) is the inclusion of Policy T5 that requires developer contributions to Crossrail. These are detailed in the Appendix to the report. There has been adequate opportunity to comment on those matters, and therefore it is unnecessary for the Council to advertise them before it proceeds to adopt the Plan, which is otherwise sound.

## Assessment of Soundness

### Main Issues

3. Taking account of all the representations, written evidence and the discussions that took place at the Examination Hearings I have identified ten main issues upon which the soundness of the Local Plan depends.

### **Issue 1 – The General Consistency of the Local Plan with the Framework and the 2012 Regulations**

4. The Local Plan was prepared under previous arrangements for the preparation of Core Strategies and other Development Plan Documents (DPDs). It was intended to be a Core Strategy that provided the strategic framework and higher level policies to guide the preparation of subsequent site allocation and development management policies DPDs.
5. The Framework was published during the Examination Hearings and it provides guidance on plan making at paragraphs 150 to 157. The thrust of the guidance is that Local Plans should address the spatial implications of economic, social and environmental change, set out opportunities for development and clear Policies on what will or will not be permitted and where. The guidance goes on to state that Local Plans should allocate sites to

promote the various types of development. The Framework therefore proposes a somewhat different approach to the one the Council followed in preparing this Local Plan. The latter is a document setting out strategic level Policies. It purposely neither allocates sites for development nor contains the detailed development management criteria used to assess the acceptability of development proposals. Paragraph 208 of the Framework states that the Policies therein are to apply from the day of publication. However, there is no guidance in the Framework that applies specifically to plans like Hillingdon's that have been prepared under the previous arrangements but are now being Examined under the new ones.

6. Nevertheless, the Regulations do point the way forward for Hillingdon's Local Plan. Regulation 6 provides that any document referred to in Regulation 5 (1)(a)(i), (ii) or (iv) or 5(2)(a) or (b) is a Local Plan. Those provisions of Regulation 5, in my view, confirm that it is possible for an individual Local Plan document not to contain site allocation and development management policies. The Council proposes that this Local Plan be considered as "the Hillingdon Local Plan Part I Strategic Policies". The Plan would be changed to add an explanation of how it is intended to provide the strategic direction for the more detailed site allocations, development management policies and policies map being prepared. These are expected to be submitted for Examination in 2013. The Council proposes that eventually there will be one Local Plan for Hillingdon that contains both strategic and detailed policies. The Council has carried out a Compatibility Self Assessment recommended by the Planning Advisory Service, and this indicates no areas where the Local Plan could not comply with the Framework.
7. As the Ministerial foreword to the Framework makes clear, the Government's overall objective for the planning system is to facilitate sustainable economic development and to make things happen. Having regard to this, I consider that the Council's suggested approach to achieving general consistency with the Framework and the Regulations has considerable merit. I support the minor changes that would enable this approach to be followed. I also recommend that the presumption in favour of sustainable development be included in the Plan as **MM1**. In this challenging transition period to the new style of Local Plans, I see no value in finding this Local Plan unsound simply because it appears not to conform to the guidance in the Framework in respect of the detailed content of Local Plans now being advised by the Framework.
8. If I were so to find, it would simply slow the progress in achieving an up to date and comprehensive Local Plan for Hillingdon. I am very much aware that such a delay could adversely affect investment and other decisions that are important for Hillingdon's economy, and potentially for the National economy. That would be directly contrary to the Government's expressed aim to remove unnecessary impediments to economic growth. I am satisfied that the Council's suggested approach does not raise questions of soundness in other respects. It will, of course, be a matter for the Council to determine how quickly it proceeds to put in place all the necessary detail that the Framework wishes to see a Local Plan contain. I am in no doubt that the Council is aware of this urgency.
9. I have taken into account the views of those who consider this Local Plan is unsound because it does not, for example, allocate sites for specific types of

development. However, I have decided that it is important that the first part of the Local Plan for Hillingdon is put in place quickly so that essential development that will support sustainable economic growth and regeneration is not hindered by continued uncertainty. I am confident that such an approach will add impetus to the Council's preparation of the detail to be contained in Part II of the Local Plan, whilst not inhibiting the opportunity for engagement in the process by all stakeholders. I am satisfied that it is the right approach for me to proceed to examine this Plan on the basis of the Council's pragmatic suggestion.

**Issue 2 – Are the Vision and Strategic Objectives clear, appropriate for the Borough, locally distinctive, reflecting community views, and consistent with the London Plan and the Framework?**

10. The Local Plan's seven point vision statement puts forward a plan for prosperity, people and places. It establishes a strategy to meet objectively assessed needs. Many of these were assessed during the preparation of the London Plan, and have been found to be sound. The Local Plan has been positively prepared, using a proportionate evidence base, to clearly elaborate relevant Strategic Objectives, grouped under each of the seven Vision statements. These are then linked throughout the Plan to the appropriate Policies, to the implementation and delivery strategy and to a monitoring framework. Overall, the Plan is a clear and readable document that reflects the Council's priorities, and proactively drives and supports the sustainable economic growth of the Borough. It is arguable whether a more concise vision statement preceding the seven points, as the London Plan has, would add any further clarity. On balance I consider that the Plan is sound without such an abbreviated vision statement.
11. The Vision and Strategic Objectives reflect the Council's intention to sustain and reinforce the existing pattern of development in the Borough. This is characterised by higher density residential and employment development in the south, contrasting with the lower density mainly residential development in the northern part of the Borough. There is a clear strategy to ensure the appropriate amount of land is available across the Borough to deliver housing, economic development, retail, leisure, and community development, supported by physical and community infrastructure.
12. The nationally and internationally important role of Heathrow Airport is to be supported and enhanced where consistent with other objectives. The intention to concentrate further development in Uxbridge, in the Heathrow/Hayes/West Drayton corridor, and to protect the large area of Green Belt in the Borough are also locally distinctive elements of this Local Plan. The need to ensure that the impact of climate change is managed and more sustainable development encouraged is at the heart of the Plan. The concern that the Local Plan does not sufficiently reflect and address social inequalities, especially health inequalities as between the north and the south of the Borough, can be addressed by minor changes to supplement the existing provisions of the Plan. I do not consider that this is a soundness matter.
13. The Local Plan's vision has been developed through discussions at the Local Strategic Partnership. It appropriately reflects the six priorities for action contained in the Borough's 2008 Sustainable Community Strategy (SCS). The

2006 Statement of Community Involvement (SCI) details the means by which the Council involved local residents and other stakeholders in the evolution of the Plan. I am satisfied that the Local Plan has been prepared in general accordance with the SCI. However, the Council is aware of the concern by some that they felt left out of the consultation process. It is therefore committed to improving its consultation process to avoid a feeling of exclusion in the future. It will also be important to embrace the provisions in the Localism Act, and to give residents more say in how the various parts of the Borough evolve, including indicating how residents may become involved in neighbourhood planning.

14. The Local Plan's Vision and Strategic Objectives reflect those of the recently adopted London Plan 2011. The priorities of the London Plan for the West London Sub Region, set down in Policies 2.6 to 2.8, are appropriately reflected. The assumptions and parameters used in the Local Plan closely follow those set down in the London Plan. Importantly, I am satisfied that the latter's encouragement to realise potential, build on the strengths of existing communities, and encourage growth and regeneration, is reflected in the Local Plan's Vision. Finally, I am satisfied that the Local Plan's Vision and Strategic Objectives accord with the guidance in paragraph 156 of the Framework on the preparation of Local Plans.
15. Consequently, I consider the Vision and Strategic Objectives provide a sound, appropriately relevant and locally distinctive basis for the spatial strategy. No main modifications are needed to this part of the Plan to ensure soundness.

**Issue 3 – Is the Spatial Strategy appropriate for the Borough, and likely to be effective and deliverable? What are the implications for the Green Belt? Does the plan provide sufficient guidance in respect of the Heathrow Opportunity Area?**

*The Spatial Strategy*

16. The spatial strategy of this Local Plan has been appropriately determined by the requirements of the London Plan and the proportionate evidence gathered indicating the development opportunities likely to be available in the Borough. Evidence base documents are referred to throughout the Plan, and listed in Appendix 1. The significant elements of the growth expected in Hillingdon during the Plan period is clearly summarised in Table 4.1. These figures reflect the London Plan's housing and employment growth figures. The Strategy is to concentrate growth at Uxbridge and in the Heathrow/Hayes/West Drayton corridor. It is also to manage and protect employment sites, to improve north-south links, to strengthen district centres, and to protect the large area of Green Belt within the Borough. This is clearly elaborated in text following the table. Options for alternative strategies have been considered in the Plan's preparation but properly rejected.
17. How the spatial strategy is to be implemented is made clear in the layout of the Local Plan. Policies are grouped under relevant Strategic Objectives. Each section of the Plan then sensibly sets out the main challenges and opportunities the Borough faces, the Policies to address those, how they will be implemented, how flexibility is built in, and the monitoring arrangements to measure success. The main drivers of change will be housing and employment growth. The Plan's principal role will be to ensure that sufficient

land is available in the right locations to accommodate this growth. In respect of land for housing, the evidence of availability derives from the London Strategic Housing Land Availability Assessment (SHLAA). This indicates more than an adequate supply of land to enable that part of the spatial strategy to be implemented. As for economic development, the evidence on employment land confirms that there should be no impediment to implementing that aspect of the spatial strategy.

18. Given the requirements of the London Plan, and the general need to concentrate development in areas already accessible and well served with employment opportunities and community facilities, the spatial strategy is indeed the most appropriate one, and is sound.

### *The Green Belt*

19. A key feature of the Local Plan is the protection afforded to the very extensive areas of Green Belt within the Borough. An update of the 2006 Green Belt Study is intended to inform the preparation of the site allocations and development management part of the Local Plan. The review will also consider removing anomalies, such as the current inclusion of Heathrow Terminal 5. It is also conceivable that very minor adjustments and compensatory additions could take place at this stage, perhaps to make viable and achievable a sustainable housing development. However there is no evidence to suggest that the Local Plan's growth provisions, particularly accommodating new homes, are incapable of being met unless the Green Belt boundary is altered in a more fundamental way.
20. Therefore I am satisfied that, somewhat abnormally, the Green Belt review can take place after the adoption of this part of the Local Plan. I would not expect from the evidence that the Green Belt's integrity would be significantly altered or compromised in any way. Similarly, by strict application of National policy in relation to exceptional circumstances justifying inappropriate development in the Green Belt, the Local Plan should reassure those who doubt the Council's commitment to Green Belt protection. Minor changes can be made to avoid any confusion that could occur in relation to Green Belt/green field land.

### *Heathrow Opportunity Area*

21. The Heathrow Opportunity Area is another significant feature of the spatial strategy. The London Plan defines the parameters for growth and change in the Area at Table A1.1 of that document. The boundary of the Area is also a matter for the Mayor to define but this has not been done yet. I accept that the Local Plan would have benefited from a detailed boundary definition of the Opportunity Area. The current estimate is that work on the Opportunity Area Planning Framework, which will define the boundary, will start in the current financial year. That work should therefore be able to inform the next stage of the Local Plan Part II, where detailed guidance and policies for the Opportunity Area will be proposed. I do not support any delay in this Local Plan's adoption until the boundary is defined. The spatial strategy in relation to the Opportunity Area's sub-areas is clear enough. I am satisfied that this Local Plan is sound in this respect.

22. Accordingly, I am satisfied that the spatial strategy is appropriate for the Borough, and is likely to be effective and deliverable. No main modifications to ensure soundness are necessary.

**Issue 4 – Are the Strategy and Policies for the economy and employment land effective, deliverable, supported by robust evidence, and consistent with the London Plan and the Framework?**

23. This part of the Local Plan has a clear strategic objective to provide for 9,000 new jobs and to accommodate most economic growth at Uxbridge and in the Heathrow Opportunity Area. This approach capitalises on existing and potential transport and infrastructure provision, and maximises accessibility to employment opportunities. The key measure to achieve this is to ensure that the right amount of allocated employment land is available in the right location. The 358 hectares of existing allocated employment land in the Borough reflects to some extent previous industrial uses. The focus of the local economy is shifting to offices, service uses and more advanced manufacturing. Policy E1 protects the supply of employment land in Strategic Industrial Locations (SIL), and designates Locally Significant Industrial Sites (LSIS) and Locally Significant Employment Locations (LSEL).
24. However, paragraph 22 of the Framework advises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Hillingdon is defined in the London Plan as a "Limited Transfer" Borough where a careful and managed release of surplus employment land is required. The Local Plan indicates that some 17.58 hectares of employment land could be released over the plan period. This figure stems from the Council's Position Statement on Employment Land and Retail Capacity 2010.
25. Further to discussion at the Hearings, the Council accepts that this figure will change in the light of more up to date, and possibly more accurate, evidence. In the light of those discussions, it seems to me that the picture on the quantum of land that could be released is an emerging one. The Mayor's draft SPG on Land for Industry and Transport indicates that some 66 hectares of land might be available for release over the period 2011 to 2031. The Council now recognises the fluidity of the situation. It is committed to annual monitoring, and to a review of the extent and location of land that might be considered for other uses. This process needs to be inclusive, and the Council will no doubt be receptive to other sources of evidence as they become available. In the interim, the minor changes proposed to the Local Plan provide this degree of flexibility, but do not alter the thrust of the E1 Policy approach.
26. I am not persuaded that enough evidence has been gathered and agreed by the relevant authorities at this point to justify including a figure different to the 17.58 in the Local Plan. Similarly, the Council has clarified that the list of possible sites to be released is only a starting point for more detailed work that will be done to inform the site allocations part of the Local Plan. In view of the likelihood that the quantum of employment land to be released is likely to change over the Plan period, I consider that the list of sites is only a useful starting point for further assessment. However, there will be a need to continuously review evidence to ensure that the Borough is a dynamic and

responsive place to do business.

27. The Local Plan properly identifies strategic employment sites. Within the Heathrow Opportunity Area, Stockley Park is estimated to be able to accommodate a significant number of additional jobs. The employment potential of the Hayes, West Drayton and Yiewsley town centres is identified. Regeneration of the former RAF Uxbridge site, with the mixed use redevelopment scheme now having received planning permission, could add some 14,000 sq m of office floorspace, a hotel, and thereby deliver some 1,160 jobs for the Borough. This redevelopment will complement the expansion of the bio-science and creative media sectors already established in the town.
28. The fundamental importance of Heathrow Airport and the supporting business sector on its perimeter to the local, regional and National economies is recognised in the Plan. The Plan is broadly supportive of projects to improve the Airport, and a number of infrastructure projects there are listed in Appendix 2. However, the Plan affirms the Council's position that the Airport should be contained within its existing boundaries. The need for co-operative working between the Council, Heathrow Airport Limited (HAL) and other stakeholders to manage development pressures is also recognised by minor changes to the Plan.
29. In view of the significance of the Airport, not just to Hillingdon's but to London's and to the United Kingdom's economies, I consider that it is important that the Council continues to employ an evidenced based approach to the assessment of land requirements and development proposals that may come forward at the Airport. The Opportunity Area Planning Framework and the subsequent Local Plan Part II should provide the appropriate mechanisms for that kind of detailed evidence to be assessed. It will also allow for proactive and criteria based policies to be formulated to ensure that growth potential is maximised at the Airport, with sufficient weight accorded to environmental protection.
30. Other important aspects of the Borough's economic development are the job creation potential of the retail sector, Council support for small and medium sized enterprises, close monitoring of employment in the important hotel sector, and Council support for raising the skills of the workforce. These are all satisfactorily covered by the Local Plan.
31. Accordingly I am satisfied that the strategy and Policies for the economy and employment land are effective, deliverable, supported by robust evidence, and consistent with the London Plan and the Framework. No main modifications are required to ensure soundness.

**Issue 5 – Will the Local Plan support the delivery of the appropriate amount and distribution of new homes, including affordable housing, having regard to the London Plan, the Framework and the Planning Policy for Travellers?**

*Overall Housing provision*

32. The Local Plan's provision for new homes stems from the requirements of the London Plan. The Borough's target is based on an assessment of the capacity of housing sites within the Borough. This was carried out as part of the London SHLAA. Each site was subject to rigorous suitability testing taking into account policy and physical constraints, Public Transport Accessibility Levels (PTAL), and the London Plan residential density matrix. The London Plan has set the target for the Borough at 425 new homes per annum, producing a 10 year requirement of 4,250 units. This is to include non self contained accommodation. Pending a review of the SHLAA, the London Plan advises that the Borough should roll forward the current annual requirement for the period beyond 2021. This target was tested at the London Plan Examination and found to be sound.
33. On the supply side, the Local Plan's Housing Trajectory indicates a five year supply of sites amounting to approximately 3,700 units, and a ten year supply of about 6,000 units, both well above target. The Housing Trajectory includes an annual allowance for delivery on small sites, forming about 25% of the total housing capacity in the Borough, which is an appropriate percentage for a London Borough. Further sites are expected to come forward from the managed release of surplus employment land. The Trajectory also shows that expected completions could fall substantially in the last five years of the Plan period. However, in view of the overall supply position, and the likelihood that economic conditions and site viability will change throughout the Plan period, I do not consider that this falling level after 2021 a matter for undue concern at this point.
34. The Council has not independently assessed the suitability and deliverability of each SHLAA site. This approach is in accordance with the Mayor's advice that independent assessments by Borough's are unnecessary. There is no evidence before me that any of the sites in the SHLAA will not be available, suitable or achievable. There is certainly no evidence to suggest that releases of Green Belt land are needed simply to meet overall housing requirements, as some have argued. All the evidence points to the Council having a good record on housing land supply, and no specific constraints on delivery in the Borough have been brought to my attention.
35. Accordingly, I am satisfied that there is a more than an adequate supply of housing land provided for by this Local Plan. The Framework's advice that an additional 5% against the five year housing requirement should be identified is also comfortably met by the Plan. I am satisfied that the evidence that underpins this aspect is rigorous, up to date and justifies the provision being made. There is therefore no soundness issue.

### *Distribution of New Housing*

36. Turning to the distribution of new homes, Map 6.1 indicates the broad locations for new housing. It shows that approximately 75% of the new homes will be built south of the A40 with Uxbridge, the Hayes/West Drayton Corridor and other parts of the Heathrow Opportunity Area being the strategic locations for development, in accordance with the spatial strategy. This distribution of sites will complement the Borough's existing settlement pattern. It is intended that housing site boundaries will be defined in the next part of the Local Plan. This approach will provide a further opportunity for comment on their suitability.
37. I am aware of the concern that those parts of the Borough proposed for the most growth have already experienced much development in recent years. There is also a concern by some local residents over the capacity of local infrastructure to accommodate more development. The Council told me that such capacity constraints are not taken into account in the PTAL ratings for particular sites but that discussion with the Mayor may alter this. Notwithstanding the fact that the majority of development is proposed in areas that are most sustainable in terms of, among other matters, services and public transport, clearly, new homes must be matched with the appropriate infrastructure. However, I am satisfied that the Policies in the Local Plan will allow the Council to achieve this match. It will be a matter to be addressed at the detailed site allocation stage and when development briefs are prepared.
38. The proposed distribution of housing aims to make the most of opportunities available for higher density redevelopment in locations that are already well served by public transport and access to employment, schools and community facilities. To do otherwise would run counter to London Plan Policies 3.3 E and 3.4, and to the Density Matrix at Table 3.2. It would also run counter to the thrust of Government policy to plan for economic growth by promoting sustainable forms of development whilst protecting the most valuable heritage, landscape and wildlife assets.
39. In conclusion, I am satisfied that the distribution of new housing is justified by the evidence base. Alternative distributions have been considered but have been rightly rejected in the preparation of the Local Plan. The distribution is in accordance with the spatial strategy, which has been independently assessed and highly scored in the Sustainability Appraisal of the Plan. No alternative housing distribution or broad location of sites has been proposed in the Examination process to cause me to have any doubts on this matter. No modifications are therefore needed to ensure soundness.

### *Affordable Housing*

40. The Hillingdon Housing Market Assessment indicates an annual need to provide 2,623 affordable homes in the Borough. This is of course well above the overall housing target but not an unusual situation when there is such a deficiency in affordable housing supply in London as well as nationally. The Council's 2011 Affordable Housing Economic Viability Assessment (EVA)

carried out a thorough and robust assessment of viability based on the residual value of sites, taking into account such factors as grant availability, planning obligations, the Code for Sustainable Homes, profit margins and likely housing market conditions. In the current difficult economic climate, the Assessment recommends that the Borough adopt a target of 35% affordable housing. The EVA also recommends that the delivery of affordable housing should be maximised across the Borough and there may be some sites where substantially higher proportion of affordable housing could be achieved.

41. Policy H2 seeks to maximise delivery of affordable housing from all sites. For sites with a capacity of 10 or more units 35% of units are expected to be affordable, subject to viability. The Policy also requires the affordable housing mix to reflect the housing needs in the Borough, particularly the need for larger social rented units. The Assessment did not support any variation in the application of the Policy across sub areas in the Borough. It also found that commuted payments would not be viable in many cases. With regard to tenure, the 70/30% split between social rented and intermediate rent or sale is slightly different to that in London Plan. However, I find that it is justified by the Hillingdon Housing Market Assessment 2009.
42. It is intended that the detailed guidance in the Council's existing Affordable Housing SPD will continue to be used to assist implementation of Policy H2. This will be updated and amended if necessary. Overall, I am satisfied that the Local Plan takes a consistent approach to the London Plan Policy 3.11. No soundness issues requiring main modifications are evident.

#### *Gypsies and Travellers*

43. The Government guidance on this form of housing is contained in "Planning Policy for Traveller Sites" 2012, which was published during the Examination Hearings. This requires a local assessment of the need for pitches, and an identification and annual update of specific, deliverable sites for a five year period. Local Plan Policy H3 does not indicate a target for the number of pitches. However, I recognise that there have been difficulties in arriving at a Borough target for pitches. I understand that previous targets in the draft London Plan were dropped at a late stage in favour of local assessments being made by Boroughs. The Council is currently carrying out this work in co-operation with other West London Boroughs.
44. A target for this Local Plan is necessary but one that seems to me to be a transitional issue that requires a pragmatic approach. Policy H3 does contain sufficient protection for the one existing traveller site in the Borough at Colne Park. The Policy also contains the criteria to be used to assess the suitability of further sites. Minor changes to the Local Plan are intended to explain the Council's intention to assess need and identify sites so that this information can be included in the next stage of the Local Plan.
45. In conclusion, I am satisfied that the Local Plan's provision for new homes is justified by the evidence, and there is no reason to question the appropriateness of the relevant Policies in being able to deliver the homes required. The clear parameters for housing growth, its distribution, for

affordable housing and for Gypsies and Travellers, provided by the London Plan, are being followed by this Local Plan. Accordingly, no main modifications are needed to ensure soundness.

**Issue 6 – Does the Local Plan provide for the quality of places in the Borough to be enhanced, and for environmental improvement to be achieved?**

46. Improving the quality of places, and the lives of local residents, are significant aspects of the Local Plan's Vision. Chapters 7 and 8 set out a positive strategy for the conservation, enhancement and enjoyment of Hillingdon's heritage assets, and for the improvement in the quality of the Borough's places and the environment generally.

*Heritage*

47. In relation to heritage assets, the Local Plan clearly shows the range of individual assets in the Borough, such as Listed Buildings and Conservation Areas. Further to discussions between the Council and English Heritage during the Examination, I am satisfied that the Local Plan will sufficiently recognise the importance of heritage and its role in supporting sustainable development and regeneration. I agree that the formulation of HE1 would have benefited from a Borough wide character appraisal that would have provided the comprehensive overview to inform more detailed assessments of the impacts of development. Nevertheless, there is a commitment in the implementation section supporting Policy HE1 to carry out this character appraisal and for it to inform work on the detailed part of the Local Plan to follow. I am satisfied that all heritage issues can be addressed by the Local Plan, and that therefore no main modifications are needed to ensure soundness.

*Built Environment*

48. As for the design of new buildings and places, Policy BE1 is a comprehensive Policy that promotes a range of measures to include improving the quality of design, mitigating the effects of climate change, achieving the energy reduction targets in the London Plan, and improving the quality of the public realm. Achieving "Lifetime Homes" and improving areas of poorer environmental quality in Hayes, Yiewsley and West Drayton are also aspects of the Policy. A particular challenge will be to ensure that planned for growth does not take place at the expense of valued local open spaces and locally distinctive townscape elements. I have been made aware of the strength of local feeling in this respect. Provided the relevant Local Plan Policies are adhered to, I am satisfied that treasured local assets can be protected.
49. In relation to tall buildings, the Local Plan follows the consistent approach being adopted across London of defining appropriate, inappropriate and sensitive locations for tall buildings. BE1 provides the right context and incentive for the elaboration of design measures in the more detailed part of the Local Plan which will follow.
50. In summary I am satisfied that Policy BE1 is fully justified and supported by the evidence base, and it will be effective in raising the quality of the built environment. Both BE1, and HE1, are consistent with, and elaborate,

Policies in chapter 7 of the London Plan, and take into account the guidance on these matters in the Framework.

### *Climate Change*

51. Paragraph 8.11 of the Local Plan makes it clear that mitigating the impact of climate change is central to, and fully integrated within, the Plan. This integration begins crucially with the Spatial Strategy that maximises development in established communities that are already well served by public transport, and with jobs and community facilities. Policy EM1 aims to ensure that climate change adaptation is addressed at every stage of the development process. The Policy includes a comprehensive range of measures such as prioritising higher density development in urban and town centres, ensuring the highest quality of design, promoting the use of decentralised energy networks, and targeting areas with high carbon emissions for additional reductions through low carbon strategies.
52. The Local Plan does not impose any higher requirements on developers than the London Plan in these respects. In addition, the costs of meeting climate change requirements are reflected in the Council's Housing EVA. No issues that might question the Plan's sound approach are apparent. I find that this part of the Local Plan is justified by the evidence, will be effective, and is consistent with the London Plan and National Policy.

### *The Green Belt, Open Spaces, Rivers and Canal Corridors and Biodiversity*

53. Policy EM2 protects and enhances the Green Belt, Metropolitan Open Land (MOL) and Green Chains. Minor changes in wording clarify that the approach to Green Belt protection is consistent with long standing National policy, reiterated in the Framework, and with London Plan Policy 7.16. There is a concern locally, expressed at the Hearings, that the Green Belt might be eroded by the Council's search for new school sites. EM2, as proposed to be changed by the Council, does state that it will carry out the search for school sites in a sequential way, exhausting all other options before Green Belt land is considered. Provided the Council does this, and applies the Policy in accordance with the "very special circumstances" test, I am satisfied that the Policy is sound. Clearly it will be a matter for the Council and local residents to be vigilant in ensuring that the Policy is strictly and consistently applied.
54. In addition, the Local Plan indicates that the Council may provide more detailed guidance for Major Developed Sites in the Green Belt. It will also consider the expansion needs of educational bodies such as Brunel University in relation to the Green Belt boundary at the more detailed next stage of the Local Plan. I consider this approach is sufficiently justified, and accordingly no main modifications are needed to this part of the Local Plan.
55. With regard to open space and recreation provision generally, to "green corridors" and to biodiversity matters, I find that the Policies and provisions of the Local Plan are well justified, will be effective and are consistent with the London Plan and the Framework. No significant issues have been raised that cause me to question the Plan's soundness in these respects, and therefore no main modifications are needed.

### *Land, Water, and Air Quality, and Noise*

56. The Local Plan demonstrates a good understanding of the issues and the challenges Hillingdon faces, recognising that air and water quality could deteriorate with climate change. In addition, growth of the local economy could raise noise levels and present land contamination problems. London Plan Policies and Mayoral targets provide the context and driver for addressing these issues. Local Plan Policy EM8 is a comprehensive one that seeks generally to not allow conditions to get any worse but also proposes measures to improve conditions where possible.
57. A particular concern in the southern part of the Borough is air quality. The Council has an adopted Air Quality Action Plan and Supplementary Planning Guidance on the matter, as well as its pursuit of other initiatives. Local Plan Policy EM8 commits the Council to seeking to reduce levels of pollutants, and to have regard to the Mayor's Air Quality Strategy. The impending Heathrow Opportunity Area Planning Framework will propose more detailed measures to address pollution levels arising from transport and associated activity around the Airport. Minor changes to the Local Plan affirm the Council's commitment to annual monitoring of measures to achieve compliance with National and European Union standards for air quality.
58. I find that the Local Plan's approach to these issues is justified by the evidence, consistent with and complementary to other Council documents and to the London Plan. With co-operation from partners and stakeholders, the Local Plan's approach should be effective in delivering improvements to Hillingdon's air quality. No main modifications are needed to ensure soundness.

### *Flood Risk*

59. The Local Plan makes clear that due to the extensive network of waterways, flood risk is a significant issue in Hillingdon. However, Policy EM6 and the Spatial Strategy have been fully informed by a Strategic Flood Risk Assessment. The Plan is clear in requiring application of the sequential approach to the location of development, and in providing encouragement to the use of Sustainable Urban Drainage Systems. There is nothing to suggest that the Plan is anything other than sound in protecting vulnerable areas in the Borough from the risk of flooding.

### *Minerals and Waste*

60. With regard to minerals, the Local Plan provides a strategy to contribute to meeting the apportionment figure in the London Plan for West London of 0.25 m tons per annum. Three Preferred Mineral Safeguarding Areas are broadly indicated on Map 8.6, with detailed boundaries to be defined in the site allocations part of the Local Plan. The Plan contains a recognition that Green Belt land is likely to be included in those Areas but this does not pre-judge the appropriateness of mineral extraction in any particular case. Policies EM9 and 10 safeguard mineral resources within and outside Preferred Areas.
61. As for waste, the Local Plan supports the London Plan's approach to sustainable waste management. As waste is a cross boundary issue, the

Local Plan makes it clear that the Council is working with other Boroughs to prepare a West London Waste Plan.

62. All the evidence points to the Local Plan taking a justified, consistent and sound approach to minerals and waste, and accordingly no main modifications are needed.

**Issue 7 – Does the Local Plan provide a sound basis for meeting the Borough's retail needs, including strengthening centres, consistent with the evidence base, the London Plan and the Framework?**

63. The Local Plan defines a hierarchy of centres. The well established Uxbridge Metropolitan Centre is at the top, and District, Minor and Local Centres below. The scope for the potential growth in comparison goods shopping in those centres is underpinned by the Council's Position Statement on Employment Land and Retail Capacity 2010. The relevant figures are included in Tables 5.4 and 5.5 of the Local Plan. Policies E4 and E5 seek to accommodate those levels of growth, together with making various environmental and connectivity improvements in the centres concerned.
64. With regard to the potential for growth in convenience goods shopping, the Examination has benefited from the findings of the Convenience Goods Retail Study Update 2012 (CGRSU). This indicates limited scope for growth up to 2016; scope for between 2,709 and 5,418 sq m of additional floorspace to 2021; and for between 9,647 to 13,781 sq m of extra floorspace by the end of the Plan period. The Study also finds that there could be a qualitative argument to support the provision of additional convenience goods floorspace in the northern half of the Borough. The Study accepts that retail trends and expenditure estimates, especially during the current economic climate, are uncertain. The Study also assumes constant market shares up to 2031, which inevitably does not take account of new shopping trends and developments that may occur.
65. It was not part of the Study's brief to recommend sites to accommodate any new convenience stores. The Local Plan does not indicate where, in town or other centres, the current estimate of the need for additional floorspace to 2026 could be accommodated. The Examination has been informed by suggestions that sites across the Borough will be available, are suitable and needed for new food stores. However, the evidence before me of any such need and site availability is only partial. I am not in a position to judge the merits of any of these proposals nor is it within my remit. Minor changes to the Plan do commit the Council to regular monitoring of retail trends to inform site allocations for new convenience goods store, and to ensure that the sequential test is used to assess any such proposals. Notwithstanding some criticisms of the Council's approach to the assessment of retail capacity, the best comprehensive evidence I have is that supporting the Local Plan's approach.
66. The Framework advises that Local Plans should aim to meet retail needs in full, and not be compromised by the availability of sites. The Council will need to digest the meaning and implications of that guidance, be willing to consider updated evidence and examine alternatives options, before site allocations can be made in the next part of the Local Plan. In the interim, I

am satisfied that Policy E5, and the supporting Policies, provide a sound basis for meeting the Borough's retail needs, and will strengthen the Borough's town centres. Accordingly, no main modifications should be made.

**Issue 8 – Will the Local Plan improve accessibility across the Borough, providing for a sustainable transport system? What are the implications of High Speed 2 (HS2), and is the Plan sufficiently responsive?**

67. The Local Plan's transport Policies aim to provide a sustainable transport system that addresses whole length journeys, reduces car dependency, supports the economy, encourages active travel and improves the quality of life, reduces congestion, and eases traffic flow. These aims reflect the priorities of the Mayor's Transport Strategy. The main challenge the Plan seeks to meet is to provide improved access to employment and homes, especially with the planned levels of growth in the southern part of the Borough.
68. Appropriately, the Local Plan steers new development to areas well served by public transport; it supports measures to improve north - south links in the Borough, supports enhancements to Underground, National Rail and bus services, and supports cycling and walking initiatives. Necessary infrastructure to enable these improvements are itemised in the Infrastructure Schedule at Appendix 2. Clearly, many of those improvements rely upon the investment priorities of other stakeholders such as Transport for London (TfL). However, there is nothing to suggest that the Council has anything other than very close working relationships with this and other authorities, including neighbouring London Boroughs. This degree of collaborative working, usually found with London Boroughs, is reassuring. It should ensure that the Local Plan will achieve its aims, and the measures it provides will be implemented.
69. Crossrail will result in major accessibility benefits for the Borough's residents. There will be a new station at Heathrow Airport, and upgrades to the existing Hayes and West Drayton stations. These will significantly improve journey times and passenger comfort to Central London and beyond. There will be development opportunities and pressures around the new/improved stations. The Local Plan is well equipped to deal with the issues likely to arise. The Council's proposed change to introduce a Policy T5 and supporting text to reflect the Mayor's approach to seeking developer contributions to Crossrail is appropriate. It requires **MM2** to be made to the Plan.
70. Turning to HS2, this is currently planned to run through the northern part of the Borough. It is intended to be in tunnel, cutting or over ground at various sections. However, planning is at an early stage and I accept that it is not possible for the Local Plan to be specific on the impact at various locations in the Borough. What can be anticipated is that there could be a range of potential adverse impacts to consider along with the benefits. These adverse impacts could include property blight, construction disturbance, train noise and visual impact. There is even less information about a possible Heathrow Spur to be delivered as part of Phase II of the project. Clearly the Local Plan will need to be responsive to the project as it

develops to ensure that the Plan continues to be sound.

71. As for the potential for other improvements to rail services in the Borough, the Local Plan is only able to provide general encouragement to those. Much will turn on the independent assessments and programmes of TfL and the train operating companies. There is insufficient evidence to justify the Local Plan being more specific in this area.
72. In relation to Heathrow Airport, with the minor changes proposed to the Local Plan, the Council's approach to Airport expansion is made clear. It is that whilst recognising the economic importance of the Airport, it is opposed to a third runway and any expansion of the Airport beyond its current boundaries. Rather, the Local Plan encourages the more sustainable operation of the Airport by facilitating improvements to public transport, and better cycle links.
73. I have been made aware of the possible potential for the Airport to accommodate developments that are not directly related to the operation of the Airport but which would nevertheless enhance its attractiveness and competitive position as an international hub and destination in its own right. It is important for the Council to adopt an open, evidence based approach to the assessment of any development proposals that expand the role of the Airport. These could include hotels and conference facilities as part of an "Airport City" development, which would seek, amongst other aims, to make more effective and economic use of land that has so far been seen as available only for Airport operational purposes. However, I do not consider there is sufficient evidence before me to justify the Council making main modifications to the Local Plan that would specify such forms of development that may be acceptable.
74. Another factor that leads me to that view is the Government is preparing its aviation policy. When announced, any change of current policy could alter the context of the Council's position. In this interim uncertain period, I consider that the Heathrow Opportunity Area Planning Framework will be the appropriate document to detail the Council's current approach to development at the Airport. Clearly this is another area where close collaborative working with the Airport and other stakeholders will be essential to ensure the Local Plan's success.
75. In conclusion, I am satisfied with the Local Plan's soundness in respect of the transport issue. It is justified, effective and follows a consistent approach.

**Issue 9 – Does the Local Plan give sufficient guidance on the provision of necessary infrastructure, and are there any significant barriers to effective implementation?**

76. The Local Plan deals with this issue in a comprehensive manner. There is a good level of understanding of the infrastructure needed to improve the quality of life and support growth in the Borough. The Plan is justified by a Strategic Infrastructure Plan (SIP), updated at May 2012. This details the projects required to support the Plan. Notable are schemes to provide an efficient public transport network to underpin sustainable growth, and the

provision of additional education, health and recreation facilities. The SIP sets down the costs and timings of projects, where known and indicates any contingency arrangements. A summary of the SIP's information is tabulated in Appendix 2 of the Plan. I accept that this is a snapshot in time and it will need to be regularly updated. More detail is emerging, for example in relation to the need for additional school places in the Borough. The next stage of the Local Plan will need to contain a firmer assessment of such need in order to allocate sites for any new buildings that may be required. From the information in the SIP, the Council is able to confirm that there are no projects that are crucial but so uncertain that the Plan's soundness in this respect is called into question.

77. Policies C11 to 13, together with provisions in other Policies, require necessary infrastructure. Proposed minor changes to these Policies and supporting text recognise the role of the Community Infrastructure Levy in funding projects. The Plan also recognises the need to work collaboratively with institutions like Brunel University to ensure that expanded further educational facilities can support the knowledge economy and enhance the Borough's reputation.
78. In conclusion, the Local Plan gives sufficient guidance on the provision of necessary infrastructure, and there are no identified and significant barriers to effective implementation. The Plan is sound in this matter and no main modifications are needed.

#### **Issue 10 – Are the monitoring arrangements soundly based?**

79. It is important that the Local Plan contains clear arrangements for monitoring and reporting results, with clear targets and measurable outcomes to assist this process. Each Policy in the Plan is supported by implementation, flexibility and monitoring indicators, with clear targets and an indication of the responsibility for, and means of, implementation. These are based on documents, strategies and programmes of the Council and those of other implementation bodies, together with National indicators and Government targets. The key monitoring mechanism will be through the Annual Monitoring Report. Some aspects of the Local Plan will require a more subjective judgement as to whether the Spatial Strategy is being achieved. Nevertheless, I am satisfied that the arrangements for monitoring the Local Plan will be effective, are clearly set out and soundly based. Accordingly no main modifications are needed.

## Assessment of Legal Compliance

80. My Examination of the compliance of the Local Plan with the legal requirements is summarised in the table below. I conclude that the Local Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	Local Plan is identified within the approved LDS, with minor revisions dated 9 September 2009, which sets out an expected adoption date of November 2011. The Local Plan's content is compliant with the LDS although the adoption date will be later.
Statement of Community Involvement (SCI) and relevant regulations	SCI was adopted in November 2006, and consultation has been compliant with the requirements therein.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (February 2011) sets out why AA is not necessary.
National Policy	The Local Plan complies with the Framework.
The London Plan	The Local Plan is in general conformity with the London Plan.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Local Plan complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**81. In accordance with Section 20(7) I recommend that the submitted Local Plan is adopted on the basis that it meets in full the requirements of Section 20(5). My report covers the primary issues that have brought me to this conclusion.**

*Douglas Machin*

Inspector

## Appendix – Main Modifications

The modifications below are additions to the submission Local Plan. The paragraph numbering below also refers to the submission Plan.

Ref	Page	Policy/ Paragraph	Main Modification
MM1		Delete paras 1.9 to 1.13 and replace with:	<p><b>Policy NPPF 1: National Planning Policy Framework - Presumption in favour of sustainable development</b></p> <p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</li> <li><input type="checkbox"/> Specific policies in that Framework indicate that development should be restricted.</li> </ul>
MM2		After para 9.33, add:	<p><b>Crossrail</b></p> <p>As noted at paragraph 3.11, Crossrail is a major strategic infrastructure project for London which will be routed through the southern part of Hillingdon alongside the existing Paddington main line. The Council supports the principle of Crossrail and recognises the associated regeneration benefits it will bring for Hillingdon. Work on the project began in 2008 and the main civil engineering construction works are expected to be completed by 2017, with services commencing in 2018. There will be a new station at Heathrow Airport and two existing</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>stations in the borough at Hayes and West Drayton will be upgraded as part of the Crossrail works. It is expected that these works will be undertaken during the period 2015/2016. The Council will actively pursue funding for this project from major commercial development proposals through the implementation of its Section 106 planning powers.</p> <p><b>Policy T5: Crossrail</b></p> <p>Subject to the other local priorities set out in this Local Plan: Part 1 (Strategic Policies) and other Part 2 Policies, the Council will seek planning contributions from appropriate commercial development towards the provision of the Crossrail project in accordance with the requirements of the London Plan.</p> <p><b>Implementation of Policy T5: how we will achieve this</b></p> <p>The Council will seek appropriate contributions from developers of commercial retail and office developments which will benefit from the provision of the Crossrail project in their area towards the overall costs of the project.</p> <p><b>Monitoring of Policy T5: how we will measure success</b></p> <p>Contributions towards Crossrail from appropriate commercial developments will be monitored via the Council's regular quarterly reviews of Section 106 receipts.</p>