



The Planning Inspectorate

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

**by Jameson Bridgwater PGDip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Date: 22 October 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the London Borough of Hillingdon Local Plan: Part 2**

The Plan was submitted for examination on 18 May 2018

The examination hearings were held between 7 and 9 August 2018

File Ref: PINS/R5510/429/8

## **Abbreviations used in this report**

AA	Appropriate Assessment
ANPS	Airports National Policy Statement
DtC	Duty to Co-operate
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
HLPP1	Hillingdon Local Plan: Part 1
HLPP2	Hillingdon Local Plan: Part 2
LDS	Local Development Scheme
LHN	Local housing need
LP	London Plan
MHCLG	Ministry of Housing, Communities and Local Government
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
PTAL	Public Transport Access Level
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
WMS	Written Ministerial Statement

## **Non-Technical Summary0**

This report concludes that the London Borough of Hillingdon Local Plan: Part 2 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. The Council of the London Borough of Hillingdon has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out a sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Revised housing and employment figures and sites; and
- Adding, amending or deleting site allocations and designations to ensure consistency with the NPPF and the ANPS; and
- Rewording policies to ensure they are positively prepared and consistent with the NPPF; and
- Adding, amending or deleting policies and explanatory text to guide development.

## Introduction

1. This report contains my assessment of the London Borough of Hillingdon Local Plan: Part 2 in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework (NPPF) was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. During the preparation of the Plan the Airports National Policy Statement (ANPS) was designated as a national policy statement (26 June 2018). It provides the primary basis for decision making on development consent applications for a north-west runway at Heathrow Airport. I deal with the issues and implications of this major infrastructure project below.
4. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The London Borough of Hillingdon Local Plan: Part 2 (HLPP2), submitted in May 2018 is the basis for my examination. It is the same document as was published for consultation in October 2015.

## Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
6. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to

provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the London Borough of Hillingdon Local Plan: Part 2 – Policies Map Atlas of Changes.

8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map is not justified and changes to the Policies Map are needed to ensure that the relevant policies are effective. These further changes to the Policies Map were published by the Council for consultation alongside the draft MMs, either embedded within the Proposed Schedule of Main Modifications 2019 document alongside a linked MM, or within the separate Local Plan Part 2 Policies Map with Proposed Modifications 2019. Although the embedded maps are shown within the MM schedules in the Appendix to this report, they are not a formal part of the MMs.
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the London Borough of Hillingdon Local Plan: Part 2 – Policies Map Atlas of Changes and the further changes published alongside the MMs

## **Assessment of Duty to Co-operate**

10. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
11. The Council has a long history of working with neighbouring authorities and the prescribed bodies on cross boundary issues and strategic matters. The HLPP2 seeks to implement the strategic objectives of the HLPP1. As such, strategic matters have already been appropriately considered within the HLPP1. Nonetheless, the London Borough of Hillingdon has outlined its continuing collaborative approach to the Duty to Co-operate (DtC), within its Duty to Co-operate Statement May 2018 and supporting documents. These show appropriate engagement with the necessary local planning authorities and the various prescribed bodies. I am therefore satisfied that there are no outstanding strategic cross border issues.

## **Assessment of Soundness**

### **Background**

12. The London Borough of Hillingdon Local Plan: Part 2 (HLPP2) has been prepared in the context of the London Borough of Hillingdon Local Plan: Part 1 (HLPP1) which was adopted in November 2012. The HLPP1 provides the strategic planning policy background for the matters contained within the HLPP2, and it is not necessary to address those matters further in my examination.

13. The HLPP2 will sit alongside the HLPP1 and will replace all of the saved policies of the Unitary Development Plan (September 2007) and will be used as necessary to assess development proposals within the Plan area. The HLPP2 is arranged into two separate documents, the Development Management Policies and the Site Allocations and Designations.
14. The HLPP2 is a plan that is intended to implement the strategy and objectives of HLPP1. It was widely accepted at the hearings that during the course of plan preparation there had been material changes in both national and London-wide policy along with a significant increase in growth in the Borough. Therefore, the Council have committed to an early review of the Local Plan in response to the emerging new London Plan and the ANPS. I consider the Council's approach to be both reasonable and pragmatic in the circumstances.

### **Main Issues**

15. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 3 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Is the Hillingdon Local Plan: Part 2 consistent with, and does it positively promote, the vision, objectives and spatial policies contained in the Hillingdon Local Plan: Part 1; and is its overall approach consistent with national policy?**

16. Hillingdon as a London Borough has a range of settlements each with their own unique character. The area to the north of the A40 is semi-rural, with Ruislip as its main district centre. The south of the borough is more densely populated, urban in character and contains the metropolitan centre of Uxbridge and the district centres of Hayes and West Drayton. These are all connected and underpinned by Hillingdon's natural and industrial heritage. The HLPP2 seeks to direct development and growth across the Borough by identifying the most appropriate and sustainable sites. To achieve this, the Site Allocations and Designations section of the HLPP2 identifies amongst other things sites for the delivery of housing, employment, mineral extraction, transport and waste infrastructure. The Development Management Policies section of the HLPP2 contains policies that seek to support the enhancement of the built and natural environment and the improvement of movement in and around Hillingdon. These objectives are fully compliant with the HLPP1.
17. Generally, there is broad local support for the HLPP2's vision and objectives, which are based on an understanding of community needs and aspirations gained through extensive public consultation and engagement. This is explored in the HLPP2 Consultation Reports (April/May 2013 and May 2018) which alongside the Sustainability Appraisals (2014 and October 2015) demonstrate how the Council has reached its preferred options for the vision and aims of the plan. There is a flexible approach across the allocated sites to balance the provision of available and deliverable development land for housing and employment and the necessary infrastructure that supports it,

alongside providing the necessary protection for Hillingdon's built and natural environment.

18. Overall, and subject to the main modifications identified, the Plan before me is positive and flexible, and it promotes and encourages economic development and environmental improvement throughout the Plan period consistent with the vision, objectives and spatial policies of the HLPP1 and the NPPF.

**Issue 2 – Whether the Development Management policies are justified, consistent with the London Borough of Hillingdon Local Plan: Part 1, and are likely to be effective?**

19. The Development Management policies of the HLPP2 are arranged over 8 chapters. These deal with the economy, town centres, new homes, historic and built environment, environmental protection and enhancement, community infrastructure and transport and aviation. The range of detailed policies in the HLPP2 will positively promote the aims and objectives of the HLPP1.

Economy

20. There are 7 policies within the economy chapter of the HLPP2 that seek to provide clear direction in relation to economic growth within the Borough. The policies seek to promote employment growth, by setting out the approach to employment use proposals both within and outside designated employment sites and areas. The chapter also provides clear guidance on tourism, visitor facilities and attractions, hotels and farm diversification.
21. Policy DME 1 – Employment Uses on Designated Sites seeks to ensure that designated employment sites are retained, and that new development should not compromise the operation of these sites. To ensure the policy is effective, modifications are necessary to reference the London Plan within the supporting text, particularly with regard to mixed use development where it would assist the renewal/modernisation of existing office stock. Moreover, it is necessary in the interests of clarity and precision to make modifications to Criterion D i to ensure that it aligns with Criteria A, B and C of the policy (**MM1**).
22. Policy DME 2 – Employment Sites Outside Designated Employment Areas is a criteria-based policy that seeks to retain existing non-designated employment sites. As such, to ensure the policy is effective a modification is required to add an additional Criterion v relating to specific land use allocations elsewhere in the plan (**MM2**).
23. HLPP1 Policy E2 seeks to direct office development to 3 growth areas (Uxbridge Town Centre, Stockley Park and Heathrow Perimeter). As such, Policy DME 3 – Office Development supports proposals for new office development within these locations along with criteria that seeks to resist schemes that would result in a loss of office floorspace. However, in light of proposals for the expansion of Heathrow Airport contained within the Airports National Policy Statement (ANPS) it is necessary to ensure the policy is effective and deliverable to make modifications to both the supporting text and Criterion A of the policy to delete references to Heathrow Perimeter. This is due to the overall scale of the infrastructure project, which is likely to have

implications for sites during the construction phase and in the longer term within the vicinity of the airport. Furthermore, to ensure the policy is effective it is necessary to modify Criterion F to ensure proposals for new offices outside the identified growth areas be tested sequentially (**MM3**).

24. Policy DME 5 - Hotels and Visitor Accommodation supports the provision of a range of visitor accommodation within the Borough. Modifications are required to ensure that the policy is justified and effective taking account of the proposals for the expansion of Heathrow Airport as set out in ANPS. It is therefore necessary to delete references to the Heathrow Perimeter within the explanatory text. Moreover, to ensure that the policy is positively worded it is necessary to replace the word 'pressures' with 'demand' in relation to Heathrow Airport (**MM4**).
25. For the reasons above, the Plan's approach to Hillingdon's economy is sound subject to the main modifications I have identified. The Plan will support economic growth within the Borough.

#### Town Centres

26. The Town Centres chapter of the HLPP2 contains 4 policies that seek to underpin the role of town centres and the benefits they bring to social, economic and environmental well-being of the Borough. HLPP1 establishes the town centre hierarchy and HLPP2 provides greater detail and direction in relation to town centre development, primary and secondary shopping areas, local centres and parades. The chapter also contains a policy that seeks to ensure that an appropriate balance can be achieved within town centres to prevent an over concentration of uses that may have an adverse impact on amenity.
27. Policy DMTC 1 – Town Centre Development seeks to protect the role and function of the Borough's town centres. To ensure the policy is effective a modification is necessary to support the vitality and viability of the Borough's key shopping areas by way of the addition of Criterion B to restrict the residential use of ground floors in primary and secondary shopping areas and in designated shopping parades when planning permission is required (**MM5**).
28. Policy DMTC 2 – Primary and Secondary Shopping Areas seeks to protect and enhance that the vitality and viability of retail centres within Hillingdon. As such, the policy sets out a criteria-based approach to ensure that there is an appropriate mix of retail and associated uses with primary and secondary shopping areas. To ensure that the policy is justified it is necessary to modify the supporting text of the policy to allow proposals for other uses not specified within the policy to be brought forward where it can be demonstrated that they would support and provide benefits to the vitality and viability of town centres within the Borough. Furthermore, it is necessary in the interests of clarity and effectiveness to amend the text in Criterion B to relate to uses specified in policy DMTC 4 and add an additional Criterion C to enable the consideration of community facilities within secondary frontages where they would support the vitality and viability of town centres (**MM6**).
29. Shopping areas to meet local needs are a component part of Hillingdon's retail provision. These are particularly important for people who do not live close to

the Borough's town centres by providing access to services and facilities reducing the need to travel. Therefore, Policy DMTC 3 – Maintaining the Viability of Local Centres and Local Parades strives to ensure that designated parades and local centres retain shops that provide a broad range of services to the community that they serve. In the interests of consistency with policy DMTC 4 and to ensure that the policy is effective it is necessary to delete Criterion A of the policy and make consequential changes to the remaining criteria (**MM7**).

30. Policy DMTC 4 – Amenity and Town Centre Uses seeks to protect the amenity, character and functionality of town centres through resisting the over concentration of uses that could amongst other things create noise, disturbance, odour in a specific area of a town centre. The policy provides clear direction for the decision maker through the use of criteria. However, a modification in the interests of consistency and to provide direction for the decision maker is necessary to the supporting text to reference the Mayor of London's Town Centres SPG (**MM8**).
31. Consequently, the HLPP2's approach to town centres is sound subject to the main modifications I have identified and will help to underpin the important role of town centres in the Borough.

#### New Homes

32. There are 8 policies within the New Homes chapter of the HLPP2 that seek to provide clear direction in relation to the provision of housing within the Borough. The policies amongst other things seek to safeguard existing housing and the chapter also provides clear guidance on housing mix, residential conversions, houses in multiple occupation, affordable housing, sheltered housing and care homes. To ensure that the HLPP2 would adequately address the needs for all types of housing and the needs of different groups in the community in accordance with the NPPF. It is necessary to add an additional policy DMH9 – Gypsies and Travellers and Travelling Show-People to the New Homes chapter of the Plan, that sets out criteria to enable the assessment of proposals for new sites to meet this specific need (**MM9**).
33. Therefore, the HLPP2's approach to the provision of new homes is sound subject to the main modifications I have identified and will help to deliver a wide range of housing to meet the needs of the Borough.

#### Historic and Built Environment

34. Policies SO1, SO2 and HE1 of the HLPP1 aim to conserve and enhance the Historic and Built Environment and improve the quality of the built environment. To this effect the HLPP2 contains 21 policies that seek to implement those objectives. The historic environment is addressed in policies DMHB 1 to DMHB 9 and the built environment is covered in policies DMHB 10 to DMHB 21.
35. DMHB1 Heritage Assets is a criteria-based policy that seeks to ensure that new development proposals conserve or enhance heritage assets within the Borough. Therefore, it is necessary to amend Criterion (ii) of the policy to

ensure consistency with the NPPF in relation to the loss of significance or harm to a heritage asset and whether it could be demonstrated that public benefit derived from a proposal would outweigh that harm (**MM10**).

36. Policies DMHB 12 Streets and Public Realm and policy DMHB 13 Shopfronts seek amongst other things to provide detailed guidance to the decision maker in relation to ensuring that proposals that effect the street scene and public realm are well designed and of high quality. Moreover, both policies seek to ensure that advertisements do not result in harm to the public safety or amenity. Therefore, a modification is required to ensure clarity, by deleting references to advertisements and consequential changes in policies DMHB 12 and DMHB 13 and the creation of a new single criteria-based policy that is applicable to all advertisement proposals. Thus, the insertion of new policy DMHB 13A Advertisements and Shop Signage will set out the criteria for advertisement proposals in the Borough and provides clear design guidance to the decision maker with regard to public safety and amenity (**MM11**).
37. London Plan (LP) policy 3.4 seeks to optimise housing potential within the city, whilst recognising that there are many factors that need to be considered when determining planning applications. DMHB 17 Residential Density sets out amongst other things to ensure that new housing proposals take into account the size of the development site and its location and proximity to services having regard to Hillingdon's location as an outer London borough. It is necessary to modify the residential density matrix within the policy to ensure that it is in general conformity with the LP (**MM12**). In reaching this conclusion I have taken into account the emerging new London Plan; however, I consider that the issues raised by the Mayor would be more appropriately addressed through the Council's early review of the Local Plan.
38. DMHB 20 Moorings is a criteria-based policy that provides clear guidance in relation to planning applications for new long-term moorings on the canal network in Hillingdon. To ensure that the policy is justified it is necessary to modify the explanatory text to include leisure and commercial use. To ensure the policy is effective amendments to Criteria ii, iii, v and vi are required to ensure that proposals do not impede the use of the canal network and provide adequate facilities to support the use of the moorings. These modifications provide clear direction to the decision maker (**MM13**).
39. Subject to the main modifications I have identified, the Historic and Built Environment policies of the HLPP2 would implement the aims and objectives of the HLPP1. As such, they are justified by the available evidence and sound.

#### Environmental Protection and Enhancement

40. The LP provides overall policy guidance for London in relation to environmental protection and enhancement, with the HLPP1 providing strategic direction in relation to Hillingdon. The HLPP2 contains 18 policies which seek to ensure amongst other things that new development utilises sustainable design and energy coupled with reducing carbon emissions. The chapter also includes policies that deal with the Green Belt, Metropolitan Open Land and Green Chains. There are also policies that address biodiversity, water management, water efficiency, flood risk, air quality and contamination. Minerals and aggregates policies are also included in the chapter.

41. Targets for the reduction of carbon emissions are set out in Policy 5.2 of the LP. Policy DMEI 2 Reducing Carbon Emissions seeks to ensure that new development proposals in Hillingdon contribute towards the reduction in carbon emissions and sets out the information that should be submitted to demonstrate how it will be achieved. In the event of a shortfall the policy allows for an off-site contribution to be made. To ensure general conformity with the LP it is necessary to modify Criterion C and delete the term 'allowable solution' and footnote 8 (**MM14**).
42. Policy DMEI 4 seeks to prevent inappropriate development in the Green Belt or on Metropolitan Open Land in accordance with LP policy 7.17 and the NPPF. Therefore, it is necessary to amend the text by deleting the word 'exceptional' and replacing it with 'special' in Criterion A of the policy to ensure consistency with the NPPF (**MM15**).
43. One of the aims of policies EM1 and EM7 of the HLPP1 is to protect and enhance biodiversity within Hillingdon. As such, policy DMEI 7 Biodiversity Protection and Enhancement seeks to ensure that new development considers and addresses biodiversity within proposals. To this effect it is necessary to modify the supporting text to provide clarity in relation to nationally accepted best practice and allow for the provision of green infrastructure where appropriate (**MM16**). Furthermore, to ensure consistency with LP policy 7.20 and paragraph 118 of the NPPF, it is necessary to modify Criteria A, B and D to add in references to geological value and provide clarity and direction for the decision maker should a development proposal result in significant harm to biodiversity (**MM17**).
44. DMEI 8 Waterside Development is a criteria-based policy that provides guidance for development on sites that adjoin or include a watercourse. To ensure consistency with HLPP1 policy EM3 it is necessary to amend Criterion F of the policy to ensure that new development contributes to the 'improvement of the canal' rather than 'biodiversity improvements' which are adequately addressed by other policies in the HLPP2 (**MM18**).
45. Policy EM6 of the HLPP1 seeks to improve the way flood risk is managed in Hillingdon. Policy DMEI 9 Management of Flood Risk is a criteria-based policy that requires proposals for new development to reduce the risk or consequences of flooding. As such, it is necessary for consistency with the NPPF to reflect the Environment Agency's latest flooding guidance to modify the wording of Criterion A with regard to sequential testing proposals within specified flood zones, flood defences and finished floor levels. Moreover, for clarity it is necessary to add an additional Criterion requiring development proposals within specified flood zones to be supported by a Flood Risk Assessment (FRA) (**MM19**).
46. DMEI 10 Water Management, Efficiency, and Quality seeks to address issues related to surface water in proposals for new development and ensure that water resources and water quality are maintained. To ensure that the policy is effective, modification is required to Criterion B to ensure that development schemes are designed with an 'appropriate allowance' for climate change for the worst storm duration. Moreover, it is necessary to ensure the policy is effective to amend Criterion J to ensure that developers should submit a

detailed water and/or drainage strategy where there are capacity constraints (**MM20**).

47. Policy DMEI 14 Air Quality seeks to improve air quality within the Borough. In the interests of clarity and to ensure the policy is effective, it is necessary to amend Criterion B of the policy by deleting the word 'continued' (**MM21**).
48. Accordingly, the HLPP2's approach to environmental protection and enhancement is sound subject to the main modifications I have identified and will contribute towards the reduction of carbon emissions whilst enhancing the natural environment and biodiversity in the Borough.

## Minerals

49. Hillingdon is one of four boroughs that is identified by the LP to provide a landbank to provide land won aggregates. HLPP1 policies EM9 and EM10 therefore seek to safeguard and promote areas that make a proportionate contribution to West London's minerals resources. As a consequence, there are 4 development management policies within HLPP2 that seek to ensure that there is protection for mineral supply within Hillingdon and its associated supporting infrastructure (railheads, recycling facilities etc).
50. Policy MIN 1 Safeguarded Areas for Minerals and Aggregates Railheads aims to safeguard preferred areas and specific sites for the extraction of sand and gravel. It is necessary in the interests of consistency to modify the policy to ensure that the identified sites are categorised in accordance with the national Planning Practice Guidance (PPG). Furthermore, to ensure mineral reserves are afforded adequate protection it is necessary to identify 'Bedfont Court Estate' as an Area of Search (**MM22**).
51. It is necessary to provide clear direction for the decision maker to introduce a new policy within the minerals section of HLPP2. This is required to enable the assessment of proposals for new areas of mineral extraction. Thus, policy MIN 1A Assessing Proposals for New Minerals Development is a criteria-based policy that seeks to ensure that need for the proposal has been demonstrated and that there would be no significant adverse impact from the development. The criteria would also apply to development proposals within preferred areas (**MM23**).
52. The LP sets targets for the re-use of construction, demolition and excavation waste. As such, this is promoted within policy MIN 4 Re-use and Recycling of Aggregates a criteria-based policy. To ensure consistency with other policies within the HLPP2 it is necessary to modify the text of Criterion B in relation to 'active' minerals extraction and landfill sites and replace 'granted' with 'supported' subject to local amenity and other policies within the plan (**MM24**).
53. For the reasons set out above, HLPP2's approach to the protection and utilisation of mineral resources in the Borough is sound subject to the main modifications I have identified. The Plan safeguards mineral resources and infrastructure and provides detailed guidance for mineral extraction in accordance with the strategy set out in the HLPP1, ensuring that Hillingdon can make a meaningful contribution to West London's minerals resources.

## Community Infrastructure

54. Policies CI1 to CI3 within the Transport and Infrastructure chapter of the HLPP1 deal with provision of social and community infrastructure in Hillingdon. These seek to cater for the needs of the existing community and future populations by amongst other things supporting the retention and enhancement of existing community facilities (health, police, libraries, community centres), supporting the extensions to existing schools and the development of new schools. The policies also support the retention and enhancement of leisure, recreational and cultural facilities in Hillingdon.
55. The Community Infrastructure chapter of the HLPP2 contains 7 policies that seek to ensure the retention and delivery of community facilities within the Borough. The policies provide guidance on the assessment of new development proposals seeking to ensure that they meet the community infrastructure needs of Hillingdon's residents.
56. Policy DMCI 2 New Community Infrastructure seeks to address the increase in demand for educational and healthcare needs of Hillingdon. As such it is necessary for clarity and consistency with other policies in the HLPP2 to modify the explanatory text of the policy to reflect the current position in relation to health care and education within the Borough (**MM25**). Moreover, to provide clear direction to the decision maker it is necessary to add a new policy DMCI 1A Development of New Education Floorspace. This a criteria-based policy that will be used to assess proposals for new schools and school expansion schemes in Hillingdon (**MM26**). In reaching these conclusions I have taken account of the issues raised by interested parties submitted in writing and at the hearings. I therefore consider that subject to the main modifications the Plan will make adequate provision for community infrastructure to support growth in Hillingdon.

## Transport and Aviation

57. To enable Hillingdon to deliver growth in both new jobs and homes it is necessary to have a coordinated and planned approach to transport. As such, Chapter 9 of the HLPP1 contains 7 policies that seek to promote sustainable forms of transport in Hillingdon, that in turn will aim to reduce the reliance on the private motor vehicle and improve quality of life in the Borough. Furthermore, there are 3 policies that deal with aviation, including policy DMAV 2, which deals with Heathrow the largest and busiest airport in the United Kingdom.
58. Policy DMT1 Managing Transport Impacts is a criteria-based policy that seeks to ensure that development proposals address impact on the transport network in a sustainable manner. The policy requires development proposals that meet or exceed thresholds to be supported by a Transport Assessment and Travel Plan. To ensure that the policy is consistent with national policy it is necessary to modify Criterion B by replacing the reference to Table 8.1 with 'appropriate' and deleting the Table 8.1 in the supporting text. This will ensure the thresholds requiring the submission of a Transport Assessment and Travel Plan are the most current and relevant (**MM27**).
59. Hillingdon's parking standards are in general conformity with the LP. However, there are some variations in relation to employment sites and

residential uses which take into account its location as an outer London Borough. Therefore, to ensure the policy is effective, it is necessary to amend the explanatory text of policy DMT 6 Vehicle Parking to establish that the standards contained within Appendix C Table 1, are maximum levels and do not imply any minimum level (**MM28**).

60. To enable the assessment of development proposals at Heathrow Airport policy DMAV 2 sets out criteria that seeks amongst other things to manage and reduce environmental impacts from the current airport operation. To ensure that the policy is positively worded and reflects the ANPS, it is necessary to delete paragraph 8.48, amend 8.51 of the explanatory text along with the deletion of Criteria A ii and B of the policy and its associated footnote (**MM29**).
61. Subject to the main modifications I have identified, the Transport and Aviation policies of the HLPP2 would positively implement the aims and objectives of the HLPP1. As such, they are justified by the available evidence and sound.

#### Conclusion

62. In summary the Development Management policies of the HLPP2 are subject to the main modifications I have identified will be effective and are justified and consistent with the HLPP1 and the NPPF.

#### **Issue 3 – Are the Site Allocations and Designations policies of the HLPP2 consistent with the HLPP1, LP and national policy, and are they justified and deliverable and has the Plan been positively prepared in these respects?**

63. The Site Allocations and Designations policies of the HLPP2 are arranged over 6 chapters. These deal with growth in Hillingdon, new homes, town centres, green belt, metropolitan open land and green chains, key transport interchanges, community infrastructure, and minerals and railheads safeguarding. The range of detailed policies in the HLPP2 will positively promote the aims and objectives of the HLPP1.
64. The aim of the policies is to deliver sustainable, inclusive and mixed communities. To ensure that the Site Allocations and Designations policies are generally positively worded and flexible, it is necessary to delete references to minimum and maximum in relation to indicative site capacities (**MM30**). Moreover, in circumstances where a new homes site allocation benefits from planning permission it is necessary for consistency with the NPPF to modify the policy text. This is to ensure that the Plan is positively worded and flexible in relation to the assessment of development proposals that promote acceptable alternative design solutions (**MM31**).

#### Growth in Hillingdon

65. The Growth in Hillingdon chapter of the HLPP2 seeks to bring effect to the HLPP1's strategic vision. The chapter identifies key locations in Hillingdon where growth should be directed. These include amongst others Uxbridge, Heathrow Airport, Heathrow Opportunity Area and Hayes/West Drayton.

## New Homes

66. HLPP1 policy H1 – Housing Growth requires the provision of at least 6,375 new homes in Hillingdon over the plan period 2011 -2026. However, the London Plan (published March 2015) increases Hillingdon's 10-year target (2015 to 2025) to 5,593 dwellings. The Council have sought to address this increase within the HLPP2 and calculated that this would equate to a minimum of 8,385 dwellings within the plan period (2011 – 2026). Moreover, the Plan confirms that 3,015 dwellings had been completed up to 1 April 2014. As such, the HLPP2 seeks to allocate adequate land for new housing to deliver the LP based housing target of 8,385 dwellings within the plan period.
67. To contribute towards meeting the LP housing target, a modification is necessary to include Hayes Housing Zone as a key growth location. Hayes Housing Zone is one of thirty areas in London identified for growth in the Mayors Housing Strategy. The zone will contribute a significant proportion of the Council's housing requirement (approximately 2788 homes). This will ensure general consistency with the LP that seeks to increase house building across London (**MM32**).
68. The New Homes chapter of the HLPP2 contains 41 site allocation policies which relate to the identification and provision of land for new housing. The aim of the policies is to deliver sustainable, inclusive and mixed communities. Table 3.3 Proposed Site Allocations identifies sites that are expected to deliver new homes within the plan period. In the interests of clarity and to demonstrate consistency with the housing requirement, it is necessary to update the Table 3.3 to take into account the most up to date housing site allocations and their potential capacities. The updated table demonstrates that the identified sites could provide approximately 9392 new homes within the plan period (**MM33**). This is significantly more than the HLPP1 requirement, which, I consider this to be both a pragmatic and robust approach that will ensure that Hillingdon will be able to deliver much needed homes in a time of significant need.
69. Policy H3 of the HLPP1 addresses Gypsy and Traveller pitch provision in Hillingdon. The Council updated their Gypsy and Traveller and Travelling Show People assessment to ensure consistency with the Planning Policy for Traveller Sites (August 2015). This identified a requirement for 2 additional pitches for travellers within the plan period. It is therefore necessary to make modifications to paragraphs 3.19 and 3.20 of the New Homes chapter to ensure that the additional pitches for travellers are provided at the Council's Colne Park site (**MM34**).
70. The policies for each site allocation (SA 1 to SA 41) sets out site specific information that provides clear direction to both the decision maker and prospective developers. The site allocation policies include amongst other things proposed number of units, PTAL (Public Transport Access Level) rating, site area and phasing along with identifying constraints such as flood risk and contamination.
71. To ensure that policy SA 2 - The Old Vinyl Factory and Gate, Hayes is broadly consistent with the latest planning permission for the site, it is necessary to modify the proposed number of dwellings on the site (**MM35**) within the site

information table. To ensure clarity a modification is required to policy SA 3 - Eastern End of Blyth Road. This adds site C to the allocation ensuring a comprehensive approach to the development of the site. The modification also requires amendments to the proposed number of units, the requirement of a flood risk assessment and factual amendments in relation to site names, designations and its relationship to the adjacent Crown Trading Estate (**MM36**).

72. It is necessary to modify the HLPP2 to include a policy relating to Crown Trading Estate which is in poor condition. The site is located within Hayes town centre and could contribute to the regeneration of the area through the provision of a residential led mixed-use development (approx. 197 units) within the latter part of the plan period (2021-2026). As such, the modification to include Policy SA 3A - Crown Trading Estate would provide clear direction to the decision maker and boost the supply of housing. A consequential amendment to the Strategic Industrial Land boundary will be required to reflect this release (**MM37**). Policy SA 4 - Fairview Business Centre promotes a residential led mixed-use scheme. To ensure that it is effective and complements the future redevelopment of the Crown Trading Estate site it is necessary to amend the supporting text and policy wording to highlight design criteria and density (**MM38**).
73. Policy SA 5 - Land to the South of the Railway, including Nestle Site, Nestle Avenue, Hayes addresses the planned closure of a major employment site used for the manufacture of coffee. The policy seeks to comprehensively redevelop the site for residential use with complementary commercial uses. Therefore, it is necessary for the Plan to be effective to amend the policy with regard to the density/number of units proposed, the provision of associated community infrastructure, phasing, heritage, design/massing, commercial mix and access arrangements (**MM39**). To ensure that the residential development of the site allocation provides adequate access to the Grand Union Canal, it is necessary to amend the text of policy SA 7 - Union House, Hayes to ensure that there is adequate land made available to facilitate access and improvements to the south side of the canal from Station Road. As such the modification ensures that proposals for the site should be in accordance with the broad parameters established through an extant planning permission for the site (**MM40**).
74. The objective of Policy SA 9 - Audit and Bellway House, Eastcote is to support the residential conversion of an office and educational facility. In the interests of clarity, it is necessary to modify the introductory and policy text in relation to phasing within the plan period, unit numbers and that development proposals for the site should be consistent with the broad parameters established through extant prior approvals for each of the buildings (**MM41**). Policy SA 10 - 269-285 Field End Road, Eastcote supports the residential redevelopment of the site subject to the provision of adequate parking and landscaping. However, in the interests of clarity and precision a modification is necessary to correct the site address to "281-285 Field End Road" (**MM42**).
75. The site allocation set out in Policy SA 14 - Master Brewer and Hillingdon Circus, Hillingdon is sub-divided into Site A and Site B. The allocation has good access to the strategic road (A40) and public transport networks. As such, the policy supports a residential led mixed-use redevelopment of the

site. Nonetheless, part of the site allocation as proposed is located within the Green Belt. A modification (**MM43**) is necessary to exclude the Green Belt land from the site allocation to ensure consistency with the NPPF as exceptional circumstances do not exist to justify this boundary change. It is also necessary to amend the number and distribution of units to be provided from Site A and Site B to provide a more accurate capacity estimate. Moreover, the reduction in the overall site allocation means that the site is now wholly within Flood Zone 1 and indicative phasing moved to 2021-2026.

76. Since the HLPP2 was prepared in 2015 a number of sites that were not originally included in the Plan have secured planning permission for residential development. Therefore, in the interests of clarity and precision a modification (**MM44**) that adds a new site allocation policy SA 16A – 36-40 Rickmansworth Road. This sets out the approximate net unit numbers (21 units), constraints and phasing for the site. Modification (**MM45**) is necessary in the interests of precision to update the proposed housing numbers attributed to site allocation policy SA 19 – Braintree Road, South Ruislip (163 units), moreover, a factual amendment to the site information table is required to reference safeguarding for HS2. Modification (**MM46**) updates the proposed housing numbers attributed to site allocation policy SA 20 – Bourne Court, South Ruislip (69 units) in the interests of precision following the grant of planning permission. Furthermore, due to the site no longer being available for housing it is necessary with regard to ensuring that the Plan is developable to delete policy SA 21 – Eagle House (**MM47**).
77. Policy SA 22 – Chailey Industrial Estate, Pump Lane is located in close proximity to Hayes town centre. The policy seeks to support the residential redevelopment of the site. However, in the interests of precision and facilitating comprehensive development an amendment is necessary in relation to the site boundary to reintroduce the adjoining Matalan site. Furthermore, to take account of the change it is necessary to amend the policy wording and supporting text and make a consequential amendment to the Strategic Industrial Location boundary (**MM48**). However, it is not necessary for soundness to amend the description to residential led mixed-use development as the policy already allows for the development of the site to be supported by small scale commercial uses.
78. Similarly, policy SA 23 Silverdale Road/Western View supports the residential led mixed used development of the site. However, a modification is necessary in the interests of precision and clarity. This amendment ensures alignment with the designation of the Hayes Housing Zone and density/number of units proposed. The modification also provides further detailed guidance in relation to design, heritage, open space and connectivity (**MM49**).
79. Benlow Works is a Grade II Listed Building that has been identified as being at risk by Historic England. As such, Policy SA 24 Benlow Works, Silverdale Road seeks to support the retention and restoration of the heritage asset through mixed-use development. To ensure the policy provides clear direction to the decision maker a modification is necessary to ensure that redevelopment proposals for the site integrate with surrounding industrial uses and provide adequate mitigation. Further, it is necessary to update the proposed housing numbers in the site information table to ensure that the policy is justified and effective (**MM50**).

80. To ensure that the policy is justified and effective it is necessary to make modifications to the site information tables for policies SA 25 – 297-299 Long Lane, Hillingdon and SA 27 – St Andrews Park, Annington Homes Site with regard to the proposed number of units and net completions (**MM51, MM52**). Modifications to policies SA 30 – Grand Union Park, Packet Boat Lane and SA 31 – Fassnidge Memorial Hall, Uxbridge relate to amending the proposed number of units within the site information table adding precision to ensure that the policy is positive and effective (**MM53, MM54**).
81. To respond to the higher housing requirement of the LP, modifications are required to include new residential development sites that have come forward during the preparation of the HLPP2 following the grant of planning permission. Therefore, in the interests of clarity and precision it is necessary to add 5 new site allocation policies SA 31A – Waterloo Wharf, Uxbridge, SA31B – Randalls Building, Uxbridge, SA 34A – West Drayton Police Station, SA 34B – Former Royal British Legion Building and SA 39A – Land to the rear of 2-24 Horton Road. Cumulatively these sites will provide approximately 252 new homes. The modifications set out the proposed number of new dwellings for each site along with constraints and indicative phasing (**MM55, MM56, MM57, MM58, MM61**).
82. Policy SA 38 – Padcroft Works, Tavistock Road, Yiewsley is located close to the town centre. The policy supports residential-led mixed-use re-development of the site. In the interests of clarity and precision a modification is necessary to amend the policy, supporting text and site information table to include the most up to date housing delivery figures, constraints and phasing to reflect densities derived from the London Plan (**MM59**). With regard to policy SA 39 Trout Road, Yiewsley, a modification is necessary to amend the policy, supporting text and site information table in the interests of precision and clarity. These amend the policy, supporting text and site information table to include the most up to date housing delivery figures, constraints and phasing following the addition of Onslow Mills (site C) to the site allocation (**MM60**).

#### Rebalancing Employment Land

83. Policies E1 and E2 of the HLPP1 seek to manage the provision and location of employment land in Hillingdon over the plan period, seeking to ensure that there is sufficient supply to meet the anticipated level of growth. In preparing the HLPP2 the Council have carried out an employment land review that informed the Plan in relation to the availability and suitability of industrial sites. As such, there are 2 policies within the Rebalancing Employment Land chapter of the HLLP2 that deal with Strategic Industrial Locations, Locally Significant Industrial Sites, Locally Significant Employment Locations and Hotel and Office Growth Locations.
84. The proposed expansion of Heathrow Airport as set out in the ANPS is a significant infrastructure project. As such, it is likely to have implications for sites within the vicinity of its boundary; both during the construction phase and in the longer term. Therefore, it is necessary in the interests of deliverability to modify the supporting text of the chapter deleting references to Bath Road, Hayes as a Locally Significant Employment Location given its proximity to the boundary of the Heathrow expansion area (**MM62**). Furthermore, a consequential modification is necessary to delete references to

the Heathrow perimeter sites and Bath Road in policy SEA 2 - Hotel and Office Growth Locations in the interests of consistency with ANPS and deliverability of the Plan (**MM63**).

85. In reaching this conclusion I have carefully considered the overall scale of the airport infrastructure project and the potential implications of its construction and subsequent operation. With the final design of the Heathrow expansion project still to be resolved I consider that a review of the deleted sites in close proximity to the airport should be carried out in the Council's early review of the Local Plan when greater detail is likely to be available.

#### Green Belt, Metropolitan Open Land and Green Chains

86. Policy EM2 of the HLPP1 seeks to protect Hillingdon's Green Belt, Metropolitan Open Land and Green Chains; stating that minor adjustments to the Green Belt and Metropolitan Open Land will be undertaken in the HLPP2. Thus, the Green Belt, Metropolitan Open Land and Green Chains chapter of the HLPP2 seeks to ensure that these are protected and enhanced.
87. The HLPP2 proposes a number of minor changes to the Green Belt boundary that have been proposed to take account of mapping errors, planning permissions (including Terminal 5 at Heathrow), and changes in physical features. These are detailed in the Green Belt Assessment Update document (2013) and shown on the Policies Map and would ensure the boundary is logical and robust. Consequently, exceptional circumstances exist to justify these boundary changes.
88. Since the publication of the HLPP2 in 2015, further evidence in the form of representations has identified opportunities to refine the Green Belt boundaries at Lake Farm School, 8 Woodfield Terrace, The Dairy Farm Cricket Ground, Duval House and 63 Daleham Drive. These have, resulted in further minor changes to the Green Belt boundary to allow more logical and defensible Green Belt boundaries to be created. These changes, as shown on the Policies Map and as amended through further changes illustrated in the post hearing consultation MM and Atlas of Change documents, are logical and justified. Consequently, exceptional circumstances exist to justify these boundary changes.
89. I have had regard to the representations that sought revisions of the Green Belt boundaries at Brunel University and Douay Martyrs Academy. However, the promoted revisions would amount to significant changes to the Green Belt and as such they would therefore conflict with Policy EM2 of the HLPP1. Consequently, these are both matters that would be more appropriately considered during the Council's early review of the Local Plan.
90. With regard to Metropolitan Open Land it is necessary to ensure that the Plan is effective and justified to amend the boundary of Falling Lane Recreation Ground, Yiewsley to reflect the full extent of the recreation ground. Furthermore, in relation to local nature reserves minor changes are required to define the boundaries of Frays Island and Mabey's Meadow, Huckerby's Meadow and Frays Farm Meadows. These changes, as shown on the Policies Map and as amended through further changes illustrated in the MM and Atlas of Change documents, are logical and justified.

## Community Infrastructure

91. The Community Infrastructure chapter of the HLPP2 seeks to make provision for education and healthcare needs that arise from growth and demographic change in Hillingdon as set out in HLPP1. A modification is necessary in the interests of clarity and precision to update the supporting text of the policy to take into account the latest position in the Borough as a result of revised national and London-wide growth projections. These demonstrate an increased need for school places, new forms of entry, health care and primary care provision. In reaching this conclusion I consider that the modification would address some of the concerns advanced by local interested parties and their representatives regarding an increase in demand for facilities and services. The modification along with the Council's clear commitment to an early review of the Local Plan is likely to ensure that the delivery of the required community infrastructure is commensurate with economic growth in Hillingdon (**MM64**).

## Minerals Safeguarding

92. HLPP1 policies EM9 and EM10 seek to safeguard and promote areas that make a proportionate contribution to West London's minerals resources. As such, the Minerals Safeguarding chapter of HLPP2 identifies areas of safeguarded mineral resource. To ensure that the chapter is consistent with the terminology used in the national Planning Practice Guidance (PPG) a modification is necessary to rename the chapter 'Minerals Development' (**MM65**). Moreover, a modification to the chapter's supporting text to ensure that the policy is up to date and consistent with the LP and PPG along with the inclusion of an additional site 'Land at Bedfont Court' as an Area of Search (**MM66, MM67**).

## Conclusion

93. In summary the Site Allocations and Designations policies of the HLPP2, subject to the main modifications identified are justified and consistent with the HLPP1, and national policy and in general conformity with the LP. As such, the allocations and designations are positive and deliverable within the plan period.

## Monitoring and Delivery

94. Hillingdon's Authority Monitoring Report will monitor the performance of the Plan and provides most of the necessary evidence on which to assess the success or failure of delivery and what alternatives might reasonably be provided if necessary. A full review of the HLPP2 within the plan period is not anticipated, due to the Council's commitment to an early review of the Local Plan. Notwithstanding this, the HLPP2 sets out clear timescales for delivery and the Council's monitoring regime should ensure that any risks to non-delivery are 'flagged up' and interventions made to alleviate risks should this prove necessary.

## **Assessment of Legal Compliance**

95. My examination of the legal compliance of the Plan is summarised below.
96. The London Borough of Hillingdon Local Plan: Part 2 has been prepared in accordance with the Council's Local Development Scheme.
97. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
98. Sustainability Appraisal has been carried out and is adequate.
99. The Habitats Regulations Appropriate Assessment Screening Report August 2014 sets out why an AA is not necessary.
100. The Local Plan includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. These include the various policies setting out the approach in relation to reducing carbon emissions, air quality, managing transport impacts and reducing the need to travel. Furthermore, there are policies that seek to manage flood risk and promote living walls and roofs and on-site vegetation. Accordingly, the plans taken as a whole, achieve this statutory objective.
101. The Local Plan is in general conformity with the spatial development strategy (The London Plan).
102. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
103. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including amongst other things the provision of additional pitches and the introduction of a criteria-based policy to meet the needs of the Gypsy and Traveller and Travelling Show People communities, along with policies relating to the provision of affordable housing, sheltered housing and care homes.

## **Overall Conclusion and Recommendation**

104. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
105. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the London Borough of Hillingdon Local Plan: Part 2 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Jameson Bridgwater*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.