

Planning Obligations & Air Quality

Public Consultation - Statement of Compliance

Draft Supplementary Planning Documents to
the Hounslow Local Development Framework



Directorate of Planning
London Borough of Hounslow

February 2008

1. Introduction

- 1.1 The Council recognises the importance of working in partnership with the local community in planning for the future development of the Borough. Hounslow's Statement of Community Involvement (SCI), sets out the Council's standards in relation to involving the community in the preparation of all local development documents. The purpose of the SCI is to ensure that all sections of the community and other interested parties have a reasonable opportunity to get involved from the earliest stages of policy preparation.
- 1.2 In line with the Planning and Compulsory Purchase Act 2004 and Planning Policy Statement 12 (PPS12) on 'Creating Local Development Frameworks', the Council is required to prepare a statement of compliance for each local development document, stating how the arrangements for public consultation have met the requirements of both the Regulations and the SCI.
- 1.3 This Statement of Compliance sets out details of public consultation undertaken by the Council in the preparation of the Supplementary Planning Documents (SPDs) on Planning Obligations and on Air Quality, adopted for the purposes of development control on *DATE 2008*.
- 1.4 The remaining Sections of this document describe:
- Section 2: Background to the SPDs.
 - Section 3: Who Was Consulted and How
 - Section 4: Key Consultation Issues.
 - Section 5: How Consultation Issues have been Addressed
 - Section 6: Conclusions.
- Appendix 1: Official Notice
Appendix 2: Consultation Letter
Appendix 3: Consultation List

2. Background to SPDs on Planning Obligations and Air Quality

2.1 The Council’s Supplementary Planning Document (SPD) on Planning Obligations, and SPD on Air Quality, form part of the Hounslow’s Local Development Framework (LDF), which will replace the existing Hounslow Unitary Development Plan (UDP).

2.2 The purpose of the SPDs are set out below.

The purpose of the **Planning Obligations SPD** is to:

- Provide developers, the community, and the Council with a transparent, fair and redictable basis for negotiating and utilising planning obligations;
- Enable planning obligations to be considered from the earliest stages of the roposal formulation process; and
- Provide a basis for reaching timely decisions on planning applications which involve s106 agreements.

The purpose of the **Air Quality SPD** is to take into account new planning policies including PPS23, The London Plan, saved UDP policies and emerging LDF policies to help reduce exposure to air pollution across the whole of Hounslow

2.3 In line with the timescale for the production of LDDs set out in the Council’s Local Development Scheme (LDS), the main stages of SPD preparation are set out below.

2.4 Although this statement focuses on the Council’s formal arrangements for public consultation on the draft SPDs between 12th July 2007 and 9th August 2007, involvement and consultation with relevant organisations was maintained throughout all stages of document preparation.

Stages of SPD Preparation

<u>Timescale</u>	<u>Stage of SPD Preparation</u>
Mid 2005 - 2006	- Initial research into issues, best practice
April 2006-January 2007	- Preparation of initial draft SPD. - Internal Discussions on initial draft SPD. - Discussions with Councillors Members and departments - Preparation of draft SPD for public consultation.
May 2007	- Draft SPDs agreed by lead Member to be forwarded Area Committees for consultation.
June 2007	- Draft SPD consultation with Area Committees prior to public consultation.
July – August 2007	- Formal public consultation on draft SPD
September – October 2007	- Consideration of issues arising and drafting of amendments.
November 2007	- Proposed amendments arising from

	consultation agreed subject to minor changes.
December 2007	- Finalising responses and adoption requirements
January – February 2008	- Executive resolves to adopt SPD, subject to incorporating proposed amendments and authority delegated to the Director of Planning, to approve final form and content of SPD, in consultation with the Lead Member for Planning.

3. Who was Consulted?

- 3.1 Hounslow's SCI sets out a list of statutory bodies specified by the Regulations and Government guidance that should be consulted in the preparation of local development documents. The Council is required to consult any of those bodies that it considers would be affected by the SPDs.
- 3.2 In addition, the SCI defines categories of local organisations and stakeholders that should be involved in the plan preparation process, and the Council will send the SPD to all relevant consultees on the Council's planning database.
- 3.3 To ensure that the relevant bodies and groups were provided with hard or electronic copies of the draft SPDs in advance of the consultation period, the Council made use of its existing database of consultees along with other information on planning consultants and agents operating in the area. In accordance with e-government objectives, this material was sent to consultees by e-mail wherever possible in electronic format with the remaining material sent by post.
- 3.4 Immediately prior to the start of the formal consultation period on 12th July 2007, the Council sent out copies of the draft SPDs and Statement of Matters leaflet. The leaflet provided details of the main issues contained in the draft SPDs and invited consultees to make comments on the document by post, e-mail or electronically on the Council's website.
- 3.5 The consultation leaflet also indicated where copies of the draft SPD were available for inspection over the 4 week period and details of where the draft SPDs could be viewed on-line via the Hounslow website. Full details of consultation arrangements are set out in the document.
- 3.6 The list of groups and individual representatives sent copies of the draft SPDs and Statement of Matters is set out below. The full list of consultees directly informed by email and letter is at appendix 3.

Government Organisations

Department for Trade and Industry

The Department for Transport
Department for Work and Pensions
London Borough of Richmond
London Development Agency
Surrey County Council
Department for Health
Government Office for London
Greater London Authority
Highways Agency
The Housing Corporation
The Mayor of London
Transport for London

Members: Distributed to all Members of Council

Dates of Area Committee Consultation:

12th June 2007 – West Area Committee
21st June 2007 – Heston & Cranford Area Committee
27th June 2007 – Chiswick Area Committee
28th June 2007 – Isleworth & Brentford Area Committee
28th June 2007 – Central Hounslow Area Committee

4. Consultation Methods

4.1 The draft SPDs were approved for public consultation by the Executive Member for Planning in May 2007. Formal public consultation took place between 12th July and 9th August 2007.

4.2 The following consultation methods were used in line with the minimum Government requirements for consultation on SPDs set out under the Regulations and set out in the Council's SCI.

- Copies of the draft SPDs, leaflet and letter were sent to statutory consultees, and other individuals/ groups with an interest in planning obligations (by post and electronically) – See Appendix 2;
- Copies of the draft SPDs were made available for public inspection between the consultation dates at:
 - Civic Centre Offices, Lampton Road, Hounslow;
 - all local libraries within the Borough; and
- Copies of the Draft SPDs and leaflet were made available on the Council's website at www.Hounslow.gov.uk together with an introductory page;
- A formal notice of public consultation on the draft SPD was prepared and published in the Hounslow Chronicle on 12th July 2007 – See Appendix 1;

- Presentations were given to the 5 Area Committees during June and July 2007;
- A press release was prepared in relation to consultation on the draft SPDs.

4.3 In dealing with consultation responses received on the draft SPDs, the Council:

- established a record of each response in the consultation database;
- allocated each a unique reference number;
- made contact with consultees where necessary in order to clarify any points raised;
- prepared a summary of all responses with the Council's views on each, including recommendations on the way forward;
- prepared a report and schedule for Councillors setting out all responses and officer recommendations. The response to consultation and recommended proposed amendments was considered by the Director of Planning and Executive Member for Planning subject to the final form and content of the SPDs being agreed by the Executive
- made the summary of responses and approved amendments available on the Hounslow website www.Hounslow.gov.uk

4.4 An accompanying document: "Schedule of Consultation responses to draft Planning Obligations and Air Quality SPDs" has been prepared which sets these out.

5. Consultation Issues

5.1 A total of 140 representations were received from 22 respondents, including representations from local groups, House Builders, Registered Social Landlords and other public organisations, other groups/individuals, and Councillors/internal consultees.

5.2 Of the representations received from, 13 were seeking clarification, providing points of information/ minor corrections or were not directly relevant, and 38 representations were received in support. There were 81 representations objecting to all or part of the SPDs.

5.3 As a result of the representations a number of changes and factual corrections have been incorporated into the final version of the SPD.

5.4 The objections received to the draft SPDs are set out in the accompanying schedules, together with the Council's response.

See: Schedule of Consultation Responses to draft Planning Obligations and Air Quality SPDs

5.5 The Council's response in relation to each of the main consultation issues is summarised in the accompanying schedule of representations. The full schedule of representations and approved amendments can be viewed on Hounslow website:

6. Conclusions

6.1 This Statement of Compliance shows that public consultation undertaken by the Council on the draft SPDs on Planning Obligations and Air Quality between 12 July and 9th August 2007 has met and exceeded the minimum Government requirements for consultation on SPDs set out in the Regulation 17 of the Planning and Compulsory Purchase Act 2004 and followed the Council's standards for community involvement set out in the SCI.

6.2 In addition, the SPDs are assessed to be sound and to meet with the tests set out in para. 4.24 of PPS12.

6.3 This states: "the presumption will be that the development plan document is sound unless it is shown to be otherwise as a result of evidence considered at the examination. The criteria for assessing whether a development plan document is sound will apply individually and collectively to policies in the development plan document. A development plan document will be sound if it meets the following tests" (see table below).

Table 1: Assessment of SPDs against the 9 tests of soundness

Test of Soundness	Planning Obligations SPD	Air Quality SPD
Procedural		
i. it has been prepared in accordance with the local development scheme;	The SPD forms part of the most up-to-date LB Hounslow LDS.	The SPD forms part of the most up-to-date LB Hounslow LDS.
ii. it has been prepared in compliance with the statement of community involvement, or with the minimum requirements set out in the Regulations where no statement of community involvement exists;	The SPD has been prepared in compliance with the Hounslow SCI (see table 2).	The SPD has been prepared in compliance with the Hounslow SCI (see table 2).
iii. the plan and its policies have been subjected to sustainability appraisal;	The SPD has been subjected to Sustainability Appraisal, available from the Council (www.hounslow.gov.uk)	The SPD has been subjected to Sustainability Appraisal, available from the Council (www.hounslow.gov.uk)
Conformity		
iv. it is a spatial plan which is consistent with national planning policy and in general conformity with the regional spatial strategy for the region or, in London, the spatial development strategy and it has properly had regard to any other relevant plans, policies	The SPD is considered to be in conformity with the relevant development plan for the Borough. GOL, GLA and adjoining authorities have been consulted on the draft documents, and do not object to the conformity between plans.	The SPD is considered to be in conformity with the relevant development plan for the Borough. GOL, GLA and adjoining authorities have been consulted on the draft documents, and do not object to the conformity between plans.

and strategies relating to the area or to adjoining areas;		
v. it has had regard to the authority's community strategy;	Regard has been had to the Hounslow Plan.	Regard has been had to the Hounslow Plan.
Coherence, consistency and effectiveness		
vi. the strategies/policies/allocations in the plan are coherent and consistent within and between development plan documents prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant;	The SPD is considered to be consistent with other development plan documents. The sustainability appraisal concluded that the policies are generally consistent with other strategies, and neighbouring authorities and strategic bodies have been consulted on the Plan.	The SPD is considered to be consistent with other development plan documents. The sustainability appraisal concluded that the policies are generally consistent with other strategies, and neighbouring authorities and strategic bodies have been consulted on the Plan.
vii. the strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base;	The SPD is based on extensive evidence base, and will continue to be monitored to ensure that this is the best available data. The Annual Monitoring Report will update components as necessary. Alternatives have been considered at the drafting stage, including through the rigorous Sustainability Appraisal.	The SPD is based on extensive evidence base, and will continue to be monitored to ensure that this is the best available data. The Annual Monitoring Report will update components as necessary. Alternatives have been considered at the drafting stage, including through the rigorous Sustainability Appraisal.
viii. there are clear mechanisms for implementation and monitoring; and	Mechanisms for monitoring are built in to the document. The updating mechanism for each section is explained within the document – this is normally the Annual Monitoring Report.	Mechanisms for monitoring are built in to the document. The updating mechanism for each section is explained within the document – this is normally the Annual Monitoring Report.
ix. the plan is reasonably flexible to enable it to deal with changing circumstances.	In response to various representations the SPD explains its reasonable flexibility. As supplementary policy, and conforming with higher level policy, the intention is that the SPD, or parts of it, can be readily updated to adapt to changing circumstances.	In response to various representations the SPD explains its reasonable flexibility. As supplementary policy, and conforming with higher level policy, the intention is that the SPD, or parts of it, can be readily updated to adapt to changing circumstances.

6.4 In addition to the test of soundness compliance, table 2 (below) assesses the SPDs compliance with the SCI and Regulations for consultation.

Table 2: REQUIREMENTS FOR CONSULTATION ON SUPPLEMENTARY PLANNING DOCUMENTS: Regulations and Hounslow SCI

Government Requirements (Planning and Compulsory Purchase Act 2004)	LB Hounslow SCI	Has the Council met requirements in Consulting on Draft SPDs?
Invite comments over a four to six week period;	The Council will allow a four to six week period of consultation	Yes
Make copies of the documents available at their Offices and in other places which the Council considers appropriate (usually libraries);	Copies of documents will be available at the Civic Centre Offices, Hounslow and in all the local libraries.	Yes
Publish the document on the Council's website	www.Hounslow.gov.uk	Yes
Send the Specific and General Consultation Bodies copies of the document (either electronically or hard copies);	As part of letter/email notification	Yes
Advertise the consultation in a local paper;	The Council will advertise consultation in The Hounslow Chronicle (or other suitable local newspaper) for a period of 1 week	Yes
Consult any other person who has asked to be consulted.	Consultation Database	Yes
N/A	Area Committee Meetings	Yes
N/A	If the SPD is about a site or an area specific issue the Council will consider holding a staffed exhibition and community workshop.	n/a (SPD not area or site specific)

Summary Statement of Compliance

Title: Planning Obligations Supplementary Planning Document

Public consultation on Draft SPD: 12th July to 9th August 2007

In total how many people were engaged in the submission public engagement stage of the SPD ? Approximately 400+

Consultation coverage and input

Representations received (total)/Responses	93/21
Comments in support of the SPD	18
Objections to part or whole of SPD	71
Queries, observations, factual corrections, not directly relevant	4

Summary of representations: See Schedule of Consultation responses to draft Planning Obligations and Air Quality SPDs

Title: Air Quality Supplementary Planning Document

Public consultation on Draft SPD: 12 July to 9th August 2007

In total how many people were engaged in the submission public engagement stage of the SPD ? Approximately 400+

Consultation coverage and input

Representations received (total)/Responses	47/3
Comments in support of the SPD	28
Objections to part or whole of SPD	10
Queries, observations, factual corrections, not directly relevant	9

Summary of representations: See Schedule of Consultation responses to draft Planning Obligations and Air Quality SPDs

Notice of Public Consultation 12th July 2007
LONDON BOROUGH OF HOUNSLOW

DIRECTORATE OF PLANNING

PUBLIC NOTICE OF DRAFT SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

Draft Planning Obligations SPD and Draft Air Quality SPD

Notice is hereby given that the London Borough of Hounslow will be seeking views on draft Supplementary Planning Documents (SPD) between **12th July and 9th August 2007**.

1) The **draft Planning Obligations SPD** provides guidance on the Council's approach to negotiating planning obligations arising from development. It includes clarification on the procedures for the use of planning obligations; the broad range of likely obligations; the types of development that would be subject to planning obligations; the potential schemes to be funded through planning obligations; and the calculation of financial contributions.

2) The **draft Air Quality SPD** provides technical advice on how the Council will consider planning applications that could have an impact on air quality, the circumstances when an air quality assessment will be required to accompany a development proposal, and on the process of air quality assessment

The draft documents cover the whole of the London Borough of Hounslow. Once adopted, they will become planning guidance to supplement policies in Hounslow's Unitary Development Plan (UDP) and will be used by the Council as a material consideration when determining planning applications.

This notice is prepared in accordance with the Town and Country Planning Regulations 2004 (Regulation 17(2c)). Copies of the draft documents and additional supporting information are available for inspection on the Council's Website (<http://www.hounslow.gov.uk/>) and at the locations below, over a period of 4 weeks, in accordance with the Council's Statement of Community Involvement, between **12th July and 9th August 2007**.

Civic Centre Offices, Lampton Road, Hounslow, TW4 3DN (Monday – Friday 9:00-17:00)

Beavers Library, 103 Salisbury Road, TW4 7NW

Bedfont Library, Staines Road, TW14 8BD

Brentford Library, Boston Manor Road, TW8 8DW

Cranford Library, Bath Road, TW5 9TL

Chiswick Library, Duke's Avenue, W4 2AB

Feltham Library, 210 The Centre, High Street, TW13 4BX

Hanworth Library, 2-12 Hampton Road West, TW13 6AW

Heston Library, New Heston Road, TW5 0LW

Hounslow Library, Centre Space, Treaty Centre, High Street, TW3 1ES

Isleworth Library, Twickenham Road, TW7 7EU

Osterley Library, St Mary's Crescent, TW7 4NB

In accordance with Regulation 18(2) representations on the draft SPDs can be made to the addresses below, stating to which of the above documents the response relates. Representations on each draft SPD can be made electronically by email to ldf@hounslow.gov.uk. Alternatively, responses can be posted to Jon Medlin, Planning Policy, Civic Centre, Lampton Road, Hounslow, TW3 4DN or faxed to 020 8583 5233.

Please remember to indicate in your response (or any electronic representations), if you wish to be notified that the Council has adopted either draft SPD. Please note that representations must be received at the Council Offices no later than **5pm on Thursday 9th August 2007**.

For further information regarding the draft Planning Obligations SPD, please contact Jon Medlin on 020 8583 5207, and for further information regarding the draft Air Quality SPD, please contact Anderson Ramdeen on 020 8583 5206. Representations will be made public and a summary of the consultation findings will be made available on the Council's website during September 2007.

Dear Sir/ Madam,

LOCAL DEVELOPMENT FRAMEWORK: CONSULTATION ON SUPPLEMENTARY PLANNING DOCUMENTS

Hounslow's Local Development Scheme sets out the work programme and timescales for the production of the Local Development Framework, which includes a number of Supplementary Planning Documents (SPD).

From July 12th we are consulting on 2 SPDs which will help determine future developments in the borough, and will be a consideration in determining applications for development. These are:

- Planning Obligations Supplementary Planning Document
- Air Quality Supplementary Planning Document

Planning is a way of ensuring that this growth is delivered in a sustainable way, that balances social, environmental and economic objectives. These two documents are available in local libraries, on the Council's web site (www.hounslow.gov.uk) or are available from the contact details below in hard or electronic copy (contact 0208 583 5202)

The consultation runs until 9th August 2007. The consultation documents are also available online at www.hounslow.gov.uk/consultations

We look forward to receiving your comments. If you have any queries regarding the documents please contact myself or Anderson Ramdeen.

Yours sincerely

Jon Medlin

Planning Obligations SPD:
Jon Medlin
Planning Obligations Officer
Tel: 0208 583 5207
E: jon.medlin@hounslow.gov.uk

Air Quality SPD
Anderson Ramdeen
Environmental Strategy Officer

Tel:0208 583 5206

E: Anderson.ramdeen@hounslow.gov.uk

Appendix 3 – Consultation Distribution List

Organisation

Elmbridge Borough Council
DCLG
NHS Executive
Environment Agency - Planning Liaison
Thames Water Utilities Ltd
North West London Strategic Health Authority
Strategic Rail Authority
Thames Water Utilities
Ealing Primary Care Trust
Strategic Rail Authority
Thames Water
Countryside Agency
English Nature
London Development Agency
LB of Hammersmith & Fulham
Greater London Authority
LB of Ealing
BT Plc
Surrey County Council
LB of Richmond Upon Thames
Spelthorne Borough Council
Hounslow Primary Care Trust
London Fire Brigade
Hounslow Primary Care Trust
Metropolitan Police
West London Business
Hounslow Racial Equality Council
Southern Electricity
Greater London Authority
SUSTRANS
Church Commissioners
Southern Electric
Crown Estates Commissioners
HM Prison Service
The Post Office
Royal Parks Agency
London Green Belt Council
London Underground Ltd
Post Office Property Holdings
South West Trains
The Rail Freight Group
London Housing Board
Sport England London
Royal Society of Wildlife Trusts
Thames Strategy - Kew to Chelsea
Friends of the Earth (London Region)
Campaign to Protect Rural England

National Grid Transco
English Partnerships
Civil Aviation Authority
Church Commissioners for England - Policy Unit
Commission for Racial Equality
Road Haulage Association
National Playing Fields Association
Gypsy Council
Freight Transport Association
Fire and rescue services
Forestry commission
Disability Rights Commission
Age Concern Hounslow Rehabilitation Team
Housing Corporation
Chiswick Recycling Action Group (CRAG)
Brentford Recycling Action Group (BRAG)
Groundwork Thames Valley
Green Corridor Partnership
London Wildlife Trust
CPRE & Friends of the Earth
London Ambulance Service
Transport For London
Brentford Police - Youth & Community Section
Royal Mail (Post Office Counters)
Railtrack South West
London Wildlife Trust
London Buses
National Playing Fields Association
The National Trust
Friends of the Earth (Hounslow)
S.W. London Group CPRE
CPRE
Commission for Racial Equality
Tellings Golden Miller
Armchair Passenger Transport
South West Trains
First Conetre West London Buses Ltd
Metropolitan Police Service
London Forum of Amenity and Civic Societies
The Housing Corporation
BAA Heathrow
Sport England, London Region
Port of London Authority
House Builders Federation
Thames Landscape Strategy (Hampton to Kew)
Rail Property Limited
Network Rail
West London Learning and Skills Council (LSC)
BAA Linton

Regional Public Health Group - London
Ministry of Defence
Church of England
Hounslow Voluntary Sector Forum
West London Disability Partnership
Chiswick & Brentford Disability Action and Support Group
Southall Chamber of Commerce
Royal Parks and Gardens (Kew)
West London Leadership
West London Alliance
Crime Prevention Design Advisors
Equal Opportunities Commission
Thames Landscape Strategy
Metropolitan Police Authority
Royal Botanic Gardens Kew
Elmbridge Borough Council
DCLG
NHS Executive
Environment Agency - Planning Liaison
Thames Water Utilities Ltd
North West London Strategic Health Authority
Strategic Rail Authority
Thames Water Utilities
Ealing Primary Care Trust
Strategic Rail Authority
Thames Water
Countryside Agency
English Nature
London Development Agency
LB of Hammersmith & Fulham
Greater London Authority
LB of Ealing
BT Plc
Surrey County Council
LB of Richmond Upon Thames
Spelthorne Borough Council
Hounslow Primary Care Trust
London Fire Brigade
Hounslow Primary Care Trust
Metropolitan Police
West London Business
Hounslow Racial Equality Council
Southern Electricity
Greater London Authority