



Report to Council

27 OCTOBER 2010

LEADER

Councillor Stephen Greenhalgh

Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration

**WARDS
Shepherds Bush
Green**

SYNOPSIS

This report seeks a resolution to adopt the Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010 as a Supplementary Planning Document (SPD) to the Council's Unitary Development Plan 2007 (as amended).

Attached to the report is a summary of representations received during the statutory public consultation period that took place between 10 September 2010 and 11 October 2010. As a result of the consultation exercise a revised version of the planning brief is attached highlighting changes made to the brief in response to the comments received.

CONTRIBUTORS

ENVD

RECOMMENDATION

- 1. That Full Council resolve to adopt the Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010 as a Supplementary Planning Document to the Council's Unitary Development Plan 2007 (as amended).**
- 2. That the Director of Environment in conjunction with the Cabinet Member for Environment is authorised to approve any technical and other minor amendments to the submission documents before adoption.**

1 BACKGROUND

- 1.1 The purpose of the Shepherd's Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010 is to provide guidance on the way in which the area should be regenerated and developed in the future. There is a site specific policy SBTC 3 in the Council's adopted Unitary Development Plan 2007 (as amended) which expresses the Council's support for the retention and improvement of the market.
- 1.2 The wider market regeneration area is included within the White City Opportunity Area and identified in the Council's Local Development Framework proposed submission Core Strategy where the policy is for: *“Regeneration of the market and other adjacent land to create a vibrant mixed use town centre development of small shops, market stalls, leisure uses, residential and possibly offices; in accordance with the Shepherd's Bush Market Supplementary Planning Document. Development should encourage small independent retailers and accommodate existing market traders”*
- 1.3 In December 2009 - January 2010 the Council carried out public consultation on the brief. The document was made available on the Council's website and a leaflet drop undertaken in the vicinity of the market. The consultation events undertaken were meetings with Shepherd's Bush Market Tenant's Association on 5 January and 28 January 2010, meetings with Lime Grove Residents on 8 December 2009 and 25 January 2010, and an exhibition linked to the draft planning brief took place on the site in the former Shepherd's Bush library building during December 2009 and January 2010. In addition, M&N Communications were commissioned to door knock and talk to market traders and visitors in the market to canvass their opinions regarding the regeneration proposals. A total of 171 questionnaires were completed. The planning brief was then updated to incorporate a number of revisions as a result of the comments received.
- 1.4 A statutory four week public consultation took place from 10 September until 11 October 2010 on the amended version of the planning brief (Revised September 2010 Consultation Version). All representations received during this consultation period have been summarised in a schedule (attached at Appendix 2) and some revisions changes have been made to the brief to respond appropriately to the comments received.
- 1.5 The next stage in the process is the formal adoption of the planning brief as a Supplementary Planning Document (SPD) to the Council's Unitary Development Plan 2007. It is intended in the future that the brief will be retained as SPD to the Local Development Framework Core Strategy when it is formally adopted (expected towards the end of 2011).

2 SHEPHERDS BUSH MARKET AREA PLANNING BRIEF – MARKET AND THEATRE LED REGENERATION

- 2.1 The preparation of the SPD has been carried out in accordance with Town and Country Planning Regulations, and the policies, whilst taking into account issues and opportunities facing the borough. It is also in conformity with national and London wide policy.
- 2.2 The planning brief sets out the vision for the regeneration of the Shepherds Bush Market Area and the objectives towards achieving this. In outline, the objectives are as follows:
- To renovate and enhance the existing market and complement with new retail, residential and leisure uses while seeking to sustain the traditional role of the market and improve its vitality and viability.
 - Integrate with significant cultural, arts and entertainment attraction including a new theatre in the former library.
 - Achieve exceptional design quality and secure public realm which protects adjoining residential amenity.
 - Provide appropriate parking arrangements, vehicular access and servicing and overall good management of the market.
- 2.3 The brief describes the need for the inclusion of sites adjoining the market to allow for a more comprehensive and beneficial regeneration. It goes on to present what it considers are the main constraints and opportunities facing the regeneration area and from this a number of development guidelines and principles are recommended. The new title of the brief identifies that the impetus of the regeneration should stem from the market and a new theatre use for the former Shepherds Bush Library.

3. CONSULTATION

- 3.1 The first stage of public consultation on the planning brief (December – January 2010) primarily consisted of a leaflet drop, questionnaires and stakeholder meetings. Revisions were carried out to the brief following this consultation and these revisions are shown in **red** text in the version in Appendix 1.
- 3.2 The statutory consultation period for further representations to be made on the draft brief ran from 10 September 2010 until 11 October 2010 in line with the regulations that require a minimum of four weeks and a maximum of six weeks consultation period. Revisions to the brief following this consultation are shown in **blue** text in Appendix 1.
- 3.3 The consultation events undertaken for the statutory consultation included the following;
- The consultation was announced by a notice included in local newspapers the Gazette and Chronicle as well as in H&F news
 - The draft brief was made available on the Council's website.
 - Letters were sent to landowners and amenity groups affected by the proposals and statutory bodies.
 - A leaflet drop was undertaken in the vicinity of the market and surrounding streets.

- Meetings were held with Shepherd's Bush Market Tenant's Association on 14 September and 6th October 2010, with Lime Grove residents on 22 September 2010 and Pennard Road residents on 28 September 2010.
- 3.4 All representations received during the statutory consultation period have been included in the attached SPD Representations with Responses and Associated Action (Appendix 2). The schedule summarises the issues raised and how these have been addressed in the planning brief.
- 3.5 Two public 'drop-in' sessions were also organised on 15 and 16 October in the former Shepherds Bush Library. A summary of the comments received during these sessions are presented in Appendix 3.
- 3.6 Approximately 153 responses were received during the statutory consultation period from a variety of individuals and amenity groups/organisations. While a number of these supported the principle of regeneration of the Shepherds Bush Market Area, the vast majority expressed objections. Similar responses were received during the 'drop-in' sessions and up until this report went to print.
- 3.7 The main issues raised during the consultation are listed below:
- Lack of information and public consultation.
 - Insufficient protection for existing market stalls and units. Will lose the traditional market.
 - 30-52 Goldhawk Road retail units and residential units should be protected, some of historical importance.
 - Modern and upmarket shops will dominant and force out existing market traders.
 - Rents and services charges will increase and force traders out.
 - Support the principles of regeneration
 - Support the promotion of a theatre and other cultural facilities, including entertainment and leisure uses.
 - The history and traditional market should be protected and enhanced
 - No need for more restaurants and cafes.
 - Goldhawk Road Victorian frontage should be retained for architectural and historical reasons, the scale of these buildings is not inappropriate
 - Parking provision for customers to the market should be provided.
 - Concern over phasing and the displacement of retailers
 - Harmful impact on neighbouring residential amenity.
 - Disturbance to Lime Grove residents if the hostel is relocated.
- 3.8 Some of the main revisions to the planning brief following the consultation exercises are listed below:
- Emphasis and clarification on the preferred use of the former library as a theatre to help drive regeneration.
 - Emphasis placed on retaining the unique essence and history of the market and its role in the local community.
 - Strengthen the objective that as a minimum we would expect the equivalent floor area of the current market stalls and units in a revitalised market.

- Further emphasis regarding the desire to retain the existing businesses at 30-52 Goldhawk Road by relocating them within new frontage to the market acknowledging some of them have historical significance.
- Identified the policy support to provide appropriate on-site parking provision for retail customers and residential occupiers while protecting against traffic generation and parking on surrounding streets.
- Emphasis placed on protection of the residential amenity of Pennard Road, Pennard Mansions and Lime Grove properties.
- Emphasised the importance of securing a more suitable access to the Lime Grove Hostel to replace the Lime Grove entrance.
- Clarification on the rationale to including adjoining land and buildings

3.9 It is proposed that any minor or technical changes to the SPD that is required after consultation or for other reasons is made by the Director of Environment in conjunction with the Cabinet Member for Environment. However, the Council cannot make further substantive changes to the Planning and Regeneration Brief without a further period of consultation.

3.10 Once adopted, the SPD must be made available during normal office hours, together with an adoption statement (The adoption statement is a document that specifies the date of adoption and that anyone with sufficient interest in the decision to adopt the SPD may apply, not later than three months after adoption, to the High Court for permission to apply for a judicial review of the decision to adopt the SPD). The Council must ensure the SPD is available at its offices and publish it on the Council's website and send the adoption statement to anyone who requested to be notified and everyone who has taken part in the consultation.

3.11 Representations received from the consultation, discussions with stakeholders and demographic data formed the evidence base for the Council's equalities impact assessment. The Council has concluded that the SPD will not have any negative impacts on equality. The EIA is attached at Appendix 4.

4. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

4.1 Finance has examined the recommendations within this report and concludes that there are no financial implications arising from accepting them.

5. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

5.1 The consultation, pre-and post adoption procedure are set out in the body of the report. In preparing the SPD, the Council must have regard to national and regional policies. The SPD must be in general conformity with the London Plan and in conformity with the UDP. Before adopting the SPD, the Council must consider the representations received.

6. List of Appendices

Appendix 1: Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010

Appendix 2: Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010. Representations with Responses and Associated Action, prepared in accordance with Regulation 18(4) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004

Appendix 3: Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010. Responses from public ‘drop-in’ sessions arranged on 15 and 16 October 2010 at the former Shepherds Bush Library

Appendix 4: Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010. Equality Impact Assessment

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010	Matt Butler ext 3493	EnvD
2.	Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010. Representations with responses and associated action prepared in accordance with Regulation 18(4) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004	Matt Butler ext 3493	EnvD
3.	Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010. Responses from public ‘drop-in’ sessions arranged on 15 and 16 October 2010 at the former Shepherds Bush Library	Matt Butler ext 3493	EnvD
4.	Shepherds Bush Market Area Planning Brief – Market and Theatre led Regeneration, October 2010 Equality Impact Assessment	Matt Butler ext 3493	EnvD
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