



The Planning Inspectorate

Report to Hammersmith and Fulham Borough Council

by Andrew Seaman BA (Hons) MA MRTPI

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

Date 19 December 2017

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Hammersmith and Fulham Local Plan

The Plan was submitted for examination on 28th February 2017

The examination hearings were held between 13th and 21st June 2017

File Ref: PINS/H5390/429/7

Abbreviations used in this report

AMR	Annual Monitoring Report
DtC	Duty to Co-operate
Framework	National Planning Policy Framework
GLA	Greater London Authority
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MM	Main Modification
Mayor	Mayor of London
OAN	Objectively assessed need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
the Plan	Local Plan
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Hammersmith and Fulham Local Plan [the Plan] provides an appropriate basis for the planning of the Borough provided that a number of main modifications [**MMs**] are made to it. Hammersmith and Fulham Borough Council has specifically requested me to recommend any MMs, contained in Appendix 1, that are necessary to enable the Plan to be adopted. Most of the MMs have been suggested by the Council.

Following the Hearings, the Council prepared a further schedule of proposed changes. Only those affecting Policies HO3 and TLC6 were initially considered by the Council to be MMs.

The majority of Appendix 1 has been proposed by the Council. All the MMs have been subject to sustainability appraisal (SA) review¹ and were subject to public consultation over a 7 week period. I have amended their detailed wording and/or added consequential modifications to the MMs where necessary.

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:

- To increase the emphasis on inclusivity and reference adequately Neighbourhood Planning;
- To clarify that housing targets are minimums; to ensure that the approach to affordable housing provision and gypsy and traveller accommodation is consistent with national policy;
- To ensure the approach to heritage assets and development management issues are consistent with national policy and will be effective;
- To ensure a justified and effective approach towards the economy, retail and town centres that is consistent with national policy;
- To ensure adequate reference to air quality issues; and
- To ensure adequate monitoring of the Plan is proposed to ensure its effectiveness.

¹ EX28

Introduction

1. This report contains my assessment of the Local Plan 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 (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (the Framework, 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 starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Hammersmith and Fulham Local Plan² submitted in February 2017 is the basis for my examination. It is the same document as was published for consultation in September 2016.

Main Modifications (MMs)

3. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should recommend any 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, MM3** etc, and are set out in the Appendix.
4. Following the examination hearings, the Council finalised its schedule of post submission proposed modifications (Key Document (KD) 4 and EX15). The Council considered these not to be main modifications with the exception of proposed changes to Policies HO3 and TLC6. Additional modifications (not MMs) are a matter for the Council and are generally not referred to within this report. Following review, the Council considered that any changes did not create any sustainability appraisal implications.
5. The MM schedule is necessary to secure soundness and is based upon a number of the Council's suggested changes and was subject to public consultation for seven weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made two amendments to the detailed wording of the main modifications (MMs 7 and 25). The amendments do not significantly alter the content of the modifications as published for consultation or undermine the participatory processes and sustainability appraisal that has been undertaken.

Policies Map

6. 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 in

² Key Document 1 (KD1)

Supporting Document (SD) 5 as amended by the details contained in KDs 2, 4 and EX15. These further changes affecting the policies map were published for consultation alongside the MMs.

7. 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. 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 by the modifications.

Assessment of Duty to Co-operate (DtC)

8. 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.
9. As indicated within the DtC Statement, the Annual Monitoring Reports (AMR), the statements of common ground and correspondence with the GLA, the Council has worked with the appropriate prescribed bodies on strategic matters affecting the Borough. Procedures appear to be in place to ensure that this will continue during the Plan period. Cooperation on the key issue of housing is referenced further below.
10. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Soundness

Main Issues

11. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 7 main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.
12. A number of the Plan's policies are not referred to in this report. This is because the report focuses on those parts of the Plan where there may be soundness issues.

Issue 1 – Is the Plan legally compliant? Does the Plan contain a robust spatial vision and justified strategic objectives consistent with national policy and in general conformity with the London Plan?

13. As evidenced by documents which include the Council's Legal Compliance checklist, its Soundness Self Assessment, the Local Plan and Consultation Statements and through Examination correspondence with myself, I am satisfied that the Plan has been prepared in accordance with the statutory procedures and associated regulations.
14. The Plan expresses a lengthy Spatial Vision for the Borough which duly sets the context for nine Strategic Objectives. There are clear links between these and the Council's corporate strategies, including that for housing. The SA

indicates how the chosen content of the Plan has been developed with regard to alternatives. Overall, both the Vision and the Strategic Objectives are consistent with national policy and are in general conformity with the London Plan provided the Plan is modified to reference adequately accessibility and inclusivity (**MM1**).

15. With regard to the delivery of the Vision and Objectives, the Plan acknowledges considerations of development viability in a flexible manner through Policy DEL1 and a Viability Protocol. This approach has been informed by evidence such as the Housing Viability Assessment, the CIL Viability Study and supporting Development Infrastructure Studies. Whilst there is no overarching single viability study of the plan as a whole, the Housing Viability Assessment does include consideration of the potential effects of all the Plan policies upon development viability. I am satisfied that this is a proportionate and appropriate approach. Policy DEL1 would be adequately flexible and effective only if modified in line with the Council's suggestions which I recommend accordingly (**MM2**). When combined with the Protocol provisions, which I am satisfied sets out a reasonable and justified approach towards considerations of development viability, I am satisfied that the Council's approach is adequate and that the Plan is consistent with national policy and in general conformity with the London Plan.
16. To ensure consistency with national policy, I recommend that the Plan must be modified to specifically recognise the potential role of Neighbourhood Planning (**MM3**) as suggested by the Council.

Issue 2 - Does the Plan contain robust and deliverable regeneration strategies that are consistent with the objectives and policies of the Plan and which are in general conformity with the London Plan?

17. The Plan identifies four regeneration areas and contains an overarching Strategic Policy which sets out the Council's ambitions for the Plan period. During the course of the Examination, the Council has worked with private and public interests to further clarify the content of the Plan with suggested modifications that affect heritage considerations and the way in which housing and job targets are expressed (indicative/minimums). I agree with the amended approach for reasons of clarity and consistency with national policy and recommend the Plan be modified accordingly to ensure soundness (**MM4**).

White City Regeneration Area (WCRA)

18. The London Plan identifies the WCRA as an Opportunity Area. The Plan reflects this clearly and identifies the potential for regeneration across the three distinct sub areas which comprise the whole.
19. Policies WRCA1, 2 and 3 are informed by robust evidence sources which include the existing White City Opportunity Area Supplementary Planning Document (SPD) and the Development Infrastructure Funding Study. The Council proposes modifications to the policies and I recommend that which applies to Shepherd's Bush Market is a necessary main modification that will ensure clarity and the provision of affordable workspace, thus being consistent with the Plan's employment policies and national policy (**MM5**). WRCA3 is sufficiently clear in its approach to support and work with traders in the retention and improvement of the market, including that affordable housing

would be logically considered in relation to Policy HO3. In turn, Policy HO3 recognises the role of market housing in potential development proposals.

20. When considered in their totality I am satisfied that the Council's policies and approach towards the WCRA is justified and will be effective.

Hammersmith Regeneration Area (HRA)

21. Hammersmith is identified as a major centre in the London Plan and the evidence base that informs Strategic Policy HRA supports the continued focus upon town centre regeneration and the intention to deliver significant volumes of new homes and jobs in this part of the Borough.
22. Site specific Policy HRA1 is justified by the evidence base and is clear on how the identified area will deliver a range of benefits for this part of Hammersmith. It has been considered against reasonable alternatives and I have no reason to consider it will not be effective in delivery.
23. Policy HRA2 is ambitious in its intentions, seeking fundamental alterations to the existing Hammersmith Flyover, the Hammersmith gyratory and other works. The Flyunder Feasibility Study and the A4 Masterplan and Development Value Study in conjunction with ongoing work being investigated with Transport for London into the financial delivery of such infrastructure works indicates that the aims of HRA2 are potentially feasible during the life of the Plan. I recognise the concerns of some local residents with regards to the details and practicalities of any flyunder replacement and its effects on matters such as noise and air quality. However, mitigation of such effects is potentially feasible and there is no substantive evidence to suggest that the chosen strategy of the Council is not justified and, notwithstanding the scale of the scheme, potentially capable of effective realisation. It is sufficiently robust such that the Plan remains sound with its inclusion.

Fulham Regeneration Area (FRA)

24. Both Strategic Policy FRA and Policy FRA1 are informed by the London Plan and the potential for significant development in the locality, particularly the Earl's Court and West Kensington Opportunity Area (ECWKO). It is clear that the Council has worked with interested parties, such as developer interests, the community, the Greater London Authority (GLA) and the Royal Borough of Kensington and Chelsea in formulating a policy basis for a mixed use residential led development at the ECWKO. The Policy allows for improvement to the West Kensington, Gibbs Green and Registered Provider Estates. The extent to which such improvements may incorporate renewal will be dependent upon the details that emerge as part of the comprehensive approach to the regeneration of the area and I note the clear interest in this subject expressed by local residents. I am satisfied that Policy FRA1 should be flexible in such regards and note the Council's proposed modifications in this context which I recommend for reasons of policy effectiveness as a consequence (**MM6**).
25. The policies affecting this regeneration are informed adequately by a robust evidence base, including matters affecting retail, design, tall buildings and heritage. I have no reason to consider the approach will not be effective in delivery.

South Fulham Regeneration Area (SFRA)

26. South Fulham is identified as having the potential for a high quality residential area indicatively delivering 4,000 homes and 500 jobs. Strategic Policy SFRA and Policy SFRA1 are informed by a clear evidence base, including the South Fulham Riverside SPD and the Development Infrastructure Funding Study, which is aligned with the London Plan.
27. This riverside area is sensitive in many regards and in particular to design and the height of new buildings. The Plan has been informed by both the extant SPD, the Council's Background Paper on Tall Buildings, an awareness of the heritage assets within the area and an understanding of key views. I am satisfied that the two regeneration area policies, when implemented alongside other relevant Plan policies, will be capable of effective implementation.
28. The Strategic Policy acknowledges adequately the safeguarded wharves in accordance with the aims of the London Plan.
29. Overall, the Plan's approach to the South Fulham Regeneration Area is robust.

Issue 3 - Is the Local Plan's approach to housing provision sufficiently justified and consistent with national planning policy and in general conformity with the London Plan? With particular regard to deliverability, has the Plan been positively prepared and will it be effective in meeting the varied housing needs applicable to the Borough over the plan period?

Housing Need and Supply

30. The London Plan sets a minimum annual housing supply target until 2025. For Hammersmith and Fulham the target is 1,031 homes per year consistent with the aim of 10,312 homes by 2025. Thereafter and amongst other matters, the London Plan indicates that Boroughs should roll forward the target until a revised London Plan target is produced. The London Plan encourages the supply of extra housing capacity to close the gap between identified housing need in line with the Framework. Section 6 of the Framework seeks to boost significantly the supply of housing based on a needs assessment and an understanding of potential site supply. The London Plan has been produced within this context and I am ever mindful, as a point of legal compliance, that the submitted Plan needs to be in general conformity with the London Plan.
31. I am aware of the available evidence base informing the London Plan, such as the 2013 Strategic Housing Market Assessment (SHMA) in addition to the Mayor's Housing SPG. Against this background, the Council completed its own SHMA (2016). I have no reason to consider the latter SHMA is flawed in terms of its assessment of the sub-housing market area operating within the Borough and its decision to use the GLA trend based demographic data with appropriate regard to that from DCLG. Whilst the 2016 SHMA itself has some limitations in the way in which it seeks to respond, for example, to market signals, it nevertheless provides useful context and a finer level of detail for the level of housing need affecting the Borough and understanding the target of the London Plan.

32. The 2016 SHMA states, at the simplest level, a need for 844 homes per annum to meet the needs across the sub-housing market area albeit, and notwithstanding, I am mindful that general conformity with the London Plan is required. The submitted Plan makes provision for 1,031 new dwellings per annum over the plan period to meet the London Plan target; the Council has confirmed this is a minimum figure which clearly exceeds that identified in the 2016 SHMA. Mindful of this data yet being particularly conscious of the targets set by the London Plan, I am satisfied that the Council's approach towards housing provision is in general conformity with the spatial development strategy albeit it will likely bear review as and when any new London Plan targets are established. I am satisfied that this is consistent with national policy.
33. The Council's Housing Trajectory has been updated and I am satisfied it is adequately informed by a combination of data including the Strategic Housing Land Availability Assessment (SHLAA) and extant planning permissions. As a consequence, the Council can demonstrate a Framework compliant supply of housing sites including, based on its consistent past housing delivery performance, a justified 5% additional buffer. In light of the housing land supply position, there is no current justification for a non-implementation allowance.
34. I am mindful that at present the housing market area of London informs the overall London housing need which is disaggregated across the Boroughs to ensure an the delivery of the identified requirement; the Council has sought to engage with neighbouring councils and the GLA, who do not raise any conformity concern, with regard to this strategic issue. I have noted concerns that the London-wide housing needs, in addition to the wider south east of England, and the overall requirement contained in the London Plan may not be met. However, a shortfall of the latter is not certain and the Plan satisfies the London Plan target (whilst exceeding the forecast needs of the Borough). Whilst the provision of necessary housing across and beyond London remains an area upon which multi agency cooperation is required, this is a matter to be addressed as part of any new London Plan. I am satisfied that for the purposes of the submitted Plan the Council has, through its collation of evidence and liaison with key partners, adequately discharged its duty to cooperate at this time.
35. The Council has suggested changes to Policy HO1 to recognise self and custom build proposals which, in conjunction with the reference to a minimum housing target and alterations to the Indicative Housing Targets table, I recommend to ensure consistency with national policy and general conformity with the London Plan. Changes to the supporting text to Policy HO1 which reference appropriately the Build to Rent sector are necessary and I recommend these for clarity in implementation (**MM7**).

Affordable Housing

36. Policy HO3 seeks to increase the supply and mix of affordable housing within the Borough. This is a rational response to the available evidence which indicates the high level and varied type of affordable housing need. The Policy aims for 50% affordable housing on developments across the Borough which is adequately supported by the available viability evidence and does not run

counter to the aspirations of the London Plan. Whilst the evidence does indicate variability in values across parts of the Borough, it does not lead me to find that the Local Plan should seek to create different thresholds in different areas. The Policy contains suitable criteria for the consideration of site specific circumstances that may result in a justified reduction of affordable housing below the Policy figure. I am satisfied this will aid the effective implementation of the Policy and, overall, will enable the strategic objective of the Plan, to secure the provision of affordable housing, to be effectively realised.

37. As recognised by the Council, the policy requires modification to be consistent with the Written Ministerial Statement³ on site thresholds for when affordable housing may be required and to provide clarity on the circumstances when the principles of its Viability Protocol are to be taken into account. I agree with the need for such changes to ensure consistency with national policy, flexibility and effectiveness in operation and I recommend accordingly (**MM 8**).
38. The Council has suggested introducing text to the Plan to reflect Vacant Building Credits which I consider is a necessary modification to be consistent with national policy and to assist in the effective delivery of the Policy objectives (MM8).

Housing mix and meeting needs

39. The Council's SHMA and associated housing background papers provide adequate evidence of the varied housing requirements within the Borough which are reflected in the suite of housing Policies contained within the Plan. I have no reason to consider these unfounded as a consequence.

Gypsy and Traveller Accommodation

40. The Council has addressed the accommodation needs of gypsy, travellers and travelling showpeople in partnership with the Royal Borough of Kensington and Chelsea. The Councils have produced a Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA) which has been supplemented by evidence clarifying the approach towards travelling showpeople. This approach appears robust. The Councils rely primarily on one existing site (Stable Way) to meet the identified needs of the gypsy and traveller communities. The GTANA indicates that 3 additional pitches are required over the first 5 years of the Plan and 9 in total. At present Hammersmith and Fulham Borough Council has not been able to identify how this need will be met, so as far as it affects its interests, which is not in accordance with national policy. However, the Council has identified a clear strategy⁴ to address the issue which will involve a site appraisal study and the production of an options paper with the intention of having a suitable land supply identified during 2018 to meet the needs. I consider this pragmatic approach is acceptable.
41. The Council recognises the need to amend Policy HO10 to reflect the findings of its GTANA and subsequent work. I recommend this modification, including

³ WMS 28.11.2014

⁴ EX24

the revisions to the supporting text to the policy which I consider must include a time frame for delivery, to ensure its effectiveness and to secure alignment with the objectives of national policy (**MM9**). On this basis I consider the Plan to be justified adequately.

Issue 4 - Is the approach of the Plan to community facilities, leisure and recreation activities, the provision of green and public open space, the River Thames, transport and accessibility justified by the evidence base, consistent with national policy and will it be effective in operation?

Community Facilities and Services

42. Policy CF1 is an overarching policy which sets out the Council's partnership approach to the provision of community facilities and services within the Borough. As set out in its Hearing Statement, the Council considers that its approach towards community facilities and services is supported by a range of evidence with which I have no reason to disagree. I am conscious that the Infrastructure Delivery Plan (IDP) usefully identifies some of the future needs of the Borough arising from the proposed levels of development which includes its regeneration areas.
43. The Council works in partnership on key issues such as the provision of education and health care as indicated by the Joint Strategic Needs Assessments and the content of the IDP. The overall approach is robust. The Council proposes to alter its references to the Charing Cross Hospital which, whilst useful for clarity, do not affect soundness.
44. The Plan addresses issues of sport and recreation activities, including the arts and cultural facilities. I am mindful of the comments of Sports England who has raised concerns at the robustness of the evidence base upon which the Council relies. Nevertheless, I have noted that the Council has submitted a range of evidence sources⁵ which has supported its policy approach, including the Sport and Physical Activity Strategies and IDP. It is also pursuing a Playing Pitch Strategy (in conjunction with Sport England) and updates to its Parks and Open Space Strategy. Whilst I note that the Leisure Needs Assessment is some 8 years old, the supplementary evidence sources have since been produced which have collectively informed the approach of the Plan. When taken as a whole, including the IDP, I am satisfied that these represent a proportionate and sufficiently robust evidence base which will enable the Council to take effective action, for example within its regeneration areas, to ensure the current and future needs of its residents are met.
45. The Plan also takes a positive and inclusive approach towards the enhancement and retention of community uses (Policy CF2) and towards arts, culture, entertainment, leisure, recreation and sport (Policy CF3). As such both policies flow from Policy CF1 and are justifiably based on the proportionate evidence. I have no reason to consider they will not be effective in practice. I am satisfied that Policy CF2 does cover the capacity and requirements of emergency services adequately without requiring a specific reference to each respective service (notwithstanding the content of CF1). With regards to Policy CF4, the Council's position towards professional football grounds has

⁵ SD24-37 et al

been clarified through a suggested additional change and the Statement of Common Ground which will ensure consistency with Policy WRCA2; this clarification is helpful although it requires no main modification to ensure soundness of the Plan.

46. The Council's comprehensive Open Space Audit dates from 2006. Notwithstanding its age, the Council considers that it still provides a sufficiently robust picture of the supply of open space within the Borough. The Council has sought to capture subsequent changes to open space provision within a series of open space background papers, most recently in 2016, whilst also operating its Parks and Open Spaces Strategy which runs until 2018. Whilst I am of the view that this area of interest will benefit from ensuring a continuous and comprehensive monitoring and planning approach for the Plan period, I am satisfied that when considered as a whole, the evidence ensures that Policies OS1 and OS2 are sufficiently robust and consistent with the Framework. The Council has suggested modifying Policy OS2 to reference clearly the need to protect and enhance the quality of, and access to, open space which I recommend to ensure consistency with national policy (**MM10**).
47. Natural England has confirmed that it is content with the approach of the Plan towards nature conservation, particularly as expressed by Policy OS4 which is supported by a range of evidence sources including the London Plan and the Mayor's SPG on Green Infrastructure and Open Environments. There is a deficiency in access to nature conservation areas within the Borough and Policy OS4 takes a clear approach towards identified areas/green corridors designed to maintain and enhance their value.
48. Policy OS5 seeks to enhance biodiversity and green infrastructure throughout the Borough and is justified by the evidence base, consistent with national policy and in line with the London Plan. The Council's suggested alterations to the supporting text will helpfully reference the role of food growing albeit they are not necessary to ensure soundness.
49. I am satisfied that the Council's submitted approach towards community facilities, leisure and recreation activities plus the provision of green and public open space is justified, consistent with national policy and in general conformity with the London Plan.

River Thames

50. Policies RTC1 – 4 address the River Thames and its immediate environs. I am satisfied, with due regard to the evidence base, that the approach is consistent and in general conformity with the London Plan. The Council proposes to add two criteria to Policy RTC1 to promote the transport use of the Thames and to reference the Thames River Basin Management Plan and the Thames Estuary 2100 Plan both of which I recommend for reasons of policy clarity and effectiveness and which are therefore necessary to secure soundness (**MM 11**).
51. Policy RTC1 will apply in conjunction with other policies where appropriate. Thus RTC2, which I find to be sufficiently clear, justified and flexible in its content and not requiring of further detail, does not need to be referenced within RTC1.

52. The Plan as a whole provides adequate further reference and influence upon matters of the built and historic environment without the need for main modifications to the RTC policies. It is clear to me that the Council recognises the historic character of the river context and I note the dialogue between the Council and Historic England in this regard. Similarly other parts of the Plan cover issues affecting flood risk and biodiversity such that main modifications to the RTC policies are not necessary.
53. I am satisfied that the Council's submitted approach towards the River Thames is justified, consistent with national policy and in general conformity with the London Plan.

Transport

54. Hammersmith and Fulham is an inner London Borough. The issues that the Borough faces in terms of accessibility and transportation are referenced within the evidence base and collated within Policy T1. This identifies a number of major schemes and Borough-wide targets.
55. As discussed above, the aspiration to replace the Hammersmith Flyover is challenging but there is sufficient evidence to warrant its inclusion in the Plan at this moment in time. Of greater uncertainty are the Council's objectives in relation to Crossrail 2 and associated interchanges in South Fulham. However, whilst I note the comments provided by the Royal Borough of Kensington and Chelsea and the GLA/TfL that their preferences lie elsewhere, I recognise that the Council is committed to working with partners to deliver a new Crossrail station and that the final route for Crossrail 2 is not yet determined. This is a project to be developed over a lengthy timeframe extending over the Plan period. This will be an area for the Council to monitor carefully, particularly with regard to the future iterations of the IDP, but the inclusion within Policy T1 of its major scheme target for a new station in the Borough is a considered aspiration and is not currently unjustified as a consequence.
56. Policy T2 relates to Transport Assessments and Travel Plans and is proportionate and flexible so as to be effective in operation. Policy T3 promotes cycling/walking and is similarly justified. The vehicle parking standards of Policy T4 along with Blue Badge Holders' parking in Policy T5 are justified in the context of the Borough. There is no evidence to dispute the inclusion of Policies T6 and T7 which will aid the clarity of the Council's approach to development within the Borough.
57. I am satisfied that the Council's submitted approach towards transport issues in the Borough is justified, consistent with national policy and in general conformity with the London Plan.

Issue 5 - Does the local plan provide the most appropriate and robust strategy towards the economy with due regard to cross border issues? Is the approach evidenced adequately and consistent with national policy and in general conformity with the London Plan? Will the approach be effective?

Economy and Employment

58. As indicated by evidence such as the Employment Land Study of 2016, the Council is suitably aware of the Borough's economic and employment characteristics within its wider London context, particularly in noting the pressure that has diminished its available B1 floor space over recent years. The Plan is robustly informed by the evidence base which includes liaison with neighbouring Boroughs as well as the GLA. I am satisfied that the chosen strategy does recognise cross border issues adequately. As a consequence, Policies E1 and E2 establish a positive approach towards proposals for new employment uses, supports the retention and intensification of existing uses and provides a criteria based approach towards land and premises for employment uses overall.
59. The Council has clarified that the approach to the economy does plan clearly for sui generis uses and recognises the value of supporting the provision of affordable workspace by suggesting further clarification on the point in the supporting text. The net effect of Policies E1 and E2 is to provide a positive yet flexible policy basis for facilitating the provision of land and premises for employment uses over the Plan period. This is consistent with the objectives of the Framework.
60. Policy E4 seeks to provide appropriate employment and training initiatives for local people in the construction of certain developments. I heard from the Council the way in which partnerships have historically been formed to deliver such aspirations and, subsequent to the Examination Hearings, the Council has clarified further the justification for the preferred approach. Such subsequent details are useful and establish a clear link between the policy, the potential developments affected and the economic objectives for the Borough such that I am satisfied that, with their necessary inclusion which I recommend, the approach of the Plan is justified and is capable of being effective in operation (**MM12**).

Town Centres

61. The Framework aims to ensure the vitality of town centres and requires Local Plans to pursue policies which should meet a variety of requirements. In this regard, Policy TLC1 establishes a clear hierarchy of three town centres, five local centres and associated retail provision.
62. This approach is informed adequately by the Council's Retail Needs Study and Retail background paper which assess robustly the qualitative and quantitative retail needs of the Borough. The former study recommends a local threshold for retail impact assessments where out-of-centre retail proposals are in excess of 300m² (gross). I have no clear evidence or reason to take a contrary view and conclude that this is an approach consistent with the Framework. The policy requires an appropriate mix of town centre uses, recognises the night time economy and provides for a reasonably flexible approach towards proposals in such locations.
63. The Plan clearly identifies robust prime and non-prime retail frontages which reasonably equate to the primary and secondary frontages envisaged by the Framework. The Council has based the Plan on a proportionate range of evidence sources that includes sufficiently up-to-date survey analysis combined with a practical working knowledge of the Borough and its retail

areas. The Council proposes to illustrate the frontages on its Policies Map which is appropriate. Furthermore, the Council recognises the role of markets in the Borough. Overall, this is consistent with the London Plan and is aligned adequately with the content of the Framework.

64. Policies TLC2-4 set out the Council's approach to managing uses within town centres, local centres and other parades etc. In so doing, the Council has been mindful of the Framework and drawn on its experience of operating its Core Strategy and Development Management Local Plan in conjunction with the retail evidence cited above. As a consequence, the Policies identify proportions of non-A1 uses deemed to be acceptable in the respective areas, including prime retail frontages. Whilst this is calculated in terms of frontage length, rather than retail units, this is an approach that I heard has worked adequately in recent years and I have no reason to recommend a different stance. The proportions are based on the Council's experience, the health of the existing centres, the retail evidence and an intention to ensure a balanced retail provision throughout the Borough. I fully accept that the Council can legitimately seek to manage the uses within its town centres as advised by the Framework and the policy requirements are a reasonable and proportionate approach to this issue which have been informed by the evidence.
65. There is some flexibility in how Policies TLC2-4 could be applied; for example in the proportion and types of use allowed in non-prime town centre frontages which would include uses such as betting shops thus ensuring scope for some new provision and it is clear that the Council wishes to maintain the vitality and viability of its centres in line with the Framework. Whilst I recommend that criterion 'c' of Policy TLC4 should be modified to remove a reference to betting shops and amusement centres (**MM13**) which is unjustified by any comparison with other uses, I am otherwise satisfied that the Plan's approach is suitably justified and appropriate. I note that the Policies require calculations of the proportions of uses to have regard to extant but unimplemented permissions but there is little to suggest that this would be an unduly onerous and unacceptable policy requirement.
66. Policy TLC5 is prescriptive in its requirements to limit the general opening hours of premises but I am satisfied that there is sufficient flexibility in how it may be applied where specific circumstances justify an alternative approach.
67. Amongst other things, the Framework requires competitive town centres which provide customer choice and a diverse retail offer. Whilst Policies TLC1-5 provide a justified approach to retail and town centre activities that is consistent with the Framework, Policy TLC6 effectively restricts the location of betting shops, pawnbrokers, payday loan shops and potentially limits the siting of hot food takeaways. The Council's Background Paper describes the growth of particular non A1 uses, albeit not just those cited in the policy, within both London and the Borough and states that the aim of the Council is to prevent clusters of betting shops, payday loan stores and pawnbrokers from forming to protect the vitality and viability of the Borough's centres. Such an objective is consistent with the Framework, particularly para 23.
68. However, whilst the Background Paper provides some data on the number of such uses within the Borough, of itself it does not indicate a clear causal link between concentrations of uses and any evidenced detrimental effect upon the

vitality/viability of the centres affected such as to warrant the 400m threshold between an existing and a proposed use. The Background Paper also introduces a commentary on a link between shop usage and social deprivation but once again the causal link between such uses and consequent adverse effects on health and well-being is very limited.

69. Policy TLC2 would provide the means to manage the composition of prime and secondary retail frontages of town centres to ensure the vitality and viability of such centres was optimised in accordance with the Framework. Elsewhere, Policies TLC3 and 4 would enable the Council to similarly manage shops and local service availability. The consequent need for Policy TLC6 in the format submitted is therefore unclear. The first part of the policy seeks to limit certain uses in areas of high concentration but where such areas are poorly defined. The Background Paper refers to volumes of uses but does not identify what may constitute an overconcentration where a harmful effect on vitality and viability of the relevant centre would potentially occur.
70. The second part of the policy states that planning permission for new betting shops, pawnbrokers and payday loan shops will not be permitted in the prime retail frontages of town centres but this is already secured by Policy TLC2 and is therefore unnecessary. The policy continues to limit such uses within 400m of any existing shop in the same use and, as illustrated within the Background paper, would have the effect of fundamentally limiting the further provision of such uses within the commercial parts of the Borough. Whilst I note the rationale of the 400m distance as representing a 5 minute walk which the Council sees as a means to avoid clustering of similar uses, such an approach is particularly inflexible when the specific effect of a proposal for such a use upon the vitality and viability of a centre or parade falls to be considered. It seems a blunt tool. As a consequence, the extensive and rather 'blanket' approach of limitation currently proposed in the operation of Policy TLC6 in relation to betting shops, payday loan shops and pawnbrokers would not constitute a positive form of policy planning that is consistent with paragraph 23 of the Framework. As a consequence, I recommend that the Policy be altered to be more positive and less prescriptive in its approach to such uses (**MM14**).
71. The final part of Policy TLC6 states that when considering proposals for hot food takeaways, the Council will take into account proximity to areas where children and young people are likely to congregate such as schools, parks and youth facilities. The purpose of such a policy statement reflects the Council's concern about the potential health impacts of hot food takeaways (A5 use) which has previously been reflected in its development plan. However, as demonstrated in the evidence presented to the Examination, the direct links between the location of A5 uses and individual health is less than clear. As recent guidance from Public Health England⁶ notes, "Obesity is a complex problem with many drivers..." and that whilst planning policies can be used to assist in tackling obesity, this needs to be secured in line with an Authority's strategy on obesity and needs to be supported by sound evidence. Whilst noting the Council's stance, alternative evidence has been submitted which

⁶ Health matters: obesity and the food environment (2017)

indicates only limited causal links between health/obesity and the presence of hot food takeaways.

72. When taken as a whole, I am satisfied that there is sufficient evidence, as indicated by Public Health England, to support health considerations as being potentially material to planning decisions in addition to considerations of town centre vitality and viability. However, as submitted, Policy TLC6 does not address the potential implications of such uses on the health of the community as a whole nor the need to take a flexible approach to proposals that are based on evidence of the time. As a consequence, I consider a modification to the policy to be necessary which will enable the Council to take into account the relevance of health impacts relating to hot food takeaways as part of any further developed Council strategy that seeks to tackle obesity and health issues as necessary. The site specific circumstances of any proposal will be particularly relevant, for example in relation to other nearby uses, which may include schools, and the proximity to areas where young people may congregate. This will ensure consistency with the Framework and an overall positive and flexible approach to activities affecting hot food takeaways and is contained within MM 14.
73. Overall, the Plan does provide the most appropriate and robust strategy towards the economy which is evidenced adequately, will be effective, is consistent with national policy and in general conformity with the London Plan.

Issue 6 - Does the Plan take a justified and suitably evidenced based approach towards design, conservation and environmental sustainability? Is the Plan consistent with national policy in such regards and will it be effective in implementation?

Design and Heritage Matters

74. Policy DC1 sets out the Council's position upon design related matters: "*all development within the Borough should create a high quality urban environment ...*". This is consistent with the Framework and the London Plan and is supported by a range of evidence papers including the Tall Buildings background paper, townscape analysis for the regeneration areas and Streetsmart.
75. The Plan subsequently contains a number of detailed criteria based policies to assist in the delivery of the stated objective. I understand that the Council has successfully operated its previous development plan with a requirement for development to 'respect' a number of matters, as reiterated in Policy DC2, and whilst I perceive some potential ambiguity in the interpretation of this requirement, I have no direct evidence to suggest it is not ultimately capable of effective implementation.
76. The Council's approach towards tall buildings is provided by Policy DC3 and is supported by a proportionate and robust range of background evidence. A number of modifications have been proposed by the Council to ensure consistency with national policy which I recommend accordingly, for example in relation to heritage matters (**MM15**). Overall I am satisfied that the policy provides sufficient flexible clarity on the circumstances where tall buildings may be permitted. The supporting text to the policy makes adequate reference to the London View Framework and I am further mindful that Policy

DC7 expressly protects the strategic view of St Paul's Cathedral. The Council's approach towards applications affecting local views within the Thames Policy Area and affecting important local landmarks is set by Policy DC7 and I am satisfied that the Plan is positive and flexible in how potential proposals will be resolved.

77. The Plan contains a prescriptive level of detail in Policies DC4, 5 and 6. That pertaining to alterations and extensions is justified whilst that relating to shopfronts requires modification to ensure it will be effective in operation. I recommend deletion of the reference to the Planning Guidance SPD in Policy DC5 accordingly (**MM16**) to ensure the effective and justified implementation of the policy. The Council has clarified its approach towards replacement windows which I consider represents a necessary main modification to ensure effective implementation (**MM17**).
78. Policy DC8 relates to Heritage and Conservation. The submitted policy is not wholly consistent with national policy but the Council has proposed modifications to make it so, taking into account the input of Historic England, with which I agree (**MM 18**). The necessity for all of the detail within the policy is a reflection of the importance that the Council place on this issue and I have no reason to consider the approach is not justified as a consequence.
79. The Council's approach to Advertisements is set within Policy DC9 which is both long and detailed. I am satisfied that the policy could be successfully shortened with a variation on the remaining text being included, as the Council sees necessary, into the supporting justification for the policy. Such a change would avoid an overly prescriptive and inflexible policy and I therefore recommend accordingly to ensure its effectiveness (**MM19**).
80. The issue of basements and lightwells is addressed by Policy DC11 which when taken as a whole is warranted by the Council's experience of dealing with such proposals and the advice provided by the GLA within its SPG on Sustainable Design and Construction. Clarity is required on criteria 'e' and 'l' to ensure the policy is capable of effective implementation and I recommend accordingly (**MM20**).

Environmental Sustainability

81. The Plan contains a 2035 Vision to deliver an environmentally sustainable Borough. Both this and the accompanying suite of policies are informed adequately by the wider London context and national policy. Policy CC1 requires major development to implement energy conservation measures by, for example, implementing the London Plan sustainable energy policies. The policy contains sufficient flexibility to cater for circumstances where meeting the required CO² reductions on or near to site cannot be made and I am satisfied that its requirements are justified by the evidence available to me provided that the Council's modifications addressing air quality are included. I recommend accordingly to ensure an effective policy (**MM21**). This approach is followed within Policy CC2 which requires the implementation of sustainable design and construction measures in certain circumstances.
82. Policy CC3 sets out a detailed approach towards minimising flood risk and water use. The Environment Agency is satisfied with the approach in this specific London context where large parts of the Borough fall outside Flood

Zone 1 and, with due regard to the available Strategic Flood Risk Assessment (SFRA) and Surface Water Management Plan (SWMP), I have no reason to take a different view.

83. Policies CC4 and CC5 aim to address surface water run-off, sustainable drainage systems and water quality. The SWMP provides a convincing basis for the necessity of CC4 and I am satisfied that the approach is robust. Policy CC5 provides useful completeness for where private supply systems may be operational.
84. The submitted Plan contains a number of waste related policies. I have noted the submitted evidence and the work of the Western Riverside Waste Authority, of which the Council is part, in addition to correspondence from Thurrock Borough Council⁷. The Plan, via Policies CC6-8 provides a robust approach towards issues of waste that reflect the London Plan Waste Apportionment targets adequately. The Council has suggested clarifications to the text of the relevant policies which I recommend to ensure clarity and effectiveness (**MM22**).
85. Policy CC10 sets out the Council's approach towards air quality which is justified by the available evidence and is consistent with national policy provided the suggested changes of the Council are embodied in any adopted Plan. These provide more effective details as to how air quality assessments should operate and introduce further criteria designed to mitigate potential adverse impacts arising from development and I recommend their inclusion as main modifications accordingly (**MM23**).
86. The Plan contains a number of policies that will help ensure that the development and use of land will contribute to the mitigation of, and adaptation to, climate change. These include the policies cited above and the strategic objectives. Accordingly, the Plan taken as a whole, achieves the statutory objective set out within Section 19(1A) of the Planning and Compulsory Purchase Act 2004.

Issue 7 - Does the Plan address adequately the provision of necessary infrastructure to support the delivery of the strategic objectives and the vision? Are the Plan's monitoring targets justified adequately and of a level of detail that is appropriate to a Local Plan? How will the effectiveness of the Plan be managed?

87. The Council's IDP is an iterative document which contains a schedule of key infrastructure requirements linked to the content of the Plan. I note the variables which exist within the IDP and I heard how the Council intends to continue to monitor the schedule, with due regard to the Annual Monitoring Report (AMR), and its delivery to ensure the appropriate infrastructure is in the right place at the right time. I have no reason to consider that this will not be effective.
88. Policy INFRA1 relates to planning contributions and infrastructure and will operate alongside the established Community Infrastructure Levy. The Council has proposed modifications in relation to how monitoring expenses

⁷ EX21

may be charged which I recommend to ensure clarity in the successful delivery of the Plan as a whole (**MM24**) and to be legally robust.

89. The Council is alert to the risks posed to the success of the Plan and has sought to embed flexibility within the Plan as a whole to enable appropriate reaction to change as required. The AMR and monitoring of items such as the Housing trajectory, will enable the Council to implement the 'plan, monitor, manage' approach which will maximise the likelihood of the successful delivery of the Plan objectives.
90. The Council has updated its monitoring indicators to be contained in Appendix 6 of the Plan. I recommend these as main modifications to ensure the effective delivery of the Plan as a whole (**MM 25**).

Public Sector Equality Duty

91. I am mindful of the Council's Equalities Impact Assessment and, in particular, the way in which the Council intends to proceed in relation to the provision of Gypsy and Traveller pitches to meet the identified needs. I have had due regard to the provisions of Equality Act 2010 in reaching my conclusions.

Assessment of Legal Compliance

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

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan has been prepared in accordance with the Council's LDS which was updated in June 2017.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in November 2015. Consultation on the Local Plan and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The SA contains confirmation that, following the earlier assessments undertaken for the Core Strategy and the Development Management Local Plan, AA is not necessary. Natural England supports this.
National Policy	The Local Plan complies with national policy except where indicated and MMs are recommended.
London Plan	The Local Plan is in general conformity with the spatial development strategy, The London Plan.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

93. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. Without the MMs the Plan has a number of deficiencies in respect of soundness which means I would recommend non-adoption of the submitted document in accordance with Section 20(7A) of the 2004 Act.

94. However, these deficiencies have been explored in my main issues identified above. I conclude that with the recommended main modifications set out in the Appendix, the Hammersmith and Fulham Local Plan satisfies the requirements of Section 20(5) of the 2004 Act, is in general conformity with the London Plan and meets the criteria for soundness in the National Planning Policy Framework.

Andrew Seaman

Inspector

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

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	20	Amend Spatial Vision 3 rd paragraph	...New development will have created a high quality, <u>accessible</u> , safe <u>and inclusive</u> environment that respects local context and the borough's natural, built <u>and historic</u> environment...
		Amend Strategic Objective 10	To preserve and enhance the quality, character and identity of the borough's natural and built environment (including its heritage assets) by respecting the local context, seeking high quality, intelligent developments and design , and ensuring compliance with the principles of inclusive, <u>accessible</u> and sustainable design
		Para 6.33	Amend para 6.33 as follows: Mixed tenure housing developments should be tenure blind, meaning that it should be difficult to spot the difference in the architectural quality of market and affordable properties. <u>It is important for the council to ensure that housing developments are inclusive for all residents....</u>
MM2	25	DEL1	Amend bullets: ... The Council will implement the policies and proposals of the Local Plan by: ... <ul style="list-style-type: none"> • having regard to the financial viability of development in the following ways: <ul style="list-style-type: none"> ○ Plan-making; ○ CIL charge-setting; and ○ Negotiating Section 106 agreements ('106s'), including for affordable housing, ○ applying the principles set out in the Viability Protocol in Appendix 9;

Ref	Page	Policy/ Paragraph	Main Modification
			<ul style="list-style-type: none"> ○ <u>Site specific circumstances including site specific infrastructure;</u> ○ <u>Site size, constraints and characteristics.</u> <p>...</p>
MM3	2	After para 1.9	<p>Add new wording after para 1.9 as follows</p> <p>Neighbourhood Planning <u>Neighbourhood Planning was introduced as part of the Localism Act 2011. Neighbourhood plans are development and land use documents led by members of the community. Neighbourhood plans must be developed in general conformity with the strategic policies in the relevant local, regional and national planning policy documents and guidance. The Neighbourhood Planning Regulations sets out the procedure and key milestones in developing a neighbourhood plan. In order for a neighbourhood plan to be adopted and form part of the Development Plan Framework, they must be voted on and agreed by a majority vote, in a local Referendum.</u></p>
MM4	29	Strategic Policy – Regeneration Areas	<p>Amend Strategic Policy – regeneration Areas (Bullet 1) as follows:</p> <p><u>..delivered to the highest standards of urban design, respect for the historic environment, environmental sustainability, and social inclusion and respecting local context...”</u></p>
	29	Table 1	<p>Amend text at bottom of Table 1 as follows:</p> <p><u>...In the London plan (2016, the Earls Court and West Kensington Opportunity Area has a minimum target of 6,500 dwellings-7,500 homes and 9,500 jobs across both LBHF and RBKC. It is anticipated that 6,500 homes and 8,500 jobs could be accommodated in LBHF. In addition to this capacity in the Earls Court and West Kenington opportunity Area, the FRA is considered to have the capacity to deliver an additional 500 homes and 500 jobs making an overal total of 7,000 homes and 9,000 jobs. In the figures above, 7,000 dwellings have been allocated to that part of ECWK Opportunity Area that is within LBHF and 1000 to the area that is within RBKC.</u></p>
	45	HRA	<p>Add new bullet point (as bullet 10) to the policy follows:</p> <p><u>...be based on a thorough assessment of the heritage significance of the area and respond positively to local character and history, conserving and taking opportunities to enhance the significance of heritage assets...</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
	51	HRA2	<p>Amend bullet point 5 as follows: <u>...Ensure that the tunnel entrances and exits avoid, or where this is not possible, have minimal impact on the amenity of residents and the local environment, including the significance and setting of heritage assets...</u></p> <p>Amend bullet point 10 as follows: <u>...be of a coherent urban design that has regard to the setting and context of the regeneration area, including its scale and character, heritage assets and archaeology and should take opportunities to re-unify areas of severed townscape sensitively...</u></p>
MM5	43	WCRA3	<p>Amend 4th bullet point as follows: <u>"Provide affordable housing and affordable workspace in accordance with Policy H03 and Policy E1"</u></p>
MM6	56, 59	FRA FRA1	<p>Amend fifth bullet point of Policy FRA as follows:</p> <ul style="list-style-type: none"> provide for the improvement of the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates</u> <p>Amend third bullet point of Policy FRA1 as follows:</p> <ul style="list-style-type: none"> provide for improvement to the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates, as part of the comprehensive approach to the regeneration of the Opportunity Area;</u>...
MM7	69	HO1	<p>Amend HO1 policy as follows: "The council will work with partner organisations and landowners to exceed the London Plan (2016) <u>minimum</u> target of 1,031 additional dwellings a year up to 2025..."</p> <p>....</p> <p>e) Ensuring that new dwellings meet local needs and are available for occupation by people living in London....</p> <p>...</p> <p>g) working to return vacant homes to use and ensure that <u>all new homes are occupied and vacant homes are returned to use to meet local and London needs;</u></p>

Ref	Page	Policy/ Paragraph	Main Modification																																																								
			<p>...</p> <p>Insert additional sentence to follow 'g' at Policy H01 – Housing Supply:</p> <p><u>h) where possible, support applications for self and custom builds that are in accordance with the relevant Local and London Plan policies.</u></p> <p>Amend Table 2 'Indicative Housing Targets' as follows (<i>column 2 date range to refer to 2016-2021</i>):</p> <table border="1"> <thead> <tr> <th>Area</th> <th>2015/20 2016/20</th> <th>2020/25 2021/26</th> <th>Total 10 years</th> <th>2025/30 2026/31</th> <th>2030/35 2031/35</th> <th>Total 20 years of Plan Period (up to 2035)</th> </tr> </thead> <tbody> <tr> <td>White City Regeneration Area/Opportunity Area **</td> <td>1,000 2,200</td> <td>2,500 3,500</td> <td>3,500 5,700</td> <td>1,500 100</td> <td>1,000 200</td> <td>6,000</td> </tr> <tr> <td>Hammersmith Town Centre</td> <td>200 700</td> <td>600 0</td> <td>800 700</td> <td>1,000 1,050</td> <td>1,000 1,050</td> <td>2,800</td> </tr> <tr> <td>Fulham Regeneration Area **</td> <td>1,500 1,100</td> <td>2,500 600</td> <td>4,000 1,700</td> <td>1,500 5,300</td> <td>1,500 0</td> <td>7,000</td> </tr> <tr> <td>South Fulham Riverside</td> <td>1,500 2,700</td> <td>1,500 800</td> <td>3,000 3,500</td> <td>500 200</td> <td>500 300</td> <td>4,000</td> </tr> <tr> <td>Rest of the borough</td> <td>1,000 2,000</td> <td>700 200</td> <td>1,700 2,200</td> <td>700 0*</td> <td>0*</td> <td>2,400 2,200</td> </tr> <tr> <td>Total</td> <td>5,200 8,700</td> <td>7,800 5,100</td> <td>13,000 13,800</td> <td>5,200 6,650</td> <td>4,000 1,550</td> <td>22,200 22,000</td> </tr> <tr> <td>Average/year</td> <td>1,040 1,740</td> <td>1,560 1,020</td> <td>2,600 1,380</td> <td>1,040 1,330</td> <td>800 310</td> <td>1,110 820</td> </tr> </tbody> </table> <p>Add the following new text after paragraph 6.9:</p> <p><u>The Build to Rent or Private Rent sector has the potential to boost the supply of private rental accommodation across the borough. The SHMA identifies that private renting is high and is increasing in the borough; between 2001 and 2011 the private rented sector increased from 23% to 33%. Bearing this in mind, Build to Rent may offer a greater range and choice to private renters.</u></p> <p><u>The council recognises that the financial model of Build to Rent is different to traditional, private market housing and there will be separate viability concerns when considering Build to Rent schemes. Nevertheless, a range of tenures will be expected to provide accessible housing for all, subject to viability. On such schemes, affordable housing may be delivered by discount market rent using the London Living Rent (or lower) as the</u></p>	Area	2015/20 2016/20	2020/25 2021/26	Total 10 years	2025/30 2026/31	2030/35 2031/35	Total 20 years of Plan Period (up to 2035)	White City Regeneration Area/Opportunity Area **	1,000 2,200	2,500 3,500	3,500 5,700	1,500 100	1,000 200	6,000	Hammersmith Town Centre	200 700	600 0	800 700	1,000 1,050	1,000 1,050	2,800	Fulham Regeneration Area **	1,500 1,100	2,500 600	4,000 1,700	1,500 5,300	1,500 0	7,000	South Fulham Riverside	1,500 2,700	1,500 800	3,000 3,500	500 200	500 300	4,000	Rest of the borough	1,000 2,000	700 200	1,700 2,200	700 0*	0*	2,400 2,200	Total	5,200 8,700	7,800 5,100	13,000 13,800	5,200 6,650	4,000 1,550	22,200 22,000	Average/year	1,040 1,740	1,560 1,020	2,600 1,380	1,040 1,330	800 310	1,110 820
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Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Council's preferred benchmark. The Council's Housing Strategy may also be used in setting appropriate rent levels to ensure schemes are affordable locally. The quantum of affordable housing units will be subject to the specifics on a scheme. Long-term covenants will be required on any scheme to ensure developments are rental for at least 15 years with a 'clawback' mechanism in place where units are sold out of the Build to Rent sector during the covenant period. Importantly, affordable housing should be maintained in perpetuity and managed by the Build to Rent provider.</u></p> <p><u>An integral part that makes Build to Rent development different is the management of the site. The council will expect that any developers will identify a suitable, long term, experienced management team in place when coming forward with any applications that will deliver high-quality housing for its residents.</u></p> <p><u>When considering Build to Rent schemes, it will be important to consider the nature of build to rent development. Higher turnover is anticipated in Build to Rent schemes which may have a wider impact in terms of the sense of community in the area and other high-street parking issues and impacts. Evidence of mitigating these issues and/or ways of managing these issues may be required by the council.</u></p> <p>Insert new text on Self Build and Custom Housebuilding as follows:</p> <p><u>The Self-build and Custom Housebuilding Act 2015 requires local authorities to keep a register of individuals and associations of individuals seeking to acquire serviced plots of land to build houses for those individuals to occupy as homes. Self-build typically refers to individuals seeking to build their own home and to occupy them. The council has produced a self-build register, where individuals may register their interest.</u></p> <p><u>Self build and custom housebuilding refers to individuals or groups of individuals interested in buying land and building a home to occupy. The London SHMA found that self-build provides 4% of all new homes in England. In London, the figures indicate that self-build accounts for 1.9% and 3.5% of annual housing output in London.</u></p> <p><u>The London SHMA has found from a survey conducted in 2013 that 13% of adults in London were actively researching self-build, in line with the national average. Results from the same survey found that 2% of adults in London were doing something about this in terms of acquiring land, submitting a planning application, or starting construction. Those likely to complete a self-build project within a year was 1%.</u></p> <p><u>There are a number of broad barriers to delivering or undertaking such a project which indicates why there are such low output levels in London and nationally: the high cost of land, access to finance – self-build is considered as relatively risky, which in turn favour high-density development and</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>builders able to capitalise on economies of scale. Self-build typically takes place in small infill sites, end of terrace spaces, backland sites, gardens, garages, and small industrial sites. In parts of London where land values are lower, sites which would not have interest from developers, such as on the fringe of industrial sites, there are greater opportunities to take place.</u></p> <p><u>In Hammersmith and Fulham, where land prices are high and the supply of available land for development is so competitive, these factors do not provide the best conditions for self-build or custom housebuilding to take place. Whilst the council is supportive in principle, this will continue to be monitored and assessed through the AMR and self-build register.</u></p>
MM8	73	HO3 and supporting text	<p>Amended wording to the proposed policy, as follows:</p> <p>Housing development should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities in the borough.</p> <p><u>For developments of 11 or more self-contained dwellings, on sites with the capacity for 1011 or more such self-contained dwellings, affordable housing should be provided having regard to in line with the following:</u></p> <ol style="list-style-type: none"> a. a borough wide target that at least 50% of all dwellings built between 2015-25 should be affordable; b. 60% of additional affordable housing should be for social or affordable renting, especially for families and 40% should be a range of intermediate housing; c. affordable dwellings should be located throughout a new development and not concentrated on one part of the site; d. the provision of affordable rented and social rented housing in ways that enable tenants to move into home ownership. <p>In negotiating for affordable housing in a proposed development, the council will seek the maximum reasonable amount of affordable housing and take into account:</p> <ul style="list-style-type: none"> • site size and site constraints; and • financial viability, applying the principles set out in the Viability Protocol (Appendix 9) and having regard to the the individual circumstances of the site and the availability of public subsidy; • <u>individual circumstances and characteristics of the site;</u> • <u>site specific infrastructure;</u> • <u>availability of public subsidy; and</u> • <u>CIL charge.</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Planning applications for developments of 11 or more self-contained dwellings, and on sites with the capacity for 11⁰ or more such dwellings, will not be required to provide viability information, where they:</u></p> <ul style="list-style-type: none"> • <u>deliver 50% or more affordable housing on site;</u> • <u>are consistent with the relevant tenure split within this policy (see also paragraph 6.29); and</u> • <u>meet all of the other relevant Local Plan policy requirements and obligations.</u> <p><u>For the avoidance of doubt, in circumstances where the three requirements set out immediately above are satisfied, the council will regard that affordable housing provision as “the maximum reasonable amount of affordable housing.</u></p> <p>In exceptional circumstances, a financial contribution may be required to provide affordable housing off-site where other sites may be more appropriate or beneficial in meeting the borough's identified affordable housing needs.</p> <p>In addition, there should be no net loss of social/affordable rented housing on any development sites <u>as part of any development proposals.</u></p> <p>Text changes in line with FMC21, FMC22, FMC23, FMC24, MC75, MC77</p>
MM9	84	HO10 6.63	<p>Amend HO10 as follows:</p> <p><u>The council will seek to address the joint Gypsy and Traveller accommodation needs over the Plan period, as identified in the Gypsy and Traveller Accommodation Needs Assessment (2016).</u></p> <p>The council will work closely with the Royal Borough of Kensington and Chelsea, and any other relevant partners to protect, improve and, if necessary, increase the capacity of the existing gypsy and traveller site at Westway Stable Way.</p> <p><u>Applications for additional sites should meet the requirements set out in the Planning Policy for Traveller Sites (2015).</u></p> <p>6.63 ... Following engagement with the local traveller community an assessment of the need for traveller pitches was carried out in accordance with the Gypsy and Traveller Accommodation Needs Assessments (DCLG 2007). This study suggested a need for extra pitches for an additional five families by 2020(38). The assessment identified that 3 additional pitches are required in the first five years, 9 in total</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>over the plan period. The council is currently working with RBKC and the local traveller community to determine how best to meet the identified needs. Both authorities are working together to determine how best to meet this identified need where possible, in accordance with further Site Appraisal work. The Council will seek to address the findings from the GTANA its assessment and to meet its needs by undertaking a Site Appraisal Study in 2017 and producing an Options Paper thereafter. The Council and RBKC will explore all available options in meeting the objectives of national policy in order to identify a National Planning Policy Framework compliant supply of sites during the course of 2018, if not earlier. This will be reported upon in the Council's annual monitoring report. Sites identified will be assessed against the agreed methodology with RBKC, in accordance with the NPPF and the PPTS. Any subsequent planning applications should be considered against the criteria set out in the PPTS along with relevant planning policies and guidance.</p>
MM10	120	OS2	<p>Amend Policy OS2 as follows:</p> <p>The council will seek to reduce open space deficiency and to improve <u>will protect and enhance</u> the quality of, and access to, existing open space by:</p> <ol style="list-style-type: none"> a. refusing development on public open space and other green open space of strategic and borough-wide importance as identified in the council's Open Space Hierarchy (see Appendix 3 and Proposals-Policies Map) unless it can be demonstrated that such development will not harm would preserve or enhance its open character, and its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity; ...
MM11	125	RTC1	<p>Add bullet point (e) and (f) to Policy RTC1 as follows:</p> <ol style="list-style-type: none"> e. <u>promoting use of the River Thames for transport uses, including passengers and freight</u> f. <u>seeking improvements to the tidal foreshore in line with the requirements of the Thames River Basin Management Plan and the Thames Estuary 2100 Plan.</u>
MM12	91	6.80	<p>Amend para 6.80 as follows:</p> <p><u>The borough currently faces real socio-economic difficulties, including acute affordable housing need and high levels of deprivation.</u> Continued economic growth in the borough will require a growing work force. These jobs will not go to workless unemployed residents in the borough unless they have the necessary qualifications and skills. If local workless people are not moving into the local labour market, the growth in jobs will have to be met by workers from outside the local</p>

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			<p>area. This will increase pressure on the already overstretched supply of housing and local transport infrastructure. This is also important in addressing social inequalities across the borough. Where major developments come forward that do not employ and/or train local people in their construction/operation, they will aggravate this situation. This is because local unemployed people will not be moving into the local labour market, and the growth in jobs related to those developments will have to be met by workers from outside the local area. This will aggravate existing circumstances by increasing pressure on the already overstretched supply of housing, and on local transport infrastructure. It will also fail to address the social inequalities across the borough. Accordingly, in order for major developments to be sustainable, particularly having regard to the social and economic strands of sustainability, they must comply with the policy.</p>
MM13	102	TLC4	<p>Amend point c) as follows: ... The number of <u>existing non-A1</u> uses that may adversely impact on the quality of the parade or cluster, such as betting shops and amusement centres...</p>
MM14	105	TLC6	<p>Amend Policy and text as follows:</p> <p>Policy TL6 To ensure that shopping areas remain diverse and balanced, the council will seek to limit the amount <u>manage</u> the and concentration of betting shops, pawnbrokers <u>and</u> payday loan shops in areas of high concentration.</p> <p>Planning permission for Any proposal for a new betting shops, pawnbrokers or payday loan shops will <u>be considered against the provisions of Policy TLC2 and TLC3</u> not be permitted in the prime retail frontage of town centres or within 400 metres of the boundary of an existing or permitted betting shop, pawnbrokers or payday loan shop.</p> <p>Outside of these areas, planning permission and will only be granted for a betting shop, pawnbrokers or payday loan shop <u>may be granted permission, in accordance with the quotas that apply, and where it can be demonstrated that the proposal:</u></p> <ul style="list-style-type: none"> • <u>will not impact adversely on residential the amenity, character and function of an area;</u> • and <u>will add to the vitality of the existing shopping parade or cluster; and</u> • <u>will not result in negative cumulative impacts due to an</u>

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	106	6.118	<p><u>unacceptable concentration of such uses in one area.</u></p> <p>When considering proposals for hot food takeaways (class A5) and in addition to the quota policies that will apply, the council will take into account proximity to areas where children and young people are likely to congregate, such as schools, parks and youth facilities <u>the location and nature of the proposal with regard to the proximity of existing hot food takeaways, its compatibility with surrounding uses and, as applicable, available evidence relating to potential health impacts.</u></p> <p>6.118 Although hot food takeaways provide a service for the community, the council is concerned about the potential health impacts of hot food takeaways, <u>particularly</u> on children and young people. Therefore, I <u>in the case of proposals for class A5 uses (hot food takeaways), consideration will be given to the proximity of schools and similar facilities, as well as the prevalence and clustering of takeaways and relevant evidence relating to potential health impacts arising from the type of use proposed. when assessing the acceptability of these uses.</u></p>
MM15	134	DC3	<p>Amend DC3 as follows:</p> <p>In these <u>these</u> areas identified as <u>potentially</u> appropriate for tall buildings, any proposal will need to demonstrate that it:</p> <p>...</p> <p>d) has no harmful impact in terms of <u>had full regard to the significance of heritage assets including the setting of, and views to and from, such heritage assets, has no unacceptable harmful impacts, and should have due regard to Historic England's guidance on tall buildings...</u></p>
MM16	137	DC5	<p>Amend DC5 as follows:</p> <p>...</p> <p>Fascia signs and projecting signs should not be overly large and should be designed to be appropriate to the <u>styles scale and design</u> of the shopfront (see section on shopfront guidance in the Planning Guidance Supplementary Planning document)...</p>
MM17	138	DC6	<p>Amend policy wording in DC6 as follows:</p> <p>...</p> <p>Replacement windows should respect the architectural character of the building and its surroundings. In this respect, <u>It will be important that the design and material of the replacement windows matches the original windows as closely</u></p>

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			<p><u>as possible</u>, in terms of material, type and size, method of opening, profile and section and sub-division. ...</p>
MM18	142	DC8	<p>Amend Policy DC8 as follows:</p> <p>The council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its <u>its</u> heritage assets. These assets include: listed buildings, <u>conservation areas</u>, historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications for development affecting heritage assets, the council will apply the following principles:</p> <ol style="list-style-type: none"> a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation; b. development applications affecting designated heritage assets, including alterations and extensions to buildings will <u>normally</u> only be permitted if the significance of the heritage asset is conserved or enhanced or where there is less than substantial harm and the harm is outweighed by the public benefits of the proposal. c. development applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within its <u>their</u> setting; d. applications for development affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset <u>in accordance with paragraph 135 of the National Planning Policy Framework</u>; e. particular regard will be given to matters of scale, height, massing, alignment, materials and use; f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's character and significance, <u>including securing its optimum viable use</u>; g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposed development <u>proposal</u> upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's

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			<p>significance.</p> <p><u>Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;</u></p> <p>h. proposals which involve harm to, or loss of, substantial harm, or less than substantial harm any designated to the <u>significance of a heritage asset</u> will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 <u>and 134</u> of the National Planning Policy Framework;</p> <p>i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design <u>and significance</u> before it is lost, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;</p> <p>j. the proposal respects the principles of accessible and inclusive design;</p> <p>k. <u>where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;</u></p> <p>l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and</p> <p>m. securing the future of heritage assets at risk identified on English Heritage's national register, as part of a positive strategy for the historic environment.</p>
MM19	146	DC9	<p>Amend DC9 as follows:</p> <p>The council will require a high standard of design of advertisements, which should be in scale and in keeping with the character of their location and should not <u>have an unacceptable impact on public, including road,</u> impact adversely on public safety. The council will resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building, residential amenity or public safety. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form.</p> <p>Advertisements should normally be located at ground floor level and relate to the commercial zone of the street frontage and the architectural design of the facade. All forms of advertisements displayed above ground floor level would in many circumstances result in visual clutter in the street scene</p>

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			<p>and detract from the architectural composition and scale of the buildings to which they relate. Further detailed guidance for shopfronts and advertisements in conservation areas is included in the Planning Guidance Supplementary Planning Document.</p> <p><u>Hoardings</u></p> <p>Hoardings and other large advertisements, such as digital screens, will be acceptable where they are of an appropriate scale with their surroundings and where they do not have a detrimental impact on areas sensitive to the visual impact of hoardings such as conservation areas, listed buildings and other heritage assets, residential areas, open spaces or waterside land.</p> <p><u>Advertisement Shrouds</u></p> <p>Buildings that are being renovated or undergoing major structural work and require scaffolding or netting around them, may be considered suitable for temporary advertisement shrouds. Advertisement shrouds are when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works being carried out. This will not be permitted where the advertisement would not impose a detrimental impact on the building or street scene in terms of the size, illumination and/or content; and/or where the advertisement would not be harmful to residential amenity or public safety. Where advertisement shrouds are considered to be acceptable, they should be accompanied by a 1:1 depiction of the building and only be displayed for a limited period related to the reasonable duration of the building works.</p> <p>Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. In order to avoid premature or prolonged periods of display, which could be harmful to amenity, the council will require evidence of a signed building contract where the display of an advertisement shroud is linked to building works. Where planning permission for building works is required, consent for an advertisement shroud will only be granted once planning permissions has been granted and all pre-commencement conditions have been discharged.</p> <p>The display of estate agents boards within Regulation 7 areas will not be permitted.</p>

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	147	Para 6.233	Amend the supporting text to include the information shown deleted from the policy.
MM20	148	DC11	<p>Amend Policy DC11 as follows:</p> <p>Amend bullet e) as follows:</p> <p>...</p> <p>e. do not result in <u>an unacceptable any</u> adverse impact on the amenity of adjoining properties or on the local, natural and historic environment <u>during and post construction</u>...</p> <p>Amend last bullet as follows:</p> <p>...</p> <p>l. <u>provide a construction traffic management plan as part of the CMS to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety</u>....</p>
MM21	153	CC1	<p>Amend Policy CC1 as follows:</p> <p>Amend bullet point (d) to add text as follows:</p> <p><u>... including heat networks if this can be done without having an unacceptable impact on air quality; and ...</u></p>
MM22	162/ 163	Para 6.280 – 6.285	Amend the justification for Policy CC6 in paragraphs 6.280 to 6.285 inclusive in line with the changes shown in KD4 and EX15.
	165	Policy CC8	<p>Amend Policy CC8 as follows:</p> <p>...The council will ensure that development takes account of major hazards identified by the Health and Safety Executive, namely:</p> <ul style="list-style-type: none"> • Fulham North Holder Station, Imperial Road; • Fulham South Holder Station, Imperial Road; and • Swedish Wharf, Townmead Road.
MM23	167	CC10	<p>Amend Policy CC10 as follows:</p> <p>The council will seek to reduce the potential adverse air quality impacts of new developments by:</p> <p>a. requiring all major developments <u>which may be impacted by local sources of poor air quality or may adversely contribute to local air quality to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government’s air quality objective</u></p>

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			<p>concentration targets. <u>The assessment should include separate consideration of the impacts of (i) the construction/demolition phase of development and (ii) the operational phase of development with appropriate mitigation measures highlighted for each phase;</u></p> <p>b. requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to the exceedances of the Government’s air quality objectives;</p> <p>c. requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality;</p> <p><u>d. requiring developments to be 'air quality neutral' and resist development proposals which would materially increase exceedances of local air pollutants and have an unacceptable impact on amenity or health unless the development mitigates this impact through physical measures and/or financial contributions to implement proposals in the Council's Local Air Quality Management Plan; and</u></p> <p><u>e. requiring all decentralised energy schemes to demonstrate that they can be used without having an unacceptable impact on air quality. Where this is not possible, CHP systems will not be prioritised over other air quality neutral technologies.</u></p>
MM24	184	7.11	<p>Add additional text as follows:</p> <p><u>....In limited circumstances, such as in the case of particularly large developments, where the Council concludes that the costs of administering and monitoring the development would satisfy the relevant tests in regulation 122 CIL Regulations (as amended), it will secure the payment of those costs by the developer via the Section 106 agreement.</u></p>
MM25	220 on	Appendix 6	<p>Amend the monitoring indicators in accordance with KD4 and EX15 (monitoring indicator for DC8 to refer to 'heritage assets')</p>