

<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET</p> <p align="center">5 February 2018</p>	
<p>PLANNING GUIDANCE SPD: ADOPTION OF DOCUMENT</p>	
<p>Report of the Cabinet Member for Economic Development and Regeneration – Councillor Andrew Jones - and the Cabinet Member for Environment, Transport and Residents’ Services – Councillor Wesley Harcourt</p>	
<p>Open Report</p>	
<p>Classification: For decision Key Decision: Yes</p>	
<p>Consultation: <i>Legal and Finance</i></p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Jo Rowlands, Lead Director of Regeneration, Planning and Housing Services</p>	
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1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval for the adoption of the council's Planning Guidance Supplementary Planning Document (SPD), to take effect from 28th February 2018. The Planning SPD includes policies that supplement the council's Local Plan, which in turn sets out the Council's vision to see, amongst other things, more people in decent affordable homes; a stronger local economy that provides training and job opportunities for local people; a 'greener' borough; and securing and promoting health facilities for residents. The SPD establishes more detailed guidance on the application of policies that are concerned with managing development proposals within the borough.

2. RECOMMENDATIONS

- 2.1. That approval be given for the Planning Guidance SPD to be adopted by Cabinet (proposed adoption version at Appendix 1) incorporating the

amendments outlined in the schedule of representations at Appendix 2. The adoption to take effect from 28th February 2018.

3. REASONS FOR DECISION

- 3.1. To progress the Planning Guidance SPD to adoption in accordance with the current Local Development Scheme, to ensure that up-to-date guidance is in place to support the Local Plan and to comply with regulatory requirements. A new Local Plan is proposed for adoption and publishing on 28th February 2018.
- 3.2. The adoption of the Planning Guidance SPD will provide more detail on the application of the strategic and boroughwide policies in the Local Plan. The SPD will be a material consideration in planning decisions although it will not be part of the development plan.

4. PROPOSAL AND ISSUES

- 4.1. The SPD provides guidance on a variety of topics (see proposed adoption version at Appendix 1). It contains a brief identification of the overarching policy context, including national and London wide policy for each topic. Additionally, for each topic area there is a description of the local context. Each section then includes key principles that the council will apply when considering development proposals.
- 4.2. The topics included in the SPD relate to those issues that are of particular importance to Hammersmith and Fulham. A separate SPD is planned specifically promoting Employment and Economic Growth. This SPD covers topics that frequently need to be addressed when considering proposals and applications for development, eg design, flood risk and contaminated land. The topics are set out in 13 sections, namely:

- 1. Housing Standards
- 2. Design and Conservation
 - i. Conservation Area Guidelines
 - ii. Basements and Lightwells
 - iii. Buildings of Merit
 - iv. Accessible and Inclusive Design
 - v. Shopfront Design
 - vi. Archaeology and Heritage Assets
- 3. Noise and Nuisance
- 4. Air Quality
- 5. Energy
- 6. Contamination
- 7. Sustainable Drainage Systems
- 8. Food Risk and Water Efficiency
- 9. Biodiversity
- 10. Sustainable Design and Construction
- 11. Transport
- 12. Waste Management

13. Residential Moorings

4.3 The main revisions to the SPD prior to the public consultation are listed below:

- General updates and technical changes throughout the document to reflect changes in national, regional & local policy.
- New section on residential moorings
- Inclusion of new National internal space standards for new housing development.
- Updates to the design & access section to include signposting to the Building Regulations Part M4 (3) for wheelchair user dwellings.
- Further guidance and key principles added on air quality.
- Improvements to the layout and presentation throughout the document to make it more concise and user friendly.

Post adoption requirements

4.4 After adoption, it will be necessary under the Town and Country Planning (Local Planning) (England) Regulations 2012 to make the Planning Guidance, available for inspection and to publish on the Council's website. The Council must also make an adoption statement available and notify any person who requested to be notified of the publication of the adoption of the Local Plan. The adoption statement must be sent to the Secretary of State.

4.5 The Council were not required to carry out a sustainability appraisal for the SPD (this now only applying to development plan documents) pursuant to the Planning and Compulsory Purchase Act 2004. However, the policies were considered against the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and a draft screening statement was made available and relevant statutory consultation bodies were asked to make representations.

4.6 There were no objections to the council's view that the SPD was not likely to have significant environmental effects. As a consequence, the decision was taken that a Strategic Environmental Assessment was not required because, amongst other things, the SPD is a guidance document among the suite of council planning policy documents; it supplements adopted policy and does not introduce new policy; and it supplements adopted planning policies that have been subjected to Sustainability Appraisals.

5 OPTIONS AND ANALYSIS OF OPTIONS

5.1 The Options available to the Council are as follows:

- I. To adopt the Planning Guidance SPD incorporating amendments following the public consultation, as set out at Appendix 2;
- II. To adopt the Planning Guidance SPD without the amendments at Appendix 2; or

III. To withdraw the proposed Planning Guidance SPD.

- 5.2 The recommendation is Option one above, that the Council adopt the Planning Guidance SPD incorporating the amendments following the public consultation set out at Appendix 2. Option two and three are not considered appropriate, option two would fail to respond to the comments received during the consultation and option three would leave a gap in planning guidance for the borough.

6 CONSULTATION

- 6.1 Public consultation on the draft SPD began in November 2017 and ended on 15th December 2017 (4-weeks).
- 6.2 The SPD was made available in the Hammersmith Town Hall Extension and at the borough reference libraries. The SPD was also put on the council's website. In addition, the council wrote to specific consultation bodies outlined in the Regulations and to general consultation bodies, such as amenity groups, residents associations, businesses and others.
- 6.3 The council received representations from 20 organisations and individuals. A brief summary of the consultation responses is set out below. Full details of the representations and how these have been addressed is at Appendix 2.
- 6.4 Responses to the consultation were received from a number of key stakeholders including the Environment Agency, Historic England, Natural England, Thames Water & Transport for London as well as active resident & amenity groups in the borough including the Hammersmith Society, the Fulham society, the H&F Historic Buildings Group, the H&F Disability Forum & the H&F Biodiversity Commission.
- 6.5 Overall, positive comments were received on the improved layout of and presentation of the document. However, changes were suggested to improve the design and conservation section. Many also commented on how the guidance prepared in the SPD would prove beneficial and useful to applicants.
- 6.6 A number of comments were received from both developers and residents' groups on Key Principle HS1 on amenity space. This was in relation to the minimum standards for outdoor amenity space outlined in the Mayor's Housing SPG which provides a lower standard for outdoor amenity space than that set out in the Council's SPD. Strong support was received from residents' groups to Key Principle HS1, whilst one developer requested for this principle to be more flexible and less prescriptive to reflect the guidance in the Mayor's Housing SPG.
- 6.7 Approximately 40 representations were submitted to the design and conservation section of the SPD, with helpful comments from Historic England and amenity groups including the H&F Historic Buildings Group & the Hammersmith Society. These primarily focused on shop front design,

archaeological priority areas (Ravenscourt Manor House) and detailed comments from the H&F Disability Forum on accessible and inclusive design principles for wheelchair accessible & adaptable dwellings, public spaces and commercial uses.

- 6.8 The biodiversity and residential moorings chapter of the SPD received representations, primarily from residents' groups including the West London River Group and the H&F Biodiversity Commission with approximately 25 representations received to both sections in total. Overall comments were supportive of the aims of both sections, but changes were suggested to improve and strengthen the wording of some of the Key Principles. Alongside this, the Port of London Authority gave broad support for the new section on residential moorings, but provided some specific comments for the Council to consider. The Canal & River Trust also raised comments in relation to the Grand Union Canal and its relationship with OPDC.
- 6.9 Recommendations and wording changes were suggested by TfL to both the air quality and transport chapter of the SPD. They requested that reference should be made to key policies in the new draft London Plan (2017) and suggested that reference to a number of other Mayoral guidance documents should be included. The H&F Biodiversity Commission also provided useful comments to these sections and highlighted the importance of the recommendations set out in the H&F Biodiversity Commission Report and the H&F Air Quality Commission Report.
- 6.10 A number of comments were received to the sections of the SPD on sustainable design & construction (1 representation), land contamination (1 representation), waste management (8 representations), energy (1 representation) and noise (5 representations). Within the noise section, the Port of London Authority raised some useful comments in relation to noise and safeguarded wharves in the borough which they requested should be referenced.

7 EQUALITY IMPLICATIONS

- 7.1 An Equalities Impact Assessment (EQIA) has been carried out, in relation to the Planning Guidance SPD, and it shows only neutral or positive impacts of the planning guidance on protected groups.
- 7.2 The EQIA assists the Council in demonstrating compliance with its public sector equality duty under Section 149 of the Equality Act 2010.
- 7.3 **EQIA implications verified by Peter Smith, Head of Policy & Strategy (Tel. 020 8753 2206)**

8 LEGAL IMPLICATIONS

- 8.1 The preparation and adoption of the Planning Guidance SPD is governed primarily by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as

amended). They require that the SPD be in general conformity with the London Plan and not conflict with the adopted development plan.

8.2 The adopted SPD will be a material consideration to which regard will have to be had when considering any planning application.

8.3 Legal implications verified by Christopher Todman, Solicitor (Tel. 07834 339846)

9 FINANCIAL IMPLICATIONS

9.1 It is expected that the costs of adopting the Planning Guidance SPD will be met from existing revenue budgets, mainly those relating to staffing and minor printing costs within the Policy and Spatial Planning budget.

9.2 Financial implications completed by Daniel Rochford, Head of Finance (Tel. 020 8753 4023).

10 IMPLICATIONS FOR BUSINESS

10.1 The Planning Guidance SPD contains guidance to support the Local Plan which includes supporting businesses, particularly local firms and small and medium sized enterprises; encouraging training and employment in order to reduce polarisation and worklessness; and regenerating the most deprived parts of the borough through the provision of homes and jobs.

10.2 Business Implications verified by Dave Burns, Interim Head of Economic Development (Tel. 020 8753 6090)

11 COMMERCIAL IMPLICATIONS

11.1 None.

12 ICT IMPLICATIONS

12.1 None.

13 RISK MANAGEMENT

13.1 The subject of the report is not included on a departmental or corporate risk register. All adverse comments on soundness or legal compliance have been taken into account following public consultation and the examination stage of the plan making process.

13.2 Implications completed by David Gawthorpe, Team Leader Development Plans team (Tel. 020 8753 3384)

14 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES

Appendix 1 – Planning Guidance SPD (proposed adoption version)

Appendix 2 – Schedule of Representations and Proposed Amendments