



HILLINGDON

LONDON

Further Changes to the Local Plan Part 2 Regulation 19 Revised Proposed Submission Version Representation Form

Please read the **Guidance Note** and the **Statement of Representations Procedure** before completing this form. Completed Forms must be received by the Council by **5pm on Tuesday 8th December 2015**.

PART A - Your details

Please note: Respondent details and representations will be forwarded to the Secretary of State for Communities and Local Government when the draft Local Plan Part 2 is submitted for examination. Copies of representations **cannot be treated as confidential** however personal contact details will be removed from representations published electronically.

1. Name and Address			
Title	Mr		
First name	Edward		
Last Name	Crome		
Organisation (if relevant)	Environment Agency		
Unit		House number	
House name	██████████		
Address 1	██████████		
Address 2			
Town	██████████		
County			
Postcode	██████████		
Telephone	██████████		
Email	██ ██		

2. Agent's Name and Address (if applicable)			
Title			
First name			
Last name			
Company			
Unit		House number	
House name			
Address 1			
Address 2			
Town			
County			
Postcode			
Telephone			
Email			

PART B - Your responses

Please complete Part B for each representation you wish to make. You do not need to complete Part A and C again.

Q1. I am commenting on proposed changes to: *(please tick relevant box)*

Local Plan Part 2		Technical Reports (<i>answer Q1 & Q9 only</i>)	
<input checked="" type="checkbox"/>	Development Management Policies	<input type="checkbox"/>	Addendum to Sustainability Appraisal
<input type="checkbox"/>	Site Allocations and Designations	<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Policies Map (Atlas of Changes)	<input type="checkbox"/>	Addendum to the Strategic Flood Risk Assessment

Q2. Please indicate the Proposed Change on which you wish to comment:

Policy number;	DMEI 5
Paragraph number;	
Table or figure number; or	
Map number (Atlas of Changes)	

Q3. Do you consider that as a result of the proposed changes, the Local Plan Part 2 is *(please tick)*

	Yes	No
Sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prepared in accordance with the duty to cooperate, legal and procedural requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4. If you consider that as a result of the proposed changes the Local Plan Part 2 is unsound, please indicate your reasons below *(Tick relevant box/es)*

<input type="checkbox"/>	It has not been positively prepared	<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	It is not justified	<input type="checkbox"/>	It is not consistent with national policy

Q5. Please give further details of the reasons why you consider that the proposed changes are not legally compliant, fail to comply with the duty to cooperate or would result in the Local Plan Part 2 as a whole being unsound?

Q5A. Please indicate what amendments to the proposed changes are necessary to address these issues.

(It will be helpful if you are able to put forward suggested revised wording of any or text. If you wish to support any aspects of the Plan, please also use this box to set out your representation.)

We are pleased to note the inclusion of a requirement for developments to provide new areas of green infrastructure in areas where green chains are currently deficient.

Please continue on a separate sheet if necessary

Q6. If your representation is seeking amendments to the proposed changes, do you consider it necessary to participate in the oral part of the examination?
(Please tick appropriate box)

<input checked="" type="checkbox"/>	No, I do not want to participate in the oral examination
<input type="checkbox"/>	Yes, I would like to participate in the oral examination

Q7. If you wish to participate in the oral part of the examination, please outline why you consider this necessary.

N/A

Q8. If you are commenting on the technical reports that accompany the proposed changes (Sustainability Appraisal, Consultation Statement and, Addendum to the Strategic Flood Risk Assessment), please provide your comments below.

No comments

Q1. I am commenting on proposed changes to: *(please tick relevant box)*

Local Plan Part 2	
<input checked="" type="checkbox"/>	Development Management Policies
<input type="checkbox"/>	Site Allocations and Designations
<input type="checkbox"/>	Policies Map (Atlas of Changes)

Technical Reports (answer Q1 & Q9 only)	
<input type="checkbox"/>	Addendum to Sustainability Appraisal
<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Addendum to the Strategic Flood Risk Assessment

Q2. Please indicate the Proposed Change on which you wish to comment:

Policy number;	DMEI 8
Paragraph number;	
Table or figure number; or	
Map number (Atlas of Changes)	

Q3. Do you consider that as a result of the proposed changes, the Local Plan Part 2 is *(please tick)*

	Yes	No
Sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prepared in accordance with the duty to cooperate, legal and procedural requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4. If you consider that as a result of the proposed changes the Local Plan Part 2 is unsound, please indicate your reasons below *(Tick relevant box/es)*

<input type="checkbox"/>	It has not been positively prepared	<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	It is not justified	<input type="checkbox"/>	It is not consistent with national policy

Q5. Please give further details of the reasons why you consider that the proposed changes are not legally compliant, fail to comply with the duty to cooperate or would result in the Local Plan Part 2 as a whole being unsound?

Q5A. Please indicate what amendments to the proposed changes are necessary to address these issues.

(It will be helpful if you are able to put forward suggested revised wording of any or text. If you wish to support any aspects of the Plan, please also use this box to set out your representation.)

We are pleased to note the inclusion of a number of our previous recommendations in this policy. In particular we welcome the inclusion of the requirement for 8 and 5 meter buffers on main and ordinary watercourses within the policy.

The policy could be stronger still in section F – requiring contributions to biodiversity improvement for Canal-side developments to be extended to all types of watercourse (canal, main and ordinary). This will build further on policy EM3 of Part 1 of your Local Plan.

Q6. If your representation is seeking amendments to the proposed changes, do you consider it necessary to participate in the oral part of the examination?
(Please tick appropriate box)

<input checked="" type="checkbox"/>	No, I do not want to participate in the oral examination
<input type="checkbox"/>	Yes, I would like to participate in the oral examination

Q7. If you wish to participate in the oral part of the examination, please outline why you consider this necessary.

N/A

Q8. If you are commenting on the technical reports that accompany the proposed changes (Sustainability Appraisal, Consultation Statement and, Addendum to the Strategic Flood Risk Assessment), please provide your comments below.

No comments.

Q1. I am commenting on proposed changes to: *(please tick relevant box)*

Local Plan Part 2	
<input checked="" type="checkbox"/>	Development Management Policies
<input checked="" type="checkbox"/>	Site Allocations and Designations
<input type="checkbox"/>	Policies Map (Atlas of Changes)

Technical Reports (answer Q1 & Q9 only)	
<input type="checkbox"/>	Addendum to Sustainability Appraisal
<input type="checkbox"/>	Consultation Statement
<input checked="" type="checkbox"/>	Addendum to the Strategic Flood Risk Assessment

Q2. Please indicate the Proposed Change on which you wish to comment:

Policy number;	DMEI 9
Paragraph number;	
Table or figure number; or	
Map number (Atlas of Changes)	

Q3. Do you consider that as a result of the proposed changes, the Local Plan Part 2 is *(please tick)*

	Yes	No
Sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prepared in accordance with the duty to cooperate, legal and procedural requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4. If you consider that as a result of the proposed changes the Local Plan Part 2 is unsound, please indicate your reasons below *(Tick relevant box/es)*

<input type="checkbox"/>	It has not been positively prepared	<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	It is not justified	<input type="checkbox"/>	It is not consistent with national policy

Q5. Please give further details of the reasons why you consider that the proposed changes are not legally compliant, fail to comply with the duty to cooperate or would result in the Local Plan Part 2 as a whole being unsound?

Q5A. Please indicate what amendments to the proposed changes are necessary to address these issues.

(It will be helpful if you are able to put forward suggested revised wording of any or text. If you wish to support any aspects of the Plan, please also use this box to set out your representation.)

We are pleased to note positive changes to policy DMEI 9. However, we still have some outstanding issues with the policy detailed below in respect of the following points: sequential test, sequential approach, climate change, and flood defences. We have suggested alternative wording for the policy to make the policy stronger and relate better to the evidence base documents. Please also see our response to question 8 in relation to the Sequential/SFRA addendum.

As we stated in our previous consultation response, policy EM6 of your Local Plan Part 1 clearly sets out a sequential approach in line with national policy. We recommend that this is carried through into Part 2 of your Local Plan and the policy requires sites to pass the sequential test before undertaking a Flood Risk Assessment (FRA). Your addendum to Sustainability Appraisal (page 75 and 90, October 2015) also highlights that the policy does not referenced the sequential or exceptions tests and recommends their inclusion. We also recommend that where sites are located in Flood Zones 2, 3a or 3b and the Sequential Test has been passed, that the policy requires development to be planned using a sequential approach within the site boundary so that more vulnerable developments are placed in areas at lowest risk of flooding. This means that policy is then in line with the SFRA in which windfall sites not included in the site allocations should be sequentially tested to ensure that development is directed towards areas at lower risk of flooding.

The policy fails to explicitly mention climate change adaptation and mitigation in the context of flood risk. The sustainability appraisal addendum also shows that the policy does not have any impact on climate change. Development proposals must be designed to reduce vulnerability to climate change, setting living accommodation finished floor levels 300mm above the predicted flood level for the 1 in 100 chance in any year flood event including an allowance for climate change. Developments should provide an appropriate means of escape to a higher level within the building or a safe evacuation route above the predicted flood level. This should be carried out through the preparation of a site specific Flood Risk Assessment. Please note that we are publishing updated climate change levels in the near future and the current allowances are subject to change.

The policy fails to explicitly state that any development at risk of flooding, protected by a defence asset must be commensurate with the lifetime of the development. We strongly recommend that the policy ensures that any works are designed to maintain the integrity of any flood defence assets on site, and do not prevent the upgrading of defence assets to meet the increased risk of flooding due to climate change.

Our suggested wording for policy DMEI 9 to incorporate the above is as follows:

A) *Planning applications for development proposals outside a site allocation within this local plan should be accompanied by evidence that the sequential test and where appropriate, the exceptions test, have been passed.*

B) *All development proposals in Flood Risk Zones 2 and 3a and 3b (medium and high probability risk) and areas identified as being at risk from artificial sources, sewer and surface water flooding and ordinary watercourses or historic flood events will be required to submit an appropriate level Flood Risk Assessment (FRA)9 to demonstrate that the development is resistant and resilient to all relevant sources of flooding.*

B) *Development in Flood Zone 3b will be refused in principle unless identified as an appropriate development in Flood Risk Planning Policy Guidance. Development for appropriate uses in Flood Zone 3b will only be approved if accompanied by an*

appropriate FRA that demonstrates the development will be resistant and resilient to flooding and suitable warning and evacuation methods are in place.

C) Developments may be required to make contributions (through legal agreements) to previously identified flood improvement works that will benefit the development site.

D) Proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

E) Development proposals must be designed to take account of climate change and apply the sequential approach on site. Finished floor levels should be set at a minimum of 300mm above the predicted flood level for the 1 in 100 chance in any year flood event including the appropriate allowance for climate change.

F) Where sites are adjacent to watercourses an appropriate buffer must be incorporated for flood defence access, maintenance and inspection purposes (8m for main rivers). Proposals must demonstrate that the structural stability of the defences along the watercourse are commensurate with the lifetime of the development. Where remedial works are necessary these will be expected to be detailed within the planning application.

Please note that we would be happy for part F to be inserted into policy DMEI 8 if felt more appropriate.

Q6. If your representation is seeking amendments to the proposed changes, do you consider it necessary to participate in the oral part of the examination?
(Please tick appropriate box)

<input checked="" type="checkbox"/>	No, I do not want to participate in the oral examination
<input type="checkbox"/>	Yes, I would like to participate in the oral examination

Q7. If you wish to participate in the oral part of the examination, please outline why you consider this necessary.

N/A

Q8. If you are commenting on the technical reports that accompany the proposed changes (Sustainability Appraisal, Consultation Statement and, Addendum to the Strategic Flood Risk Assessment), please provide your comments below.

Section 3.4 of the Addendum to the Strategic Flood Risk Assessment suggests that the 1 in 20 year modelling will be used as a starting point for defining Flood Zone 3b. However it goes on to say that the developed/undeveloped floodplain on a site by site basis. Although

we do not find this approach unsound you may want to consider providing a more specific definition of Flood Zone 3b, preventing the need for site by site assessment of whether the site is within FZ3b. You should consider using a similar approach to Harrow who differentiate between currently developed and Greenfield land to more accurately assess flood risk (available here http://www.harrow.gov.uk/download/downloads/id/1329/development_in_the_functional_floodplain_note).

There are two sites that have not been included in the Sequential Test that are in areas of flood risk. Packet Boat House is nearing completion has not been allocated for further development and so does not need further flood risk assessment. Site SA 13 (Royal Quay) contains areas of Flood Zone 3a and b, and so must be assessed in the Addendum to Strategic Flood Risk Assessment as part of the Sequential Test.

Allocated sites that have passed the sequential test and fall within Flood Zones 2&3 should also draw upon the evidence base documents to highlight specific design criteria within the plan. For example we suggest the following to be included within the site allocations documents, tailored to each individual site as applicable:

- The site is located in Flood Zone 2/3 (*delete as applicable*)
- *For riverside sites* - maximise set back to provide an 8m undeveloped buffer strip wherever feasible.
- The design and layout of proposed development based on the sequential approach with more vulnerable uses (such as residential) located to the least risk areas of the site. Built footprint should be avoided in the 1 in 100 year plus allowance for climate change extent. If, following the sequential approach, development has to be located within this extent floodplain compensation must be provided on a level for level and volume for volume basis.
- Finished floor levels must be set above the 1 in 100 plus allowance for climate change extent.
- The provision of a dry access route for pedestrians (i.e. above the 100 year plus climate change flood level) and the development of a dedicated emergency response plan in case of flooding.

We are pleased to note the inclusion in section 6.1 of the Addendum to the Strategic Flood Risk Assessment of a requirement for site specific Flood Risk Assessment of sites in flood zones alongside the requirement that flood plain is retained. However we do not consider this document to adequately demonstrates the application of the Sequential Test. While it requires that the design of sites follows the sequential approach, it does not appear that other sites in the borough, outside of high and medium flood risk, have been considered before allocating these sites. We recommend that this is included in the document prior to adoption.

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Q1. I am commenting on proposed changes to: *(please tick relevant box)*

Local Plan Part 2	
<input checked="" type="checkbox"/>	Development Management Policies
<input type="checkbox"/>	Site Allocations and Designations
<input type="checkbox"/>	Policies Map (Atlas of Changes)

Technical Reports (answer Q1 & Q9 only)	
<input type="checkbox"/>	Addendum to Sustainability Appraisal
<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Addendum to the Strategic Flood Risk Assessment

Q2. Please indicate the Proposed Change on which you wish to comment:

Policy number;	DMEI 10
Paragraph number;	
Table or figure number; or	
Map number (Atlas of Changes)	

Q3. Do you consider that as a result of the proposed changes, the Local Plan Part 2 is *(please tick)*

	Yes	No
Sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prepared in accordance with the duty to cooperate, legal and procedural requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4. If you consider that as a result of the proposed changes the Local Plan Part 2 is unsound, please indicate your reasons below *(Tick relevant box/es)*

<input type="checkbox"/>	It has not been positively prepared
<input type="checkbox"/>	It is not justified

<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	It is not consistent with national policy

Q5. Please give further details of the reasons why you consider that the proposed changes are not legally compliant, fail to comply with the duty to co-operate or would result in the Local Plan Part 2 as a whole being unsound?

Q5A. Please indicate what amendments to the proposed changes are necessary to address these issues.

(It will be helpful if you are able to put forward suggested revised wording of any or text. If you wish to support any aspects of the Plan, please also use this box to set out your representation.)

We are pleased to note that while you have removed policy DMEI 12 from this draft, you have strengthened policy DMEI 10 to include a robust SuDS element to maintain the focus on improving surface water quality. We agree with advisory comment 14 of your Sustainability Appraisal Addendum (October 2015) to include a more explicit link to the multiple benefits that SuDS offer to encourage developers to integrate their drainage proposals into biodiversity enhancements for example.

In line with this focus on water quality, we maintain our suggestion that you include text to address the issue of misconnections in the sewer network and the role they play in phosphate pollution. Paragraph 6.47 highlights that phosphate is a particular issue in the failure of certain rivers in the borough under the Water Framework Directive, however the policy does not include any measures which developments should include to address this. Requiring applicants to investigate and rectify any misconnections on their site would help to address the phosphate issue, while the incorporation of SuDS schemes will help address urban diffuse pollution. We suggest either adding to the policy or the supporting text reference to the Water Framework Directive:

Development proposals should take account of the River Basin Management Plan and not cause any further deterioration of waterbodies under WFD. Wherever possible proposals should seek to include provisions to enhance water quality.

Q6. If your representation is seeking amendments to the proposed changes, do you consider it necessary to participate in the oral part of the examination?

(Please tick appropriate box)

<input checked="" type="checkbox"/>	No, I do not want to participate in the oral examination
<input type="checkbox"/>	Yes, I would like to participate in the oral examination

Q7. If you wish to participate in the oral part of the examination, please outline why you consider this necessary.

N/A

Q8. If you are commenting on the technical reports that accompany the proposed changes (Sustainability Appraisal, Consultation Statement and, Addendum to the Strategic Flood Risk Assessment), please provide your comments below.

No comments

Q1. I am commenting on proposed changes to: *(please tick relevant box)*

Local Plan Part 2	
<input checked="" type="checkbox"/>	Development Management Policies
<input type="checkbox"/>	Site Allocations and Designations
<input type="checkbox"/>	Policies Map (Atlas of Changes)

Technical Reports (answer Q1 & Q9 only)	
<input type="checkbox"/>	Addendum to Sustainability Appraisal
<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Addendum to the Strategic Flood Risk Assessment

Q2. Please indicate the Proposed Change on which you wish to comment:

Policy number;	DMEI 12
Paragraph number;	
Table or figure number; or	
Map number (Atlas of Changes)	

Q3. Do you consider that as a result of the proposed changes, the Local Plan Part 2 is *(please tick)*

	Yes	No
Sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prepared in accordance with the duty to cooperate, legal and procedural requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4. If you consider that as a result of the proposed changes the Local Plan Part 2 is unsound, please indicate your reasons below *(Tick relevant box/es)*

<input type="checkbox"/>	It has not been positively prepared	<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	It is not justified	<input type="checkbox"/>	It is not consistent with national policy

Q5. Please give further details of the reasons why you consider that the proposed changes are not legally compliant, fail to comply with the duty to cooperate or would result in the Local Plan Part 2 as a whole being unsound?

Q5A. Please indicate what amendments to the proposed changes are necessary to address these issues.

(It will be helpful if you are able to put forward suggested revised wording of any or text. If you wish to support any aspects of the Plan, please also use this box to set out your representation.)

We welcome the inclusion of context in this policy, taken from our Groundwater Protection: Principles and Practice (GP3) document. This provides more specific requirements for a Preliminary Risk Assessment to be submitted, in line with Paragraph 007 under Land Affected by Contamination of the NPPG.

The policy should go further to encourage development on Brownfield land, in order to ensure remediation of contaminated sites where possible. This should be reflected both in your policy and the supporting text.

Please continue on a separate sheet if necessary

Q6. If your representation is seeking amendments to the proposed changes, do you consider it necessary to participate in the oral part of the examination?
(Please tick appropriate box)

<input checked="" type="checkbox"/>	No, I do not want to participate in the oral examination
<input type="checkbox"/>	Yes, I would like to participate in the oral examination

Q7. If you wish to participate in the oral part of the examination, please outline why you consider this necessary.

N/A

Q8. If you are commenting on the technical reports that accompany the proposed changes (Sustainability Appraisal, Consultation Statement and, Addendum to the Strategic Flood Risk Assessment), please provide your comments below.

No comments

PART C - Progress of the Local Plan Part 2

If you would like to be updated on the progress of the Local Plan Part 2, please indicate (*tick*) which stage(s) you would like to be informed of:

<input checked="" type="checkbox"/>	When the Local Plan Part 2 Plan has been submitted for independent examination.
<input type="checkbox"/>	The publication of the recommendations of the person appointed to carry out the independent examination of the Local Plan Part 2.
<input checked="" type="checkbox"/>	The adoption of the Local Plan Part 2.

Returning your form

Completed representation forms may be returned to the Planning Policy Team by either:

- **Email to:** localplan@hillington.gov.uk, or
- **By post to:** Planning Policy Team, London Borough of Hillingdon 3N/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW.

For more details: Please telephone the Planning Policy Team on 01895 250 230 or send an email to: localplan@hillington.gov.uk

All forms must be received by the Council by 5pm on Tuesday 8th December 2015.

Monitoring Questions

The London Borough of Hillingdon is committed to provide a fair and equal service delivery. To assist us in this process we kindly request that you complete the monitoring information below. The information will be treated in confidence and will be used for monitoring purposes only.

1) What is your gender?

Male Female

2) To which age group do you belong?

under 15 25 – 44 65 – 85
 15 - 24 45 - 64 85+

3) Do you consider yourself to be a disabled person?

No Yes

4) How would you describe your ethnic origin? You may wish to use one of the following categories (please tick and add additional detail if you wish to do so):

a) <input type="checkbox"/> White	d) <input type="checkbox"/> European background
b) <input type="checkbox"/> Asian or Asian British	e) <input type="checkbox"/> Mixed Group
c) <input type="checkbox"/> Black or Black British	f) <input type="checkbox"/> Other ethnic group