

## Hammersmith & Fulham Local Plan Examination: Main Modifications Consultation Responses

| Rep No. | Name/Organisation   | Comment  |
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| (1)     | St Quintin & Woodlands Neighbourhood Forum<br><br>(Mr Henry Peterson) | <p>These are comments from the St Quintin and Woodlands Neighbourhood Forum. on the Main Modifications and the Minor Modifications as published on the LBHF website:</p> <p><b>Main modifications<br/>MM3 Page 2</b></p> <p>We have made written representations at Regulation 18 and 19 stage on what the Local Plan has to say on neighbourhood planning. We ask for a brief addition to the proposed additional wording at paragraph 1.9 (and a grammatical correction) so that it reads as below (additional wording in red)</p> <p><i>Neighbourhood Planning</i><br/> <i>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, it must be voted on and agreed by a majority vote, in a local Referendum. Once adopted, neighbourhood plan policies and site allocations/designations will be used in determining planning applications within the designated neighbourhood area.</i></p> |
| (2)     | Mr Anthony Williams   | <p>I am responding to your e-mail of 28th July.</p> <p>I have reviewed the schedule of recommended modifications. They all appear to be of benefit to the Borough's residents. I therefore consider that the modifications be accepted and adopted.</p>  |

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| (3) | National Grid                                       | <p>National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf.</p> <p>We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation.</p> <p><b>Further Advice</b><br/>National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.</p>  |
| (4) | Port of London Authority<br><br>(Mr Michael Atkins) | <p>Thank you for your e-mail dated 28<sup>th</sup> July 2017, inviting the Port of London Authority (PLA) to comment on the Main and Minor Modifications as part of the Examination in Public on the Boroughs new Local Plan, setting out the vision, strategic priorities and a planning policy framework to guide and manage development in the borough over the next 20 years.</p> <p>The PLA provided comments in response to previous consultations for the Local Plan, most recently in October 2016 as part of the Regulation 19 consultation. Not all of these comments have been taken into account and a copy of the PLAs October 2016 representation is therefore attached <a href="#">above</a>.</p> <p>The PLA have the following comments on both the Main Modifications schedule and the Minor Modifications schedule.</p> <p><b>EX26 Main Modifications Schedule.</b></p> <ul style="list-style-type: none"> <li>- MM11, pg 125, Policy RTC1. (River Thames)</li> </ul> <p>The PLA in principle support the inclusion of the two new bullet points to policy RTC1 (River Thames), on promoting the use of the River Thames for transport uses, including passengers and freight and</p> |

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|     |   | <p>seeking improvement to the tidal foreshore in line with the requirements of the Thames River Basin Management Plan and the Thames Estuary 2100 Plan. The second bullet point needs to be explicitly linked to policy RTC2 (Access to the Thames Riverside and Foreshore). The PLA also requests that consideration be given to the PLAs Thames Vision Document (July 2017) as part of the policy. This document sets out the PLAs goals and priority actions, which include more trade and more jobs associated with the River Thames, improved use of the River for the transportation of freight, use of the Thames for the transportation of passengers, use of the Thames for sport and recreation, improved environment and river heritage and as a hub for community and culture.</p> <p>In addition although the two new bullets have been added to the RTC1 policy, there is no mention of them in the justification section, while all other parts of the policy are expanded on. These additions should also be mentioned within the justification wording.</p> <p>In relation to policy RTC2 (Access to the Thames Riverside and Foreshore) we consider that our comments under the regulation 19 consultation (attached) still stand, and that we still consider the policy to be unclear in regards to where it requires access to the foreshore to be safe, regardless of whether the foreshore in the vicinity of any access is actually safe to be on. In addition, there should be reference to the need to provide riparian life saving equipment (such as grab chains, access ladders and life buoys) as part of any enhancements to the Thames Riverside and Foreshore.</p> |
| (5) | Canal & River Trust<br>(Claire McLean)  | <p>Thank you for this recent consultation.</p> <p>I have reviewed the main and minor modifications to the draft Local Plan, and have no comments to make on behalf of the Canal &amp; River Trust.</p>   |
| (6) | Environment Agency<br>(Mr Edward Crome) | <p>Thank you for consulting us with these modifications to the LBHF Local Plan. Having reviewed them we welcome the additional wording referencing the importance of the TE2100 Plan throughout the document. These modifications do not represent a material change to the content of the plan and we welcome them as strengthening the overall document. We will therefore not be making detailed comments on this consultation.</p>   |

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| (7) | <p>Hammersmith &amp; Fulham Disability Forum</p> <p>(Jane Wilmot)</p> | <p>The inspector published for consultation:</p> <ul style="list-style-type: none"> <li>• Major Modifications (MM)</li> <li>• Minor Changes (MC)</li> </ul> <p>The Disability Forum welcomes 2 specific amendments:</p> <p><b>MM1 to amend Spatial Vision and Strategic Objective 10</b> to include access and inclusion</p> <p><b>MM19: Amendments to Policy DC9: Advertisements.</b></p> <p>We note deletion of street clutter from the amended version of this policy and we hope that the consequence will not be a proliferation of A Boards. The council will be aware that a number of disabled and visually impaired people are not happy with A Boards that spill out onto the footway. We understand that the council plans to review its policy relating to A Boards to address these concerns.</p>  |
| (8) | <p>U+I Group</p>  | <p>U+I is the part freeholder and part leaseholder of land at Shepherds Bush Market, included within the area covered by Strategic Site Policy WCRA3. The company has been discussing with the Council the prospect of bringing forward a suitable mixed-use development on its non-market land and on the Old Laundry Site – and which will assist the vitality and sustainability of the adjoining main market operations.</p> <p><b>We note that there are a number of proposed Modifications to the wording of Policy WCRA3 and to its written justification and comment as follows:</b></p> <p><b>MM5 and MC48</b></p> <p>Whilst the addition of inclusion of affordable workspace within the last bullet point would be acceptable, the overall range of identified uses remains less than satisfactory.</p> <p>As currently drafted through the proposed modification, the policy could imply that there is a need to provide affordable housing but without clarity that this can be supported financially by market housing. For example, this would mean that the Council-owned Old Laundry Site should potentially be limited to affordable housing (and workspaces), making development most likely unviable. It would then accord better with the content of the wider Policy WCRA and its Table 2 housing targets. Whilst the first bullet point includes ‘residential development’ within the wider mix of uses, greater clarity should be incorporated.</p> |

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|     |  | <p>We would therefore suggest that the wording of the last bullet point should read as: <b>‘provide housing, affordable housing and affordable workspace in accordance with Policies H01, Ho3 and E1’.</b></p> <p><b>M49</b></p> <p>The parallel addition to paragraph 5.39 is also acceptable in principle, although the first word ‘The’ could imply that it is all of the existing individual persons as traders which should be supported rather than seeking upgrades to the market’s vitality through appropriate new leases for a wider range of sales items – i.e., limiting commercial interests.</p> <p>We would therefore suggest that the sentence should be amended to read <b>‘Market traders play an important role in maintaining the historical character of the market and any proposals should provide viable and reasonable opportunities for them to stay part of the market’.</b></p> <p><b>We ask that you give serious consideration to these representations as made in order to provide clear and sound policy with written justification in the later-adopted plan.</b></p> |
| (9) | Hammersmith Society<br>(Mr Tom Ryland) | <p>The Hammersmith Society submits the following comments on the proposed modifications. In accordance with the Council’s letter of 28 July 2017, we have split these comments under the following headings:</p> <ul style="list-style-type: none"> <li>- Main Modifications</li> <li>- Minor and technical changes</li> </ul> <p>We have also commented on some of the Map changes.</p> <p>The Society has been involved in consultations on the new Local Plan from the outset when the first consultation took place in January 2015, and this was followed up by the Proposed Plan Submission on which we commented in October 2016. The Society also attended several of the EIP hearings in June.</p> <p>The Society welcomed the changes made as a result of our comments in October 2016, but we were also disappointed at the number of suggestions which were either ignored or rejected. We would again refer you to our Comments submitted in October 2016, a copy of which is appended. We welcome the</p>  |

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|  | <p>strengthening of policies in connection with heritage assets arising from the EIP. Overall the Society considers that with the exception of our concerns regarding housing targets, affordable housing targets and tall buildings as noted below, the Plan is for the most part justified, effective and sound.</p> <p><b>Particular concerns which we feel have not been addressed include:</b></p> <ul style="list-style-type: none"> <li>- We have not seen an updated Map 4 but the original is deficient for the reasons stated in our October 2016 submission (See Page 1 of the appended copy) although we understand modifications are in hand.</li> <li>- Although Map AD2 has been modified, it still does not extend the A4 safeguarding zone far enough to the East and West Borough boundaries. (Refer to Page 4 of our appended copy).</li> <li>- WCRA and the Plan generally is still weak in its definition of tall buildings, maximum sizes and where these could occur. We asked whether the Council's Draft Paper on Tall Buildings could be firmed up and incorporated into the Plan as a DPD.</li> <li>- We appreciate the pressure from the Mayor of London/GLA to increase the housing targets (and we note that Table 2 has been revised to increase the numbers in early years), we still consider these to be unrealistic in the light of numbers achieved historically.</li> <li>- On the same basis, we question the achievability of the Council's target of 50% affordable homes, and there is no reference to the Mayor's advice that providing developments achieve 35% on private land there will be no requirement for viability justification.</li> <li>- We are disappointed that several of our suggestions (Page 6) in respect of Open Space policies have not been accepted.</li> <li>- We would like to see a stronger reference the StreetSmart and that it is clarified as a policy.</li> </ul> <p><b>Main Modifications</b></p> <p>We set out below those modifications which we feel are either still inadequate or unacceptable. Where we have not commented, it may be assumed that we either have no comment or accept the proposed change.</p> <p>MM3 – It is helpful to have the clarification, but just unfortunate that the Council (and planning officers) seem so opposed to the formation of Neighbour Plans!</p> <p>MM4 – Proposed amendment in respect of HRA2 noted but please see our comments above regarding extent of the A4 safeguarding area in relation to Map AD2.</p> |
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|      |   | <p>MM7 – See our original response stated concerns regarding the housing targets in HO1 and Table 2, also as above.</p> <p>MM8 – See our previous comments about the achievability of the Council’s affordable homes under HO3 and above. There should be reference to the Mayor’s latest guidance on this. We also continue to have misgivings about Policy HO3(f) as we think this is inappropriate unless the location of the ‘off site’ is specified.</p> <p>MM19 – The revised wording under DC9 (Pages 22 – 24) Advertisements relates to paragraph 4 of the original Policy text but it now does not make it so clear that this refers to ‘temporary’ situations. We support the separation of this paragraph to cover the situation with regard to Heritage Assets.</p> <p>We look forward to receiving confirmation of receipt of these comments, and any subsequent responses.</p>                          |
| (10) | <p>Sport England</p> <p>(Mr Mark Furnish)</p>             | <p>Thank you for allowing Sport England to comment on the proposed Local Plan modifications.</p> <p>Sport England welcome that the modifications have resulted in playing field, playing pitches and other sports facility types being specifically mentioned as this makes it clear what infrastructure is being referred to in various policies. However, Sport England’s main overriding objections in relation to the lack of evidence base and clear strategy for sport provision and infrastructure delivery and the content of policies relating to Community Facilities and Services and Infrastructure Delivery have not been addressed. These objections are explained on the consultation form for Proposed Submission Local Plan submitted by Sport England (attached for convenience).</p> <p>In light of the above, Sport England still objects as it still considers the Local Plan to be unsound.</p> |
| (11) | <p>Home Builders Federation</p> <p>(Mr James Stevens)</p> | <p>Thank you for consulting the Home Builders Federation (HBF) on the Main Modifications to the Hammersmith &amp; Fulham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational plc’s, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year.</p>  |

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|      |                                       | <p><b>Main Modification 8 (affordable housing):</b></p> <p>We welcome and support the change to the threshold for affordable housing contributions - contributions to affordable housing will be sought from schemes of 11 or more self-contained dwellings. This more accurately reflects the intent of the Written Ministerial Statement of November 2014. We hope that this measure will enable more small house building companies to operate within Hammersmith &amp; Fulham.</p> <p>We note that it is still the Council's intention to operate a borough wide target of 50% affordable housing. The HBF debated this question with the Council at the hearing sessions. We referred to the evidence from the viability assessment that indicated that 50% affordable housing was not viable in all areas of the borough. Paragraph 6.6 of the Council's <i>Housing Viability Assessment</i> refers to how some schemes are unlikely to be able to sustain 50% affordable housing. Figure 6.2.1 provides an illustration of this. Paragraph 6.11 observes that "<i>the adoption of a 50% affordable housing target is viable in some of the scenarios we have tested</i>". If 5-0% affordable housing is only viable in some circumstances, it would be better if the Council identified those locations in the borough where a 50% affordable target is viable, and those areas where lower targets would need to apply.</p> <p>We think it would be more sensible for the Council to stipulate affordable housing targets in areas of the borough that reflect better the actual evidence in the viability report. This has a number of advantages. Firstly, it facilitates speedier decision-making: it removes uncertainty for the decision-taker and it will enable policy compliant schemes to be approved without delay. This is the intent in the NPPF at paragraphs 14, 15, 17 and 154 (e.g. paragraph 15: local plans should contain "<i>clear policies that will guide how the presumption will be applied locally</i>"). Secondly, it also provides much clearer price signals to landowners and developers. This reduces the scope for landowners to instruct their agents to negotiate over the level of affordable housing to be provided in a scheme if the policy is supported by compelling evidence. An affordable housing target that is rooted in good evidence – and the BPF report for the Council is robust – should facilitate much stronger and faster housing delivery, which is a priority for Government policy.</p> |
| (12) | Royal Borough of Kensington & Chelsea | <p>Thank you for the opportunity for the Royal Borough to respond to the proposed "main and minor modifications" to the London Borough of Hammersmith and Fulham Local Plan. Please find our comments below.</p> <p><b><u>Chapter 6 Borough-wide Policies</u></b></p>   |

## Meeting Housing Needs and Aspiration

### Policy HO10 Gypsy and Traveller Accommodation

There appears to be some differences between the submission Local Plan, July 2017 (including Post Submission Amendments Arising During Examination, document EX8) and the proposed modifications being consulted upon contained in document EX26 Main Modifications Schedule (July 2017). Comments to proposed modifications have been made against the wording contained in EX26, EX27 and EX8. Suggested text is in **red underlined font**.

The Council is pleased to see the agreed wording from the Statement of Common Ground (EX13) included in Main Modification MM9: Policy HO10. The Council suggests the following text as part of the proposed modification to Policy HO10 to reflect that there are a number of physical constraints at Stable Way as identified in the RBKC Site Appraisal Study and that capacity can only be increased at this existing site if it is possible. Additionally, Policy HO10 should reflect making provision within Hammersmith and Fulham following the completion of the LBHF Site Appraisal Study.

LBHF provided a timetable for completing the LBHF Site Appraisal Study as part of its Local Plan examination. Subsequently, we have agreed with LBHF that the LBHF Gypsy and Traveller Site Appraisal Study is to be completed by the end of October 2017 and we request this is published as part of the examination and considered by the Inspector to ensure that the policy is positively prepared, justified and satisfies the Duty to Cooperate.

**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) by bringing forward new sites within the borough identified in the LBHF Site Appraisal Study.**

The council will work closely with the Royal Borough of Kensington and Chelsea, and any other relevant partners to protect, improve and, if necessary **and possible**, increase the capacity of the existing gypsy and traveller site at ~~Westway~~ **Stable Way**.

**Applications for additional sites should meet the requirements set out in the Planning Policy for Traveller Sites (2015).**

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|  | <p><u>Policy HO10 Justification paragraph 6.63</u></p> <p>Proposed Main Modification MM9: Paragraph 6.63 reflects the Statement of Common Ground. The Council suggests that it is clarified that <b>all</b> applications for Traveller pitches need to be considered against the PPTS and respective Local Plan Policies, this will make the supporting text consistent with additional text added to Policy HO10.</p> <p>MM9 also needs to accurately reflect the conclusions of the final Joint GTANA (December 2016) in respect of the period the assessment covers.</p> <p>The supporting text refers to an “Options Paper”, the Council requests clarity as to what this options paper is.</p> <p>6.63...Following engagement with the local traveller community an assessment of the need for traveller pitches was carried out <del>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).</del> The <u>joint</u> assessment identified that 3 additional pitches are required <u>within LBHF and RBKC</u> in the first five years, 9 in total <u>over the plan period between 2015 and 2025.</u> <del>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.</del> <u>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 <u>subsequent</u> planning applications <u>for traveller pitches will</u> <del>should</del> be considered against the criteria set out in the PPTS along with relevant planning policies and guidance.</u></p> <p><b>Design and Conservation</b></p> <p><u>Policy DC3 Tall buildings</u></p> |
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|  |  | <p>The Council welcomes the added reference to Historic England’s guidance on tall buildings, and on the need to have “full regard to the significance of heritage assets including the setting of and views to and from such assets.” The Council also supports the proposed amendment in that it explicitly recognises that a tall building must have, “no unacceptable harmful impacts.” However, the Council would suggest that reference is made to the need to consider the impact on assets outside of Hammersmith and Fulham. This is necessary to satisfy the duty to cooperate with neighbouring boroughs, and to ensure it is consistent with national policy.</p> <p>Suggested text is in <u>red underlined font</u>.</p> <p>d) has had full regard to the significance of heritage assets including the setting of and views to and from such assets, <u>both within and outside the borough</u>, has no unacceptable impacts and should have due regard to Historic England’s guidance on tall buildings.</p> <p><b>Environmental Sustainability</b></p> <p><u>Policy CC6 Strategic Waste Management</u></p> <p>Proposed modifications relating to Policy CC6 and associated supporting text are set out in:</p> <ul style="list-style-type: none"> <li>• FMC78, FMC79 and FMC80 of Schedule of Further Suggested Minor Changes (EX15)</li> <li>• MM22 of Main Modifications Schedule (EX26)</li> <li>• MC176 to MC185 and FMC78 to FMC80 of Schedule of Proposed Minor Modifications Schedule (EX27)</li> </ul> <p>In light of the number of different documents proposed changes are contained within, the Council has reviewed the consolidated changes in the Local Plan including Post Submission Amendments Arising During Examination (EX8). The proposed changes in EX8 appear to reflect the Statement of Common Ground.</p> <p>I trust you will find these comments useful. If you have any queries regarding the Council’s response, please do not hesitate to contact me.</p> |
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| (13) | <p>Power Leisure Bookmakers</p> <p>(Planning Potential)</p> | <p><b>Introduction</b></p> <p>I write on behalf of our client, Power Leisure Bookmakers Ltd, to make representations to the LB Hammersmith &amp; Fulham Local Plan Main and Minor Modifications Public Consultation. We welcome the modifications proposed and comment individually on the modifications below. It is still however concerning that Part 2 of Policy TLC2, preventing additional legitimate town centre uses from locating on the ground floor of the prime retail frontages, still forms part of the Plan.</p> <p><b>Modification Reference: MM14</b></p> <p>Main Modification MM14 is gratefully welcomed as it removes the onerous 400m radius element of Proposed Policy TL6. The new policy wording allows for a more appropriate assessment to be made in each individual case.</p> <p><b>Policy TLC2</b></p> <p>It is still concerning that Policy TLC2 Part 2 does not allow for betting shops (amongst other uses) to be located on the ground floor of the prime retail frontage.</p> <p>There is a real danger that adopting such an approach will effectively place a moratorium on such new uses in centres and potentially encourage new operators and uses out of centres within the borough. Clearly, such an approach is inappropriate and would fly in the face of the town centres first policy as set out in the NPPF which seeks to encourage town centre shops and services to locate within centres, rather than in out of centre locations.</p> <p>Similarly, this policy is likely to have a negative impact on healthy competition between operators by preventing new operators from locating within a particular centre. Again, this would be contrary to the ambitions of the NPPF.</p> <p>We consider that the Plan is therefore still unsound whilst Part 2 of TLC2 remains as it effectively discriminates against legitimate town centre uses in the prime retail frontage, stifling opportunity and competition. This would not be consistent with national policy.</p> |
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(14)

Mayor of London

(GLA & TfL)

Thank you for consulting the Mayor of London on the Hammersmith & Fulham Local Plan Proposed Main Modifications. As you are aware, all development plan documents have to be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004.

The Mayor has afforded me delegated authority to make comments on his behalf. Representations from Transport for London (TfL), which I endorse are included within the comments below.

| Reference                | Comment  |
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| MM8 Page 75<br>Para 6.28 | The Mayor’s position on Vacant Building Credit (VBC) is set out in his Homes for Londoners Affordable Housing and Viability SPG 2017 |

TfL comments

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| MM1 Page 20   | TfL welcomes the insertion of the word “accessible” into paragraphs covering LBHF’s Spatial Vision and its Strategic Objective 10. It is hoped that the term “accessible” will be defined elsewhere in the document.   |
| MM7 Page 69   | The additional sentence h) which requires “applications for self- and custom-build in accordance with the relevant Local Plan policies” should also refer to London Plan policies  |
| MM12 Page 91  | TfL welcomes the additional proposed wording to amend para 6.80 that includes reference to “pressure... on local transport infrastructure”.  |
| MM19 Page 146 | TfL welcomes the additional proposed wording to amend DC9 such that “advertisements...should not have an unacceptable impact on public, including road, safety” (new wording underlined).”.  |
| MM20 Page 148 | TfL welcomes the additional proposed wording to require a developer to “provide a construction traffic management plan as part of the CMS” for road safety reasons   |
| MM23 Page 167 | TfL welcomes the deletion of the word “major” from the section on requirements for developers in regard to Air Quality, because this widens the scope to any development, not just major developments. It is queried though whether some further guidance on thresholds for inclusion may be necessary, and one threshold for requiring an air quality assessment could be whether a development provides car parking (general, not blue-badge). This would link this policy to delivering a beneficial impact through |

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|      |  | <p>potentially lowering parking levels for proposed major developments in areas indicated to have poor air quality.</p> <p>TfL also welcomes the added clarity the three new paragraphs add to this Air Quality policy.</p>   |
| (15) | Westfield Europe Ltd<br>(Montagu Evans)  | <p>In respect of the current consultation on main modifications to the Local Plan we make the following comments, following submission of representations on behalf of Westfield Europe Limited to the Local Plan Regulation 19 Consultation:</p> <ul style="list-style-type: none"> <li>- There appears to be a typo in Table 2 'Indicative Housing Targets' – the heading to the second column should read '2016 – 2021'.</li> <li>- As per our previous representations, we consider that the introduction of a 50% target for affordable housing potentially prejudices the soundness of the Plan.</li> </ul> <p>I'd be grateful for confirmation of receipt of this email. Please contact me if you have any queries.</p>        |
| (16) | Historic England<br>(Katharine Fletcher) | <p>Thank you for consulting Historic England on the proposed modifications to the local plan following the examination in public.</p> <p>We welcome the proposed changes that have been brought forward in response to our earlier representations.</p> <p>There are only two points we wish to draw attention to at this stage:</p> <ul style="list-style-type: none"> <li>- We have expressed reservations about the use of 'unacceptable harm' (for example in MM15) in our statement on Issue 3 (our para 5)</li> <li>- The reference in Appendix 6 to monitoring listed buildings at risk would be more suitably referenced to 'heritage assets at risk' to align with the NPPF (para 126) and the national register.</li> </ul> |

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| (17) | Natural England<br><br>(Carla Wright) | <p>Thank you for your consultation on the above dated 28 July 2017 which was received by Natural England on 28 July 2017.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p><b>Natural England does not consider that this Local Plan Main Modifications poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</b></p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again. We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.</p> |
| (18) | KFC<br><br>(SSA Planning)             | <p>Thank you for consulting us on the above schedule and specifically Main Modification 14 to draft Policy TLC6, in relation to which we made representations. As you will recall , our main concern was that the policy was being justified based on claims of a link between proximity of particular land uses to hot food takeaways and incidence of obesity</p> <p>We have been clear throughout the process that the overwhelming evidence is that there is</p>  |

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|  | <p>no correlation between the location of hot food takeaways and the incidence of obesity in the users of nearby land, let alone any evidence that hot food takeaways actually cause obesity in those cases. This is unsurprising as people obtain food from many places.</p> <p>Consequently, we cannot agree to the modification you propose to the last paragraph of the policy because it retains an association between the proximity of hot food takeaways and health impacts in users of surrounding land. Indeed, the policy scope has widened from schools, parks and youth facilities to any use you may deem "incompatible".</p> <p>With regard to paragraph 6.118, my client notes and indeed shares the Council's concern about health impacts, but we insist that policies must be based on good evidence in order to be balanced and effective. Consequently, we cannot agree to you restating in the supporting text the suggestion of a link that this process has demonstrated is not proven.</p> <p>As we discussed at the hearing, we have an open mind about total numbers and clustering as distinct from proximity, as there is less clarity in the evidence base on this and there can anyway often be good retail health reasons to avoid this related to vitality and viability. We would be pleased to discuss this further should you wish.</p> |
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