

BEXLEY LOCAL DEVELOPMENT FRAMEWORK**Planning and Compulsory Purchase Act 2004****LONDON BOROUGH OF BEXLEY
BEXLEY SUSTAINABLE DESIGN AND CONSTRUCTION GUIDE****CONSULTATION STATEMENT**

The Planning and Compulsory Purchase Act 2004 requires that a local planning authority shall not adopt a Supplementary Planning Document (SPD) until they have:

- considered any representations made during the consultation period; and
- prepared a statement setting out a summary of the main issues raised in these representations and how these main issues have been addressed in the SPD that they intend to adopt.

The Bexley Sustainable Design and Construction Guide and its associated Sustainability Appraisal Final Report (the SPD document) were the subject of public consultation between 2 April 2007 and 14 May 2007.

The documents were consulted on widely, using the consultation database that was compiled during preparation of the Statement of Community Involvement and the preliminary consultation of the draft guide in 2006.

Copies of the documents were sent to appropriate statutory bodies; to stakeholders and organisations involved in sustainable design and construction.

During the consultation period, copies of the SPD documents were available at Borough libraries, the Contact Centre within Bexleyheath Civic Offices, and the principal offices of the Planning Service, Wyncham House, Sidcup. The documents were also available on the Council's website together with on-line questionnaires.

The Council received 18 written responses. A summary of the respondents, their representations and the Council's comments on and subsequent amendments of the SPD forms **Appendix A** to this Statement. Most of the comments and suggested amendments have been incorporated in this guide.

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(Strategic Planning and Regeneration)
October 2007

BEXLEY SUSTAINABLE DESIGN AND CONSTRUCTION GUIDE

Consultation Statement Made Under Regulation 18(4)(b) of the Town and Country Planning (Local Development) (England) Regulations 2004

Summary of Main Issues Raised in Representations and How they Have Been Addressed

Individual or Organisation	Regulation 18(4)(b) (i) Summary of Main Issues Raised in Representations	Regulation 18(4)(b) (i) How the Main Issues Have Been Addressed
Peacock and Smith for Wm. Morrison Supermarket plc	Provision of Open Space: SPD suggestion that development may be required to provide new open space or contribute to provision of open space in that area is wholly unreasonable.	Need to provide open space will depend on type of commercial development and location; add 'where relevant' to Table, page 2, provision or contribution to open space under heading Commercial Development over 1,000 m ² .
	Energy and carbon emissions: 20% renewable energy targets potentially onerous and conflicts with intention of Government Guidance provided by PPS22. Flexibility needed.	No change. Guidance complies with PPS22 and Draft Further Alterations to London Plan.
LEFA Enterprises Limited	Requests notification when the Council adopts the final version of the Guide.	All consultees will be informed when guide is adopted.
Harbour Trust	Acknowledgement. No comments.	No action required.
RPS for Fairview New Home Ltd	Guidance 2 and 5 – Design. Policy needs to define 'High Quality of Design' in line with PPS1.	This is guidance not policy. Will take this comment into account when preparing Core Strategy. Add signpost of Design for Living – Bexley's residential design guide.
	Guidance 15 – Renewable Energy. Object to 20% of energy generated by development should come from renewable energy. It could make some schemes unviable.	Guidance reflects proposed revised target in Draft Alterations to the London Plan. These were subject to examination in public earlier this year, the outcome of which is awaited. It is proposed that the target be revised to the current London Plan target of 10% but will be revised following alterations to the London Plan. Prior to the results of the London Plan Alterations Developers will be encouraged to meet the 20% renewable energy target.

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Thames Water Property Services Limited	PPS12 Quoted. SPD needs to be amended to make reference to the provision of water and sewerage utilities infrastructure.	Agreed PPS12 added to Policy context and signpost. Information on flooding and Guidance 11 amended to take into account water and sewerage utilities infrastructure.
	Guidance 11 – Flooding. Add sections on sewer flooding, Sewerage Flooding of Basements and Fat and Grease.	Agreed Guidance amended to include reference to sewer flooding, sewage flooding of basements and fat and grease.
	Guidance 12 – SUDS. SUDS not appropriate in all areas. Add paragraph on surface water drainage.	Agreed. Text amended to state that SUDS not appropriate in all areas and paragraph on surface water drainage added.
	Guidance 23 – Water. The efficient use of water supported.	Agreed. Efficient use of water emphasised.
	Guidance 33 – Waste. There needs to be an acceptance that more growth leads to more sewage which requires treatment/disposal.	Agreed. Section added to waste and recycling information.
Orbit Housing Association	Bexley's requirements in general supported in creating a level playing field for developers.	Support noted.
	Item 1.3. Statement on very little increase in cost challenged.	Text modified to state relatively little extra cost.
	Item 1.6. Ecohomes only applies to transitional projects. For all other housing projects Code for Sustainable Homes applies.	Agreed: text amended.
	Guidance 1. Alternate procedure proposed to take into account when a Registered Social Landlord meets mandatory Housing Corporation Standards.	Agreed. Guidance 1 amended accordingly.
	Guidance 2. One Housing Corporation's standard in compliance with CABE Building for Life criteria for Registered Social Landlords.	Noted. Appropriate addition to text in Guidance 2 made.
	Guidance 3. Omit Ecohomes reference.	Ecohomes reference moved behind code for Sustainable Homes.
	Section 1.17. Change 'excellent' to 'very good'. Refer to code for Sustainable Homes only.	'Excellent' changed to 'very good'. Code for Sustainable Homes referred to.

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Orbit Housing Association (continued)	Section 1.18. Potential duplication of procedure.	Text amended so that evidence of compliance be produced to avoid duplication of procedure.
	Guidance 12. Comment on maintenance costs made.	Comment noted. No text amendment required.
	Guidance 19. Change order of list and add air source heat pumps. Only refer to large scale communal turbines.	List order changed – Solar water heating put to top of list and Air Source heat pumps added. Large scale communal turbines emphasised.
	Guidance 21. Add requirement for cost value energy audit and information about energy performance and cost where re-use of a building is considered.	Agreed. Additions made.
	Guidance 23. Reference to RSL and water requirement of code for Sustainable Homes.	Text amended to avoid duplication.
	Guidance 28. Apply Lifetime Homes standards to only a percentage of a new development.	Comment noted. Achieving of a Lifetime Homes standard makes development more sustainable. The developers encouraged to build homes to a Lifetime Homes standard. The Draft Further Alterations to the London Plan includes a proposal to design new buildings for flexible uses throughout their lifetime. Guidance 28 will be revised following the outcome of the examination in public.
	Guidance 36. Evidence that an RSL has met code for Sustainable Homes and Considerate Constructors scheme would mean that a separate audit of the items in Guidance 36 would not be necessary.	Agreed. Additions made to Guidance 36.
Greater London Authority	Overall support for document.	Support noted.
	Overall policy context. Recommend reference to Mayors Climate Change Action Plan <i>Action Today to Protect Tomorrow</i> .	<i>Action Today to Protect Tomorrow</i> referred to.
	Guidance 6 – Refer to Mayor’s draft SPG East London Green Grid.	Draft SPG – East London Green Grid signposted.

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Greater London Authority (continued)	Reference to sound conscious design principles in Guidance 8 is welcomed.	Support noted.
	Overheating. Draft further alterations to the London Plan contains a specific new Policy relating to overheating (Policy 4A SIV). Need to strengthen Section 4.	Agreed. Section on overheating strengthened. Overheating is a likely impact of climate change and would have significant energy implications – air conditioning and fans.
	Conserving resources and reducing carbon emissions. Support to Mayor’s view is welcomed.	Support noted.
	Guidance note 16. Energy hierarchy under review and may change.	Noted. Any changes will be reflected on SPD.
	Guidance 19. Could be made clearer.	Text amended to improve clarity.
	Information and guidance needed on decentralised energy.	Decentralised energy text added to information, guidance and signpost
	Add Mayor and London Councils Best Practice Guidance on Control of Dust and emissions to signpost in Section 7.	Extra signpost added as requested
Natural England	Chapter 1 – Natural England Pleased to see links including to PPS9 on page 7.	Support noted.
	Provision of Green Space and biodiversity on page 2 commended.	Support noted.
	Support and commend: Section on open space, in paragraph 3.1 to 3.3 Design of development in Guidance 5 Accessible open space in Guidance 6 Biodiversity in Guidance 7 Biodiversity by design and Bexley Biodiversity Action Plan.	Support noted.
	Policy consideration suggested for accessible natural space.	Not relevant to this Guide. Suggestion considered for LDF Core Strategy.

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Natural England (continued)	Solar powered lighting section, in Chapter 4 , grey water recycling, grey and brown roofs and SUDs, energy and carbon emission and renewable on-site generation in Chapter 5 is welcomed and commended.	Support noted.
	Add reference in Section 5 to microclimate in Section 4 .	Reference added as suggested.
	Use of waste hierarchy and considerate construction under Guidance 34 is supported and welcomed.	Support noted.
	Bexley should consider subscribing to the Greenspace Information for Greater London (GIGL) database.	Cabinet Member decision recently made to subscribe to the GIGL database.
	Application of waste hierarchy and sustainable transport proposals supported and encouraged.	Support noted.
	Sustainable Design and Construction guide checklist commended.	Support noted.
	This is a useful document that encourages constructors to consider biodiversity as an integral part of a planning application and is commended. Bexley could consider sharing this proposal with other London Borough Planning Authorities.	Support noted. Suggestion will be considered.
	Appendix B and integration of biodiversity in planning application is welcomed and commended.	Support noted.
Bellway Homes	Guidance 1. More clarity requested on Sustainable Design and Construction proposal	Sentence on use of template added.
	Guidance 3. Code for sustainable homes not enforceable.	This is guidance.
	Guidance 7. This should be made clear that this is only necessary where applicable as set out in PPS1 and 9.	No change. Biodiversity needs to be considered for all developments.
	PPS3 quoted.	Reference to PPS3 added.
	Guidance 15. Percentage for energy challenged. PPS3 quoted regarding 'deliverable' and 'viable'.	Energy percentage established in planning policy. Reference to PPS3 added.
Guidance 16, 18 and 19. Reconsider in line with previous comments.	No further changes. Reference to PPS3 already added.	

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Mr John W. Joslin	Guidance needed to prevent discharge of surface water onto the footway or highway.	Section added to Guidance 12. Section 12 already mentions rainwater harvesting.
Berkeley Homes	<p>Guidance 3. Not justified – no policy support.</p> <p>Guidance 10 – Light pollution. Object – no policy context.</p> <p>Guidance 15. Object. No policy justification.</p> <p>Guidance 19. Objection. Not consistent with London Plan.</p> <p>Guidance 26. Has no policy basis and object.</p> <p>Guidance 28. Objection. No policy justification.</p> <p>Guidance 29. Objection. No policy justification.</p> <p>Guidance 30. Objection. No policy justification.</p> <p>Guidance 31, 32, 34, 35. No policy justification.</p>	<p>Reference to London Plan added.</p> <p>Reference to PPS1, PPS23 is in document – No change.</p> <p>See response to second Fairview Homes comment.</p> <p>No change. GLA proposed changes incorporated into Guidance 19.</p> <p>Reference to PPS1 added.</p> <p>Policy justification added.</p> <p>Policy justification added.</p> <p>Policy justification added.</p> <p>Policy justification added.</p>
Environment Agency	<p>Overall support for SPD.</p> <p>Tick flood risk assessment and add where relevant for extensions.</p> <p>Change ‘consider SUDS’ to ‘incorporate SUDS’ in matrix; change ‘Biodiversity Contribution’ to ‘Protect and enhance Biodiversity’ on matrix; and tick small and large developments and add where relevant.</p> <p>Add PPS9 to policy context. Add wildlife function of open space, value of land next to water courses for flood storage.</p> <p>Add reference to PPS25: <i>Development and Flood Risk</i>; and also <i>Development and Flood Risk: A Practice Guide companion to PPS25 – A Living Draft</i>.</p> <p>Add wildlife reference to Light Pollution.</p> <p>Add GLA policy reference to flooding section and refer to protection of flood defences.</p> <p>Amend flooding section and Guidance 11 and 12 and paragraph 4.8 to include additional points and sections.</p>	<p>Support noted and welcomed.</p> <p>Table amended as proposed.</p> <p>Matrix changed as suggested.</p> <p>Matrix changed as suggested.</p> <p>Text amended as proposed.</p> <p>Text amended as proposed.</p> <p>Wildlife reference added to Light pollution information as guidance 10.</p> <p>Relevant text added as proposed.</p>

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Environment Agency (continued)	Add to Guidance 13 to include text on urban rivers and tall buildings.	Text amended as proposed.
	Guidance 17 and 18. Add section on green/brown roof and or walls.	Text amended as proposed.
	Support given to section on water.	Support noted.
	Flood Resistant Design. Add references to PPS25 and Companion Guide.	References to PPS25 and Companion Guide added.
	More clarity needed to show relationship between flood resistant design and flood risk assessment.	More clarity and cross reference added.
	Paragraph 6.9. Change reference to the Government and not the Environment Agency.	Reference changed.
	Flood Resistant Design should be included in Section 4 on flooding.	Reference to Flood Resistant Design added to guidance 11 on site specific flood risk assessments.
	Take out phrase 'located beside rivers'. See Annex D of PPS25. Add more information to Guidance 32.	Phrase deleted. Reference inserted to Annex D of PPS25. Further information added to Section 32. Signposts also added.
Port of London Authority	Sustainable transport. Efficiency of water borne transport in energy terms needs to be emphasised. Add reference to the use of the river for transporting waste.	References to advantages of river transport and use of river for transporting waste added.
Highways Agency	No comments.	Noted.
Kenneth Hobday – Member LA21 Natural Environment Focus Group EFG	Strengthen Guidance 6 on Open Space to include all developments.	No change proposed. Important to emphasise significance of areas of open space deficiency. There are also finite resources to manage open spaces.
	Guidance 7. Good but does not go far enough. Need more emphasis on ecological enhancement of landscape	No change proposed. Nature conservation is emphasised in Guidance 7.
	Guidance 6. Add reference to wildlife habitat Guidance 34. Too weak. Needs more information on biodiversity.	Reference to wildlife habitat added to Guidance 6. Signpost to Biodiversity Action Plan added.
LB Barking and Dagenham	No comments.	Noted.

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Countryside Properties	Three additions suggested to add to drivers for Sustainable Design and Construction: The threat to climate change. Government guidance, especially in the form of the Code for Sustainable Homes. Information such as <i>Building a Greener Future: Towards Zero Carbon Developments</i> ; and Draft PPS on Climate Change.	Three further drivers for Sustainable Design and Construction added.
	At 1.2 add reference to code for Sustainable Homes. More recent study quoted.	Reference to code added at 1.2. Reference to latest Cyril Sweet Policy Document added.
	Sustainable Design and Construction Matrix page 2: alternate wording to code for Sustainable Homes Level 3 suggested.	No change. Level 3 was omitted from text as a typing error.
	Do not quote Level 3 of code. State 'BREEAM Very Good rating or the equivalent Code for Sustainable Homes level (to be agreed)'.	No change. A level needs to be quoted to provide clarity. Code for Level 3 considered appropriate and closest code level to BREEAM Very Good rating.
	Alternative wording proposed for Government target to state the governments target is for all new homes to be zero carbon by 2016.	Wording changed as proposed.
	No reference to Site Waste Management Plans. PVC windows. What if PVC windows are included in code for Sustainable Homes Green Guide?	Reference added in information and guidance. No change. Unlikely that PVC windows would be included in BRE Green Guide which is yet to be published. However, Guide would be reviewed following publication of Green Guide.
Government Office for London	Informal comments given. No formal comments.	Noted.
	Proposal to adopt, after Secretary of State's decision on saved UDP policies, supported.	Support noted.
	Add further bullet point at 1.8 on energy saving/renewable devices.	Bullet point added.
	Is it realistic to expect proposes of all development to submit a sustainable design and construction proposal?	No change. Important for all developers to consider sustainable design and construction – however small the development.

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Government Office for London (continued)	Clarity needed in reference to Code for Sustainable Homes and BREEAM.	Text amended to provide clarity.
	Support excellent rating for brownfield sites with very good access to public transport.	Excellent rating introduced as proposed.
	Add reference to energy efficiency and passive internal environment regulation.	References added to Matrix as proposed.
	Refer to code for Sustainable Homes in signpost under Guidance 3 .	Reference added to signpost.
	Add web link for documents on page 11 .	Web links added.
	References to policy context welcomed.	Support noted.
	Signposts are very helpful.	Support noted.
	Add reference to other energy saving devices in Guidance 10 , bullet point 2.	Reference added.
	Clarify point about embodied energy and waste minimisation in paragraph 5.1 .	Further clarification added.
	Add text on separation of waste to Guidance 33 .	Text amended as proposed.
	Add reference to locally sourced materials in 8.5 .	Reference added.
	Annex A – checklist. How will developers consider climate change over next 50 years?	Delete 50 years reference.
	Annex A reference to ‘at least 20%’ inconsistent under renewable energy.	‘at least’ deleted.