

1 CONSULTATION RESPONSES TO PLANNING OBLIGATIONS GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT AND SUSTAINABILITY APPRAISAL

1.1 INTRODUCTION

Public consultation on the draft Planning Obligations Guidance Supplementary Planning Document (SPD) and draft Sustainability Appraisal (SA) commenced on the 7 April 2008 and ended on 19 May 2008.

The publication of this report was available from Wyncham House, Civic Offices and all libraries, as well as the Council's web-site www.bexley.gov.uk/ludp.

The draft SPD and draft SA provided detailed guidance on the scale of planning obligations sought for development proposals in the London Borough of Bexley. The aim of the consultation process was to provide members of the public and organisations with the opportunity to put forward their views and thoughts of the documents to the Council. This helped inform the Council on the pertinent issues surrounding the documents. In light of this, the documents have been revised to reflect consultee comments.

1.2 CONSULTATION ANALYSIS

The draft SPD and draft SA advised people to submit their comments to the London Borough of Bexley via post or email. A total of 23 responses were received.

Representations were received from the following groups:

- Government Agencies – Health and Safety Executive, Thames Water Property Services, Port of London Authority, Government Office for London, English Heritage, Highways Agency, Metropolitan Police Authority, NHS London Healthy Urban Development Unit, Greater London Authority & Transport for London, Environment Agency, and Natural England.
- Community Groups – LA21 Bexley & Crayford Forum, Ramblers' Association, The Theatres Trust, and Sidcup Congregation of Jehovah's Witnesses.
- Trade Organisation – Home Builders Federation Ltd.
- Developers and Landowners – Pelham Holdings Limited, WM Morrison Supermarkets Plc, St James Investments & Tesco Stores Ltd, Tilfen Land Ltd, Riverdale Developments Ltd, Berkeley Homes (South East London) Ltd, and Gallions Housing Association.

Every representation received was logged onto an electronic database that assigned each a unique reference number, recorded the details of the person or organisation and provided the detailed comments submitted. Each

individual representation was analysed. The detailed consultation responses are provided in **Annex A**.

Table 1.1 presents a summary of responses that arose during the consultation and lists the key issues and the number of times each issue was raised.

Table 1.1 Consultation Responses of the draft Supplementary Planning Document

Key Concerns	Frequency
That obligations towards other services and facilities be sought pre and post adoption of LDF documents	8
Clarify the offsetting of 'in kind' obligations	5
Clarify how the thresholds were derived	5
Level of obligations sought should not prevent development	4
SPD needs to reflect process for applications referable to the Mayor	4
Fails to take account of any spare capacity	4
Pooling of contributions – SPD does not meet the requirements of Circular 05/2005	3
Contributions should be considered on a case by case basis	3
SPD to ensure financial contributions are spent on geographically related projects	3
That the SPD will need to be reviewed in light of published regulations for Community Infrastructure Levy	2
Formulae should be based on unit size	2
Council applies the requirements of the SPD to Council owned land	2
Annex A – Affordable Housing	
That the definition of affordable housing be altered	3
Provide explanation of how 'in-lieu' contributions are calculated	2
Annex B – Transport, Access and Public Realm Improvements	
That the transport projects be reviewed	2
Annex C – Education	
Child yield depending on housing type	2
Annex D – Employment Training	
Training provided by employer should be off-set	2
Annex E – Health Services and Facilities	
There should be no revenue costs	2
Should refer to health contributions in preference to health services and facilities	2
Annex F – Open Space, Sports and Leisure Facilities	
Use of national standards not appropriate	2
Annex G - Local Community Facilities and Services	
Include arts and cultural in definition	1
Annex H – Professional, Legal and Monitoring Fees	
Clarification of the monitoring costs	3
Only reasonable costs be sought	3

Table 1.2 Consultation Responses to the draft Sustainability Appraisal

Key Concerns	Frequency
SA should include any relevant local plans for the historic environment for inclusion in the baseline data.	1
Include contributions that benefit the historic environment	1
SA should include key indicators for flood risk and trends	1

1.3

RESPONSE TO ISSUES RAISED BY CONSULTEES

A number of consultees were concerned that the SPD goes beyond the guidance in Circular 05/2005, in prescribing the level of obligation or financial contribution for particular services and types of development. A few wanted the arrangements extended to other services e.g. policing, childcare and environmental infrastructure. Several consultees were concerned with the arrangements for the pooling and spending financial contribution, and others wanted further clarification around the basis for calculating contributions.

The text of the SPD has been amended to clarify how it accords with Circular 05/2005, in particular, that financial contributions received will be spent on projects that are geographically related to the development from which they arose. In relation to extending arrangements to cover other types of obligations, provision was already made at paragraph 3.3 of the SPD. However, it was considered that the SPD would benefit by providing some examples of the types of additional non-financial obligations the Council might seek.

In respect of the basis for calculating contributions, the SPD has been amended to clarify how intensification of use will be determined and that development below the thresholds indicated might still require obligations, as appropriate, to manage a development's impact.

The SPD was also updated to reference the recently adopted the Bexley Sustainable Community Plan 2008 and the fact the Mayor of London's Order 2008 came into effect. Further information was also provided on the types of applications that are referable to the Mayor and the procedure for negotiating planning obligations with respect to those applications. The paragraphs dealing with the Government's proposal for a Community Infrastructure Levy were also updated to acknowledge the raft of practical and technical issues that remain to be resolved through the regulations.

1.4

CONCLUSION

A total of 24 representations were received, in which a number of issues were raised. All of these have been considered and, where appropriate, amendments have been made to both the SPD and SA. The amended versions are recommended for adoption.