



Appendix 9.1

RELEVANT PLANNING POLICY



Hillingdon Water Sports Facility and Activity Centre – Ground Condition Related Planning Policy

Relevant Planning Policy Framework

- 1.1 Section 38(6) of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 1.2 In this instance, the London Borough of Hillingdon Development Plan comprises the Hillingdon Local Plan; and the London Plan (March 2021). The Local Plan consists of two parts: Part 1 – the Strategic Policies (adopted November 2012); and Part 2 which consists of the Development Management Policies and the Site Allocations and Designations (both adopted January 2020).
- 1.3 Material considerations include the relevant Supplementary Planning Documents (SPD).
- 1.4 To confirm, this does not consider the National Planning Policy Framework (2021); only the London Plan, The Hillingdon Local Plan (Part 1 and 2) and relevant SPDs.

Development Plan

London Plan (March 2021)

- 1.5 **Policy G9 ('Geodiversity')** states that proposals should make a positive contribution to the protection and enhancement of geodiversity.

Local Plan Part 1 – Strategic Policies (LPP1) (adopted November 2012)

- 1.6 The Local Plan Part 1 sets out the overall level and broad locations of growth up to 2026. These policies are supported by more detailed policies and allocations set out in the Local Plan Part 2. Part 1 was adopted in November 2012.
- 1.7 **Policy EM7 ('Biodiversity and Geological Conservation')** sets out how Hillingdon's biodiversity and geological conservation will be preserved and enhanced, with particular attention given to:

a) "Colne Valley Regional Park.

b) The protection and enhancement of all Sites of Importance for Nature Conservation. Sites with Metropolitan and Borough Grade 1 importance will be protected from any adverse impacts and loss.

c) The protection and enhancement of populations of protected species as well as priority species and habitats identified within the UK, London and the Hillingdon Biodiversity Action Plans.

d) Appropriate contributions from developers to help enhance Sites of Importance for Nature Conservation in close proximity to development and to deliver/ assist in the delivery of actions within the Biodiversity Action Plan.

e) The provision of biodiversity improvements from all development, where feasible.



Note continued

f) The provision of green roofs and living walls which contribute to biodiversity and help tackle climate change.

g) The use of sustainable drainage systems that promote ecological connectivity and natural habitats”

- 1.8 Policy EM8 ('Land, Water, Air and Noise')** seeks to safeguard and improve all water quality, both ground and surface. All development should not cause deterioration in the local air quality levels. The Council will expect proposals for development on contaminated land to provide mitigation strategies that reduce the impacts on surrounding land uses. Major development proposals will be expected to demonstrate a sustainable approach to remediation that includes techniques to reduce the need to landfill.
- 1.9** The prevention of further contamination of land and remediation of land affected by contamination plays a key role in sustainable development by reducing damage to land and by bringing damaged land back into beneficial use. This contributes towards improving land and environmental quality and the quality of life in general for the borough.

Local Plan Part 2 – Development Management Policies (LPP2) (adopted January 2020)

- 1.10 Policy DMEI 12 ('Development of Land Affected by Contamination')** states that the Council will permission for development which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated for the proposed use.
- 1.11** Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.
- 1.12 Policy DMEI 13 ('Important of Material')** relates to development proposals that include the importation of waste material. Such applications must be accompanied by a monitoring plan that includes:
- i) the amount and types of material to be imported; ii) the timetable for disposal;*
 - iii) onsite precautions to be taken to ensure only authorised vehicles and waste will be allowed on to site; and*
 - iv) methods for reviewing and reporting on the progress of the disposal to the Local Planning Authority.*
- 1.13** Proposals that include the importation of waste materials (inert or otherwise) that are not accompanied by the appropriate level of controls or safeguards will not be supported.
- 1.14 Policy DMIN 3 ('Extraction, Landfilling and Restoration')** sets out the Council's requirements for applications involving landfilling and restoration of existing land. Specifically, it states:



Note continued

“A) The Council will expect any planning application for minerals extraction to include a comprehensive Environmental Impact Assessment (EIA) and adopt an Environmental Management System to outline measures to address environmental impacts and mitigation during all phases of the extraction and restoration process.

B) Mineral working on the Best and Most Versatile Farmland will only be permitted if working, restoration and aftercare schemes are adopted which enable the land to be restored, as far as it is practicable, to its previous quality or better.

C) Applicants will be required to show how excavation is to be arranged and to provide for beneficial after use(s) consistent with providing a balanced range of leisure activities and/or creation of natural habitats before any planning permission is granted.

D) To reduce the environmental impact of aggregates, the Council will make appropriate use of planning conditions dealing with restoration, aftercare and re-use of mineral sites including the use of suitable construction, demolition and excavation waste to restore original ground levels.”

1.15 Similarly, **Policy DMIN 4 (‘Re-use and Recycling of Aggregates’)** states that the Council will promote the recycling of construction, demolition and excavation waste. All developments will be encouraged to:

i) recycle and re-use construction, demolition and excavation waste as aggregates;

ii) process and re-use the recyclable material on-site, and where this is not possible, the material should be re-used at another site or for land restoration; and

iii) use substitute or recycled materials in new development in place of primary minerals.

1.16 The supporting text states that the process of recycling aggregates should ideally be carried out on-site and as much of the recycled waste be re-used in the construction process.

Material Considerations

Colne Valley Regional Park Principles

1.17 The Colne Valley Park Community Interest Company (CIC) exists to maintain and enhance the Colne Valley as the first taste of countryside to the west of London. Founded in 1965, the park stretches from Rickmansworth in the north to Staines and the Thames in the south, and from Uxbridge and Heathrow in the east, to Slough and Chalfont St Peter in the west.

1.18 The Colne Valley Park is underpinned by six objectives:

1. **To maintain and enhance the landscape**, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity.
2. **To safeguard the countryside** of the Park from inappropriate development. Where development is permissible it will encourage the highest possible standards of design.



Note continued

3. *To conserve and enhance biodiversity within the Park through the protection and management of its species, habitats and geological features*
4. *To provide opportunities for countryside recreation and ensure that facilities are accessible to all.*
5. *To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.*
6. *To encourage community participation including .volunteering and environmental education. To promote the health and social well-being benefits that access to high quality green space brings.*

1.19 The six principles are underpinned by a series of project-focused work undertaken by the Colne Valley CIC to protect and enhance the value of the area.

1.20 Development proposals within the Colne Valley will be assessed by the CIC against the six principles and how closely the proposal aligns to them.

NPPF (September 2023)

1.21 Chapter 15 aims to ensure planning policy and decisions contribute to and enhance the natural and local environment.

1.22 Paragraph 183 deals with the policies relating to ground conditions and pollution, ensuring that:

“a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

1.23 Paragraph 184 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development, rests with the developer and/or landowner.

1.24 Paragraph 185 ensures that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, development proposal should:

“a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁶⁵;



Note continued

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

- 1.25 Paragraph 188 states that the focus of planning policy and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions.