

## **Local Plan Independent Examination**

### **OPDC Response to Matter and Issue 17**

**Matter 17: Whether the policies D13(e) and EU9 a (iv) for post- development monitoring would be effective (Inspector's Q3 re policy D13(e))**

**Pending a response to my question, this matter may benefit from a hearing session.**

**OPDC response:**

- 1.1. OPDC considers that policies D13(e) and EU9(a)(iv) for post- development monitoring are effective in relation to the Inspector's question 3 regarding policy D13(e). Documents ID-01, OPDC/001, ID-01A and OPDC/001B set out the Inspector's and OPDC's written correspondence relating to the role and implementation of policies D13(e) and EU9(a)(iv).
- 1.2. OPDC considers that the requirement in Policy D13(e) and Policy EU9(a)(iv) for developers and/or management companies of major development proposals to undertake a post-occupancy survey and post-construction audits to be key to achieving a high standard of development by requiring development to demonstrate after it is complete that the policy requirements for the design and environmental functioning of development have been achieved. The Post Occupancy Evaluation Study (SD39) sets out these benefits for the post occupancy survey and next steps.
- 1.3. The purpose of the post occupancy survey is to obtain knowledge/information which will assist in monitoring whether or not the Local Plan policies are resulting in developments that are of a high standard, and also to monitor development impacts and the effectiveness of mitigation measures and to inform the need for any further or adjusted or management changes. This will help to deliver OPDC's ambition to ensure developers adopt a culture of continual improvement and so that lessons learned can be used to remedy issues by seeking improvements when future phases of development come forward and through future revisions to the Local Plan. This is key for a long-term large scale development as proposed for Old Oak. Where the post occupancy survey identifies issues with a completed development, the developer and management company can use this information to address these issues (this is clarified by text changes to paragraph 6.102 set out below).
- 1.4. National Planning Policy Framework 2012 paragraph 153 provides that Local Plans can be reviewed in whole or in part to respond flexibly to changing circumstances. The post occupancy survey and post-construction audit information will help OPDC to assess whether the policies in its Local Plan are achieving their stated aims or whether certain policies would benefit from being reviewed. To clarify the role of Policy D13 and EU9 for developers and/or management companies, OPDC proposes to amend the following paragraphs in the supporting text to those policies:

- paragraph 6.102 to state “...Undertaking audits and testing will help identify ~~and rectify~~ causes of the performance gap resulting from the planning, construction and commissioning of the building. Where possible the OPDC would expect this information to be used by developers and management companies to address any issues”; and
- paragraph 11.38 (a) to state “highlight any ~~immediate teething~~ problems ~~that can be addressed and solved~~ regarding the performance of the relevant building or development”.

1.5. The approach for reporting as set out in policies DI3(e) and EU9(a)(iv) is consistent with the approach in Policy SI2(B) of the Draft New London Plan regarding energy strategies which states that “Major development should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy and will be expected to monitor and report on energy performance.”

1.6. Regarding post occupancy surveys, the OPDC intends to introduce a Supplementary Planning Document (SPD) to identify which specific policy objectives will be subject to the post occupancy evaluation. OPDC proposes to amend paragraph 11.39 to confirm this as follows:

- paragraph 11.39 to state 11.39. “.... OPDC will also publish a Supplementary Planning Document providing further guidance to identify which specific policy objectives will be subject to post occupancy evaluation.”

1.7. OPDC is commencing the development of the SPD at time of writing with the intention of it being adopted shortly after the adoption of the Local Plan.

1.8. Officers would be happy to discuss this at the hearing sessions should the Inspector consider this to be required.