



Haringey Council

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| Report for: | Regulatory Committee 15 January 2015 | Item Number: | |
| Title: | Local Plan Making – Review of Haringey’s Local Plan: Strategic Policies, Local Development Scheme, and Preferred Options for Tottenham Area Action Plan, Site Allocations Development Plan Document, and Development Management Development Plan Document (DPDs) | | |
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| Ward(s) affected: All | Report for Key Decision | | |



1 The issue under consideration

- 1.1 This report requests Members to note and provide comments upon four development plan documents (DPDs) being:
 - Proposed Alterations to **Haringey's** Local Plan: Strategic Policies (LPSP) which was adopted in 2013;
 - The “preferred option” draft of the Development Management Development Plan Document (DM DPD);
 - The “preferred option” draft of the Site Allocations Development Plan Document (Sites DPD); and
 - The “preferred option” draft of the Tottenham Area Action Plan Development Plan Document (Tottenham AAP).
- 1.2 This report also seeks comments upon the Draft Interim Sustainability Appraisal which has been used as a technical evidence base to inform decision making in the preparation of the above documents.
- 1.3 The annexed versions of the LPSP, the DM DPD, the Sites DPD, the Tottenham AAP and the Draft Interim Sustainability Appraisal, are working drafts. The annexed documents illustrate the subject matter to be covered by the policies, and contain most of the detail for each policy. Some of these documents will be edited before being taken to Cabinet later in January. This is to provide sufficient time to cross check policies, and ensure a comprehensive suite of documents are taken to public consultation.
- 1.4 At the current stage of plan-making the Council is not consulting on a "proposed submission" draft plan, and as such is not required to publish a Sustainability Appraisal at this time. However it is considered good practice to demonstrate how the appraisal has influenced plan making at various stages of production, for example as draft plans and proposals are published. National Planning Guidance states that the development and appraisal of proposals in Local Plan documents should be an iterative process, with the proposals being revised to take account of the appraisal findings. This should inform the selection, refinement and publication of proposals. Sustainability Appraisal has been undertaken on the draft plans throughout their production. However as the local plans are still undergoing final edits, there has been some lag in finalising the interim Sustainability Appraisal. The Sustainability Appraisal annexed to this report is in draft. More comprehensive versions will be presented to Cabinet, and the Interim Draft Versions will be published alongside the draft documents during the consultation period.
- 1.5 Finally this report seeks comments on the revised and updated Local Development Scheme (LDS) for 2015-2018.
- 1.6 These documents will be taken to the January Cabinet, requesting authority to consult on the four DPDs, and adoption of the LDS.



- 1.7 These DPDs will give force to the Council's commitment previously set out through the Local Plan: Strategic Policies and associated area based regeneration programmes in Tottenham to ensure that development across the Borough is actively managed for the benefit of residents and local businesses.
- 1.8 This consultation forms part of a statutory process **to produce the "Development Plan"** pursuant to the Planning and Compulsory Purchase Act 2004 and the Town and Country (Local Planning) (England) Regulations 2012. The Local Plan: Strategic Policies was previously adopted in 2013 after public consultation and examination in public. Earlier drafts of the DM DPD, Sites DPD and Tottenham AAP have been subject to public consultation; in February- March 2013 for the DM DPD and January - February 2014 for the Sites DPD and the Tottenham AAP.
- 1.9 The proposed consultation, under Regulation 18, is part of the statutory process and will run concurrently for the four documents. It is expected that consultation will start in February and run until early March 2015. After consultation the documents will be amended if necessary to take account of the comments received and any further evidence. **The documents will then be reported back to Cabinet to seek approval for "pre-submission"** publication before submission to the Secretary of State for independent examination.
- 1.10 **The LDS sets out the Council's programme for the delivery of Haringey's statutory** development plan – comprising a folder of spatial planning documents which will help the Council and its partners to deliver its objectives to manage growth, regeneration and to determine planning applications.
- 1.11 The LDS details the purpose, preparation stages and key milestones for the production of the development plan documents. By making this information public, it shows the opportunities for public and stakeholder involvement in the plan-making process.
- 1.12 **Haringey's current** LDS was adopted and published in October 2010. It was updated in 2011 during the Examination in Public of the Local Plan: Strategic Policies. Further amendments were carried out in 2012 and the most recent version was adopted in April 2014. **Revision of the current adopted LDS is required to reflect the changes to Haringey's** priorities and regeneration objectives. The proposed Local Development Scheme (2015-2018) is contained in Appendix F.

2 Recommendations

- 2.1 That Members note the annexed documents (see below) and provide comments to officers for reporting to Cabinet in January.
- 2.2 To recommend to Cabinet (subject to 2.1 above) that it approves the annexed documents for consultation during a six week period currently scheduled for February to March 2015:
- The Proposed Alterations to **Haringey's Local Plan: Strategic Policies (LPSP)** which was adopted in 2013 (Appendix A);



Haringey Council

- The “preferred option” draft of the Development Management Development Plan Document (DM DPD) (Appendix B);
- The “preferred option” draft of the Site Allocations Development Plan Document (Sites DPD) (Appendix C);
- The “preferred option” draft of the Tottenham Area Action Plan Development Plan Document (Tottenham AAP) (Appendix D); and
- The Draft Sustainability Appraisal (Appendix E).

- 2.3 The versions of the LPSP, the DM DPD, the Sites DPD, the Tottenham AAP and the Draft Interim Sustainability Appraisal which are annexed to this report, are working drafts. These documents will be edited before being taken to Cabinet in January, (as explained in 1.3 and 1.4 above).
- 2.4 To recommend to Cabinet (subject to 2.1 above) that it adopt the revised Local Development Scheme (LDS) (Appendix F) for 2015-2018.
- 2.5 To recommend to Cabinet (subject to 2.1 above) that it note the draft Consultation Programme (Appendix G).

3 Alternative options considered

Alterations to Haringey’s Local Plan: Strategic Policies, Development Management DPD, Sites DPD and Tottenham AAP

- 3.1 The Council could choose not to review the LPSP. In light of emerging regional policy and new evidence, the proposed alterations are necessary to ensure the plan appropriately reflects the revised growth figures and evidence. The National Planning Policy Framework and evidence underpinning the further alternations to the London Plan and the Local plan also demonstrate a need to revisit the housing assumptions in this document, if the DPD’s are to be progressed further. Therefore not undertaking the alterations would undermine **delivery of the statutory “Development Plan” documents and compromise the Council ability** to make high quality local planning decisions. Accordingly, not reviewing the document is not recommended as a viable alternative.
- 3.2 The DM DPD, Sites DPD and Tottenham AAP, will significantly improve the **Council’s ability** to manage and promote high quality sustainable development (and resist unsustainable development) across the borough, so not producing these documents is not considered to be an appropriate or viable alternative.
- 3.3 For the four development plan documents this stage of consultation represents a statutory requirement for preparing **Haringey’s Local Plan**. there is no alternative to consulting in line with the Regulations. The Development Plan Documents have been developed in accordance with planning regulations and the Council is required to consult on them prior to the formal submission stages.

Local Development Scheme



Haringey Council

- 3.4 The LDS is important in communicating **the Council's programme** for preparing the statutory planning framework. It is a requirement that the LDS is kept up-to-date to provide certainty for investors and communities seeking to engage in the process, and as a means to ensure that the Council can be held accountable for the delivery of the planning framework.
- 3.5 Modest changes to the development plan programme could be signposted through the Annual Monitoring Report (AMR). However given that the proposed changes to the LDS are material, this route is not considered appropriate.
- 3.6 Alternatively, the Council could choose not to revise its LDS. The changes set out in the appended documents outline changes to the timing, format and delivery of most of the planned DPDs such that the current LDS would provide very little assistance to anyone seeking to engage with the Council on the emerging planning policy framework.

4 Background information

Alterations to Haringey's Local Plan: Strategic Policies, Development Management DPD, Sites DPD and Tottenham AAP

- 4.1 Haringey faces considerable challenges in planning for long term growth. Following the publication of the Further Alterations to the **London Plan, the Borough's housing "target"** has risen from 830 net new dwellings per year to 1,502. In parallel, the Borough has a target to increase employment levels by 29% over the next 20 years.
- 4.2 The LPSP has a critical role in ensuring that the challenges arising from growth can be properly managed and controlled through a "plan led" approach which engages positively with both the opportunities for improvement, and managing the challenges and impacts effectively.
- 4.3 It is not anticipated that all chapters and policies within the plan will be subject to alterations, the focus is principally on factual updating of policies where required.

Previous Consultation



- 4.4 Drafts of the 'Preferred Options' DPD Documents (Sites DPD, Tottenham AAP and DM DPD) have previously been subject to Regulation 18 public consultation.
- 4.5 As these documents have already been subject to consultation, they do not provide alternatives, but instead contain **detailed policies, or "preferred options"** which are considered by the Council to be the most appropriate in light of national and regional **guidance, previous public consultations, and the Council's wider corporate policies and strategies.**
- 4.6 The Development Management DPD was consulted upon in February- March 2013. Approximately thirty separate responses were received from individuals, community groups, businesses, landowners and government bodies. The respondents requested more information on cycle storage, encouraging community uses in town centre sites, and more details on nature conservation.
- 4.7 The Sites DPD was consulted upon from January - February 2014. Approximately 370 separate responses were received. These responses included themes requesting recognition of the importance of conservation assets, broader consideration of infrastructure needs, and recognition of the importance of green infrastructure.
- 4.8 Thee Tottenham AAP was consulted on from January - February 2014. Approximately 100 separate responses were received. Respondents requested more information on regeneration aims, policies on employment and safeguarding employment land, and more details on specific sites.
- 4.9 These responses have been used to inform the emerging '**Preferred Option**' DPDs. These comments, and all the other consultation feedback, have shaped the current draft of the documents.

Proposed Consultation



Haringey Council

- 4.10 For all four DPDs, a six week programme of public consultation is scheduled to from February to March 2015. Consultation will include making the documents available on line at a dedicated webpage [www.haringey.gov.uk/localplan], making the documents available at Council buildings (Riverpark House, the Civic Centre, all Council Libraries) and at a series of proposed meetings and presentations. This additional round of Regulation 18 public consultation is to ensure that the public and other consultees have an opportunity to have proper input into shaping the outcomes of the policies prior to Regulation 19 Publication. The draft detail of this programme of consultation is contained in Appendix G.
- 4.11 It is a legal requirement that the documents are subject to a Sustainability Appraisal which must be used to help the Council identify and select the most sustainable policy approaches. The Sustainability Appraisal provides a clear audit trail of the various options considered by the Council at each stage of preparing the documents.

Local Development Scheme

- 4.12 Haringey is set for significant investment, regeneration and growth over the next 20 years. The LDS sets out how, over the next 3 years, the Council will prepare statutory local plan documents that will support and help manage that growth. It provides the public and other key stakeholders with details of when and how they can get involved. An up to date Local Development Scheme is a requirement prior to the examination of development plan documents. The 2012 Local Planning Regulations require authorities to publish up to date information on progress in preparing development plan documents against the Local Development Scheme. This requirement has been met by ensuring that the latest scheme **is available on the Council's website**. **The proposed LDS 2015 to 2018 will supersede the LDS 2010 and its updates in 2011, 2012 and 2014.**
- 4.13 The highlights of the work programme are:
- Preparation and adoption of the Development Management DPD;
 - Preparation and adoption of the Sites DPD;
 - Preparation and adoption of the Tottenham AAP;
 - Preparation of the North London Joint Waste Plan – jointly with the six other North London Boroughs, scheduled to be subject Regulation 18 consultation in summer 2015.
 - Continued assistance for the emerging Neighbourhood Plan for Highgate
 - Confirmation around the preparation and adoption of the Haringey Heartlands/Wood Green AAP for the regeneration of the central areas of Wood Green.

Prioritisation and Resource Implications

- 4.14 The costs of preparing DPDs will be met within existing budget commitments that are assumed within the draft 2015-18 budget proposals that are currently subject to public consultation.



5 Status of the Development Plan documents

- 5.1 The Proposed **Alterations to Haringey's** Local Plan: Strategic Policies is essentially a factual update and will eventually be adopted. For the purposes of clarity, the existing Local Plan: Strategic Policies adopted in 2013 remains in force until it is superseded by the adoption of the Alterations version.
- 5.2 The three '**Preferred Options**' DPDs are all in relatively early stages of the plan-making process, providing opportunity for the community and stakeholders to comment on the proposals and influence the final documents. Eventually they will all form part of the **Borough's** statutory Local Plan and will be used to appraise the appropriateness of new development proposals, but at this '**Preferred Options**' stage they will be an important material consideration in the determination of planning applications.

6 Alterations to the Local Plan: Strategic Policies

- 6.1 **Haringey's Local Plan: Strategic Policies was adopted in 2013.**
- 6.2 Following the publication of the Further Alterations to the London Plan in early 2014, the **Borough's housing** allocation has risen from 830 net new dwellings per year to 1,502. The Borough also has a target to increase employment levels by 29% over the next 20 years. The Borough has also updated the local evidence base to keep abreast of emerging development patterns and other market trends.
- 6.3 Given the enormous change in the growth forecast for the borough, and the updated local evidence, the Council has taken the opportunity to review some of the strategic policies with a focus on factually updating policies.
- 6.4 **The Council's development plan documents play a critical** role in ensuring that the challenges arising from London and the Boroughs growth can be properly managed through a plan led approach.
- 6.5 When adopted, the amendments will supersede some of the existing policies within the current version of the Local Plan: Strategic Policies.



7 Development Management DPD

- 7.1 The Development Management DPD sets out detailed policies that the Council will use when determining planning applications. The DPD will therefore supersede some of the **existing policies within the Haringey UDP, as well as refine and strengthen “policy”** contained within the wide range of supplementary planning guidance notes which have become out of date or inconsistent with up to date national and regional policy. This follows a Cabinet decision taken on 15 July 2014, (decision CAB686) where Cabinet resolved to revoke or withdraw more than twenty supplementary planning guidance documents. Officers have also used the development and consultation responses to earlier drafts to help address emergent development challenges (such as basements and “negative clusters”).
- 7.2 A key policy is around the protection of family housing. Evidence shows that in the last twenty years, Haringey has experienced losses of houses to flats and HMO accommodation. These conversions put pressure on the availability of homes for families, and limits housing options for households who may wish to downsize. The DM DPD **introduces a “Family Housing Protection Zone”** which will enable the Council to resist proposals for the loss of family houses to flat conversions and HMO Accommodation. The zone includes all sites to the east of the East Coast Mainline, and areas previously listed in the Haringey Unitary Development Plan as “Restricted Conversion Areas”.
- 7.3 Another important theme is **achieving more efficient use of the borough’s employment land**. The adopted Local Plan sets out a hierarchy of employment land to be safeguarded and the DM Policies build on this by setting out specific requirements within this hierarchy. This will facilitate the intensification of jobs and floorspace on sites, and proactively attract the types **of businesses supported by the Council’s economic and regeneration strategies**. Some safeguarded sites may not be fully viable for employment uses so the proposed policies ensure that sites are not sterilised by enabling mixed use proposals to come forward where there is a need to stimulate site renewal and regeneration. An example of this is allowing the introduction of residential uses to cross subsidise employment development, provided there is no net loss of employment floorspace.
- 7.4 The document engages with a number of other critical policy themes including:
- **Haringey’s approach** to providing a range of housing options, including the approach to the delivery of new affordable housing;
 - The community and Council aspiration that development reflects high quality building design;
 - Tightening controls on the assessment of basement development;
 - Managing proposals for hot food takeaways;
 - Ensuring adequate provision of, and access to, open space;
 - Setting out areas where we would expect new development to be linked to future heat networks based on our latest evidence;
 - Protecting where appropriate, pubs and other community infrastructure from the pressure of the housing market;



Haringey Council

- Promoting an environmental agenda to achieve our carbon reduction targets; and
- Managing the consequences of development, including risks of flooding.

7.5 An earlier draft of the Development Management DPD was consulted on in February to March 2013. That document was less expansive on the above issues, and elicited a number of broad comments reflecting this lack of detail and concerns around town centre vitality and the provision of infrastructure to accompany growth. This draft seeks to provide, with the other two documents, policies to help manage town centres and greater clarity around the infrastructure requirements necessary to facilitate sustainable patterns of growth in the future.

7.6 When adopted, this document will supersede certain supplementary guidance, specifically:- SPG1a Design Guidance (January 2006); SPG1b Parking in Front Gardens (draft 2006); SPG 6a - Shopfronts, Signage & Security (draft 2006); SPG 6b – Advertisements (draft 2006); and, SPG 7a - Vehicle and Pedestrian Movement (draft 2006).

8 Site Allocations DPD

8.1 The Site Allocations DPD defines the future policy outcomes sought from development of all of the significant sites across the Borough (excluding Tottenham) where we expect development to take place before 2026.

8.2 The document seeks to ensure that the proposals contained within the policy for each site are justified (having regard to the **site's wider physical and economic** characteristics) whilst contribute positively to the need for housing and jobs growth, new and improve existing **infrastructure and to meet the Council's aspirations for design and environmental quality/protection.**

8.3 To aid accessibility and understanding, the document is broken down into those areas identified in the adopted Local Plan: Strategic Policies DPD. Each chapter is introduced with an overarching map showing the context of the key sites for that area. This will be similar to the key diagram in the Strategic Policies DPD. In due course, an updated proposals map, to accompany the final adoption of this document will be prepared. It is not however proposed that a revised proposals map is prepared at this stage.

8.4 The sites contained in the plan have been identified through a range of methods, including previously published documents, consultation responses, evidence studies, and internal **officers' discussions.** Of particular significance have been:

- GLA Strategic Housing Land Availability Assessment workshops (officer level assessments to inform London-wide housing supply);
- **Haringey's formal "Call for Sites"**,
- Existing planning permissions and interest expressed through pre-application meetings,
- Consideration of the consequences of potential future Crossrail 2 station locations; and
- The existing Site Specific Proposals in the 2006 UDP.



- 8.5 In considering the options for key, strategic sites, the sites document proposes to set out the future for a number of important sites (outside of Tottenham) including:
- **Wood Green** - Providing a clear and ambitious growth proposition for Wood Green metropolitan town centre. This includes considering the role of land and premises owned by the Council along with key regeneration opportunities within Haringey Heartlands against a background of potential new Crossrail 2 stations at Turnpike Lane and Alexandra Palace. Wood Green is therefore promoted as a significant area of opportunity, with new homes, employment and public space, helping to support a positive and ambitious future **for the Boroughs only designated “metropolitan” town centre.**
 - **Harringay Warehouse District** - Setting out **the opportunity for a recognised “warehouse”** community cluster within designated sites in the South of the Borough, and introducing new development standards for and restriction upon work/live premises to help combat dangerous and inappropriate conversions across the Borough.
 - **Pinkham Way** - Determining a future position for the land at Pinkham Way which has been allocated for employment use for over 40 years but which remains undeveloped, and of ecological significance.
 - **Retail Centres** - Redefining shopping frontages in shopping centres across the Borough to reflect neighbouring designations and the consequences of potential planning reform.
 - **Strategic Council Housing sites renewal** - Identifying the opportunity for future masterplanning to improve the quality and liveability of strategic housing sites/estates across the Borough as part of the aspiration to improve the quality of life for all our tenants **across the Council’s housing portfolio** including housing improvement in areas such as Broadwater Farm, Noel Park and those areas **already in the Council’s estate renewal** strategy.
 - **Alexandra Palace and Highgate School** - Providing a context for further work to deliver long term planned outcomes for Alexandra Palace and Highgate School campus through a commitment to the preparation of Supplementary Planning Guidance.
- 8.6 With regard to waste management provision and the allocation of sites to meet the required future waste management capacity, this will be determined through the North London Waste Plan process, and will be reported to Cabinet when the North London Waste Plan is ready for Regulation 18 Consultation later in the year.
- 8.7 When adopted, this document will supersede certain supplementary guidance, specifically the Lawrence Road Planning Brief (adopted October 2007).



9 Tottenham Area Action Plan (AAP)

- 9.1 The Tottenham AAP provides a specific focus to the Council's significant activities aimed at bringing about not just transformational regeneration in specific parts of Tottenham, but the careful management of those areas beyond defined regeneration sites, to positively engage with residents, and the wider community concerns. Within the AAP area and in line with the adopted Strategic Polices for the Borough (2013) the AAP nevertheless aims to provide the means to successfully manage development within Tottenham that will deliver over 10,000 new homes and 5,000 new jobs.
- 9.2 As with the other two Development Plan Documents, an **early "Draft"** version of the AAP was consulted on alongside the Site Allocation DPD in early 2014. This **"Preferred Option"** version reflects the consultation responses received and takes into account other policy developments related to Tottenham, including the potential Introduction of the Tottenham Housing Zone and the scope for Crossrail 2 to provide significantly greater access to Tottenham within London and the wider South east.
- 9.3 The AAP therefore provides a policy basis for comprehensive, coordinated area based regeneration in Seven Sisters, Tottenham Hale and North Tottenham, whilst at the same time seeking to recognise and sensitively manage the important heritage and community interests across the whole of the area. The AAP will also provide planning policy to avoid piecemeal development, provide a range of new housing choices and ensure that new affordable employment space can be delivered within new development to help meet the ambitious and challenging employment targets set for the borough by the Community, and in the London Plan.
- 9.4 Specific proposals include:
- **North Tottenham** – following the aspiration expressed in the earlier draft, and brought forward through masterplans for High Road West, studies on Northumberland Park and the Stadium proposals at Tottenham Hotspur, the AAP will provide a comprehensive planning framework to enable positive plan led regeneration to deliver new housing, improved economic opportunities and community infrastructure for a growing population over the plan period.
 - **Bruce Grove** – On the back of the recent investment in Tottenham Green, the AAP seeks to reinforce the distinctive character of this area whilst promoting new investment to support improvements in the vitality and viability of the established shopping and cultural heart of Tottenham.
 - **Tottenham Hale** – as a result of the developments and infrastructure commitments at Tottenham Hale, and following the aspirations set out in non statutory planning policy for a transformation of the existing retail destination at Tottenham Hale, the AAP will aim to provide a comprehensive, managed and holistic approach to the transformation of this area, set against an expectation of new higher density development that improves accessibility to the adjoining Lee Valley Park, and to London and beyond via Tottenham Hale station.



- **Seven Sisters** – in line with the Plan for Tottenham and the 2014 Strategic Planning Framework, and expected announcements around Crossrail 2 at Seven Sisters, the AAP will provide a policy framework for the area that seeks to enhance the retail and housing offer of this location, whilst delivering new housing to the area.

- 9.5 To aid accessibility to the document, the AAP is broken down into smaller sub areas which seek to use the outcome of community consultation and the assessments of urban characterisation to inform decisions around building density and heights, and the degree of physical change that is to occur. The document accordingly identifies and seeks views upon the areas where larger scale redevelopment and change (to include sites for tall buildings) is proposed as well as those areas where development and sites will be much more tightly controlled, to respect the identity, heritage and character of the area and existing patterns of family housing.
- 9.6 The earlier draft of the AAP resulted in a number of responses that pointed to a range of issues including concerns around the very limited levels of detail, existing infrastructure deficiency, the designation and quantum of employment land, affordable workspace, design and heritage impacts and concerns surround the implications and impact of higher density buildings.
- 9.7 When adopted, this document will supersede certain supplementary guidance, specifically:- Tottenham High Rd Shopfront Policy (draft 2006); and, Tottenham Hale Urban Centre Masterplan (adopted 31 October 2006).

10 Next Steps

10.1 Below is a timetable setting out the progress of this document as part of the overall drafting of the three DPDs.

| Task | Completion Date |
|--|-----------------------------|
| Cabinet approval to consult for Regulation 18 | 20 January 2015 |
| Consultation Period for all three DPDs (tentative) | 9 February to 23 March 2015 |
| Analysis of consultation outcomes, complete evidence studies, prepare the “Proposed Submission” Versions | April to July 2015 |
| Seek Cabinet approval to proceed to Regulation 19 “Proposed Submission” Versions | July 2015 |
| Publication/Consultation of Proposed Submission Versions | October 2015 |
| Submission | November 2015 |
| Independent Examination | April 2016 |
| Inspector’s Report | June 2016 |
| Adoption | August 2016 |



Haringey Council

- 10.2 The public consultation on the four Development Plan Documents is scheduled for February to March 2015.
- 10.3 The consultation will be for six weeks and will meet all the statutory requirements of the regulations. It will follow the principles set out in Haringey's adopted Statement of Community Involvement.

11 Comments of the Chief Finance Officer and financial implication

- 11.1 The cost of preparing this report, the documents it refers to and the consultation recommended can be contained within existing budgets.
- 11.2 The documents referred to within this report are important from a financial sense, in that they establish the planning framework that should give the Council control of the type of development that takes place in Haringey in coming years. This development will form an increasingly critical element of the Council's financial position going forward, as elements such as Business Rates growth, Council Tax and New Homes Bonus will form a greater proportion of the Council's overall funding as Central Government grants continue to reduce.

12 Comments of the Assistant Director of Corporate Governance and legal implications

- 12.1 The Assistant Director of Corporate Guidance has been consulted on the preparation of this report and comments as follows.
- 12.2 The Alterations to the Local Plan: Strategic Policies, the Development Management DPD, the Site Allocations DPD and the Tottenham AAP, when adopted, will form part of the statutory development plan against which any subsequent applications for planning permission within the relevant areas would be tested.
- 12.3 That being the case, there is a formal process set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 to be complied with, the first stage of which is the Regulation 18 consultation with such of the specific consultation bodies as the Council consider may have an interest in the subject of the proposed AAPs, along with such of the general consultation bodies as the Council considers appropriate and such residents or other persons **carrying on business in the Council's area from which the Council considers it appropriate to invite representations**. This exercise should also be carried out in accordance **with the Council's Statement of Community Involvement (updated February 2011)**.
- 12.4 There is a requirement that the Alterations to the Local Plan: Strategic Policies, the Development Management DPD, the Site Allocations DPD and the Tottenham AAP must be in conformity with the London Plan and in preparing these documents, the Council must take into account any representation made to them in response to the Regulation 18 consultations.

- 12.5 Under the Localism Act 2011 there is placed on plan making authorities a statutory duty to co-operate with adjoining authorities and prescribed bodies and persons in the preparation of development plan documents and local development documents. This duty requires active and constructive engagement with those parties and to have regard to the activities of those parties.
- 12.6 Thereafter the documents must be published pursuant to Regulation 19 by the Council, **together with other “proposed submission documents”**, before they can be submitted to the Planning Inspectorate for examination. This provides a formal opportunity for the local community and other interests to consider and comment on the documents, which the Council would like to adopt.
- 12.7 There is recent authority which sends out a stark warning to Councils preparing local plans which rely on pre-National Planning Policy Framework (NPPF) housing figures which held **that the policy change brought about by the NPPF is “radical” and that it cannot be met** simply by transposing the Planning Policy Statement 3 (PPS3) approach – balancing need, demand and other questions of policy. Paragraph 47 of the NPPF requires plan-makers to take a discrete step which was not required under PPS3: the express identification of a figure for full objectively assessed housing need. In taking that first step, the Court accepted that earlier figures from regional strategies can form a relevant starting point, but must be **regarded with “extreme caution”**. **The Court also confirmed that “the needs assessment, objectively arrived at, is not affected in advance of the production of the Local Plan, which will then set the requirement figure”** applies to plan-making as well as to decision-taking.
- 12.8 The Supreme Court has recently endorsed the following general principles of consultation:
- That consultation must be at a time when proposals are still at a formative stage;
 - That the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
 - That adequate time must be given for consideration and response; and
 - That the product of consultation must be conscientiously taken into account in finalising any statutory proposals.
- 12.9 In short, in order to achieve the necessary degree of fairness, the obligation is to let those who have a potential interest in the subject matter know in clear terms what the proposal is and exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response. The obligation, although it may be quite onerous, goes no further than this.



Haringey Council

13 Equalities and Community Cohesion Comments

- 13.1 Policy and Strategy Team have been consulted in the preparation of this report and make the following comments.
- 13.2 Together the three draft DPD documents referred to in this report will provide the Council with a strategic framework to help deliver a range of outcomes including new homes, jobs, local economic growth and improved social infrastructures and capital for residents across the borough including groups who share the characteristics protected by the Equality Act 2010.
- 13.3 **The report is seeking Cabinet approval for formal public consultation on the Council's preferred draft options of three DPD documents.**
- 13.4 Public consultation will provide an opportunity to test the policies embodied in the documents against the aspirations of Haringey residents and other stakeholders.
- 13.5 **The consultation should take account of the Council's general equality duty by ensuring that all sections of Haringey communities, especially those who share the Equality Act's protected characteristics have the opportunity to participate and have their say and to have their views considered when finalising the documents.**
- 13.6 On the whole, the draft DPDs will not materially disadvantage any section of the Haringey communities.

14 Head of Procurement Comments

- 14.1 Not applicable.

15 Policy Implication

- 15.1 **Haringey's Corporate Plan sets out the Council's strategic direction** from 2013/14 to 2014/15. With the **vision of 'One Borough, One Future'** the Corporate Plan guides the work of all Council programmes. The overarching theme is that everyone who lives in Haringey will have the opportunity to lead a successful and fulfilling life.
- 15.2 The Corporate Plan lists twelve priorities grouped into the four main outcomes which are being sought. The emerging planning policies which are being consulted on address the relevant main outcomes as outlined below.
- 15.3 Outcome 2 Safety and wellbeing for all. The draft policy documents when adopted will **illustrate with confidence Haringey's regeneration activities and aspirations. This will ensure investment and regeneration which will deliver cleaner and greener environment.**



Haringey Council

- 15.4 Outcome 3: Opportunities for all; A successful place for everyone. The complete suite of policy documents will provide certainty for investors, which will encourage investment and **drive economic growth and Haringey's economy. When adopted the policies will enable the delivery of regeneration and appropriate housing.**
- 15.5 Outcome 4: A better Council: Delivering responsive, high quality services – The policies will enable the Council to get the basics right by enabling more timely, effective and transparent development management.
- 15.6 Haringey has recently started consultation on a draft Corporate Plan for 2015-2018, which explains the priorities for the borough, and how the Council will achieve these priorities. The overall approach is to encourage investment in the borough to create more opportunities. While this is not yet adopted policy it is prudent to illustrate the coherence of the emerging planning documents with the relevant emerging corporate priorities, this is outlined below.
- 15.7 Priority 4 is to “drive growth and employment from which everyone can benefit”. The thrust of all the documents is to enable sustainable development, which will drive growth and employment. The certainty provided by the documents will give investors confidence to locate in the borough.
- 15.8 Priority 5 is to “create homes and communities where people choose to live and are able to thrive” **all three documents have a focus for delivering quality housing and by extension quality communities.** Again the certainty provided by having a more comprehensive suite of planning policy documents will encourage investment into the borough.
- 15.9 The four planning documents recommended for Regulation 18 consultation are therefore consistent with the existing Corporate Plan and the emerging Corporate Plan.

16 Reasons for decision

The Alterations to Haringey's Local Plan: Strategic Policies, the DM DPD, Sites DPD, the Tottenham AAP

- 16.1 The DPDs are an essential component of **Haringey's** Local Plan. Without these documents it will be challenging for the Council to deliver the borough wide aspirations to manage change and growth for the benefit of existing and future residents and businesses. It would also become increasingly challenging to determine and influence development proposals which fail to deliver sustainable development outcomes in Haringey. The DPDs will be more up to date and consistent with the London Plan and the National Planning Policy Framework than the current version of the Local Plan: Strategic Policies and **Haringey's** Saved UDP polices.



16.2 Public consultation is an important statutory requirement in the preparation of the Local Plan and the documents cannot progress to submission stage of the process (submitting to the Secretary of State for public examination) without carrying out this round of consultation. It is important the Council consults on these documents at the earliest opportunity to avoid delaying the adoption of the DPDs.

The Local Development Scheme

16.3 The LDS sets out the Council's project plan for the delivery of Haringey's Local Plan suite of documents. Haringey's current Local Development Scheme was adopted and published in October 2010. It was revised in 2011, 2012, and again in April 2014. Revision of the current LDS is necessary to reflect subsequent changes to Haringey's priorities, regeneration programmes and resources. Appendix F sets out the draft Local Development Scheme (2015-2018).

17 Use of Appendices

- Appendix A:- Alterations to the Local Plan: Strategic Policies
- Appendix B:- Draft "Preferred Option" Development Management DPD
- Appendix C:- Draft "Preferred Option" Sites DPD
- Appendix D:- Draft "Preferred Option" Tottenham Area Action Plan DPD
- Appendix E:- Draft Sustainability Appraisal
- Appendix F:- Draft Local Development Scheme
- Appendix G:- Draft Consultation Programme

18 Local Government (Access to Information) Act 1985

18.1 The following documents were used in the preparation of this report:

- The Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- National Planning Policy Framework 2012
- The London Plan 2011
- Haringey Local Plan: Strategic Policies (2013)
- Haringey Statement of Community Involvement (Updated 2011)
- Haringey Unitary Development Plan (2006) with Saved Policies (2009)