

**Report for:** Cabinet 15<sup>th</sup> March 2016

**Item number:** To be added by the Committee Section

**Title:** Revised Local Development Scheme.

**Report authorised by :** Stephen Kelly, Assistant Director, Planning

**Lead Officer:** Matthew Patterson, Head of Strategic Planning (x5562)

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Key Decision

**1. Describe the issue under consideration**

This report sets out the revised timetable for the Local Plan documents the Council is intending to prepare over the coming years. The revised Local Development Scheme (LDS) is intended to replace the current outdated LDS published in January 2015.

**2. Cabinet Member Introduction**

I am pleased to inform Cabinet of the steady progress that is being made in preparing the suite of documents that will make up Haringey's Local Plan. The Local Plan will guide the quantity, quality and spatial distribution of new development in the Borough, updating the current Strategic Policies DPD and replacing the current saved policies of the Unitary Development Plan.

The completion of the Local Plan is crucial in helping to deliver the positive aspirations we have for our borough, enabling us to better manage development and growth and to maximise regeneration and community benefits.

The LDS is important component of the plan-making process because it keeps the public and other stakeholders informed of the planning policy documents we intend to prepare and the timetables we are working to. Importantly, it also highlights key milestones such as the public consultation stages. It is therefore important that we keep our LDS up to date and we publish the revised timetable on our website.

**3. Recommendations**

The Cabinet is requested to:

- A. Note and comment on (if necessary) the revised Local Development Scheme (LDS) at Appendix A; and
- B. Subject to any comments the Cabinet might have, adopt the revised LDS at Appendix A and to bring this into effect on 1<sup>st</sup> April 2016.

**4. Reasons for decision**

Under Section 15 (1) of the Planning and Compulsory Purchase Act 2004 (as amended), the Council has a statutory duty to maintain an up-to-date LDS. The revised LDS fulfils this duty, reflecting the current timetable for the preparation of the Development Plan Documents that, when adopted, will comprise Haringey's Local Plan.

**5. Alternative options considered**

The option of not updating the LDS has been considered but is dismissed. Section 19 (1) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that all Development Plan Documents (DPDs) be prepared in accordance with the LDS. This includes complying with the timetable contained in the LDS for each of the relevant DPDs. If the project timetables for preparing a DPD and that in the LDS differ significantly, this is likely to lead to a finding of non-compliance with the statutory legal test at the independent examination of the relevant DPD, making the document 'unsound'.

Therefore, the only valid option available is to revise the out-of-date project timetable in the LDS to reflect the current timetable to satisfy the legal requirements of the Act.

**6. Background information**

The Council's current LDS was revised and adopted in January 2015. It sees the alterations to the Strategic Policies DPD, the Development Management Policies DPD, the Site Allocations DPD, and the Tottenham Area Action Plan all progress in tandem to the same timetable.

In accordance with the current LDS timetable, Preferred Options consultation was undertaken on all four documents in January 2015. The volume and nature of comments received was significant and resulted in further time being required to analyse these, respond to each, and to amend the documents ready for Pre-Submission publication and Submission. As a result the current timetable has slipped by approximately 3 months but has also impacted on the proposed timetable for preparing and consulting on the Wood Green Area Action Plan, which has also slipped 3 months.

A further Regulation 18 consultation stage has also been proposed for the Wood Green AAP, reflecting the fact that the Council will wish to prepare draft site allocations and locally specific policies for the area, and will want to get residents and landowner views on these before finalising the AAP.

Delays to the North London Waste Plan are as a result of further work to be done on site selection and ensuring a robust assessment of these.

The following table shows the current and revised timetable for preparing the Local Plan documents.

<b>DPD</b>	<b>Stage</b>	<b>Current LDS</b>	<b>Revised LDS</b>
Alt to Strategic Policies Site Allocations DM Policies Tottenham AAP	Pre-submission	Sept 2015	Jan 2016
	Submission	Nov 2015	March 2016
	Examination	April 2016	July 2016
	Adoption	Aug 2016	Nov 2016

Wood Green AAP	Issues & Options	Nov 2015	Feb 2016
	Preferred Option		Oct 2016
	Pre-submission	June 2016	April 2017
	Submission	Sept 2016	June 2017
	Examination	Jan 2017	Oct 2017
	Adoption	May 2017	Dec 2017
North London Waste Plan	Pre-submission	Feb 2016	June 2016
	Submission	June 2016	Aug 2016
	Examination	Nov 2016	Dec 2016
	Adoption	March 2017	March 2017

## 7. Contribution to strategic outcomes

The completion of key planning documents assists in the delivery of corporate priorities 4 & 5 primarily. Not only does it enable the Council to better manage development in the Borough, but it assists in the delivery of other corporate priorities around regeneration, economic development and housing delivery including:

- identifying sufficient land for Haringey's future growth and development needs;
- focusing growth and development to where it can be best managed;
- securing inward investment through the development of key strategic sites, including those in Tottenham and Wood Green;
- assisting with land assembly required to bring about comprehensive development that maximises the delivery of community benefits;
- ensuring Wood Green town centre fulfils its potential as a thriving and distinctive metropolitan centre;
- securing and sustaining the vitality and viability of our District and Local Centres and designated employment areas; and
- enhancing the quality and capacity of social and physical infrastructure required to support growth and achieve more sustainable communities.

## 8. Regulatory Committee

The revised LDS was reported to the Regulatory Committee at its meeting of 15<sup>th</sup> February 2016. The Committee noted the changes to the dates for the production of the various Local Plan documents as set out above and, other than picking up a spelling error for correction, were content to recommend that Cabinet approve the revised LDS at Appendix A and that in doing so Cabinet resolve that the LDS is to have effect and in the resolution specify the date from which the scheme is to have effect.

## 9. Statutory Officers comments

### Finance and Procurement

The documents to be prepared under this Local Development Scheme are budgeted for within existing planning team budgets, with the exception of the North London Waste Plan. The next iteration of the NLWP is expected to be reported to Cabinet in June this year, at which point funding will need to be identified. As this plan is prepared by external consultants on behalf of all seven North London Boroughs, the exact cost is not known at this point and the Council does not have direct control over this budget item.

The Planning documents set out in this report would be expected to contribute towards the Council's Economic Growth priority by help creating the conditions where growth can occur whilst at the same time ensuring the Council retains some influence.

### **Legal**

The Assistant Director of Corporate Guidance has been consulted on the preparation of this report and comments as follows.

Under section 15 (1) of the Planning and Compulsory Purchase Act 2004 (as amended) local planning authorities must prepare and maintain a Local Development Scheme (LDS).

The local planning authority must revise their LDS at such time as they consider appropriate or when directed to do so by the Secretary of State or the Mayor of London.

The LDS must specify the following:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29 of the Planning and Compulsory Purchase Act 2004;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

LDSs are subject to direction by the Secretary of State and or the Mayor of London for the purpose of ensuring effective coverage of the LPA's area by the development plan documents for the area and these must be complied with.

To bring the scheme into effect, the local planning authority must in due course resolve that the scheme is to have effect and, in that resolution specify, the date from which the scheme is to have effect. Local planning authorities should publish their Local Development Scheme on their website.

### **Equality**

In the exercise of its function as the local planning authority the Council is subject to the Public Sector Equalities Duty set out in section 149 of the Equalities Act 2010 which obliges the Council in performing its functions "to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it”.

The LDS is intended to keep the public and other stakeholders informed of the planning policy documents the Council has or is intending to prepare that will comprise the Local Plan for the Borough, including highlighting public consultation stages. As such it is an important mechanism for ensuring that the public and key stakeholders, including those that share the protected characteristics, have an opportunity to engage with the Local Plan process.

An Equalities Impact Assessment (EqIA) is not required for the LDS itself but detailed equality impact assessment issues are considered alongside the policy documents set out within the LDS.

## **10. Use of Appendices**

Appendix A: Proposed Revised Local Development Scheme

## **11. Local Government (Access to Information) Act 1985**

Background documents:

Current Local Development Scheme (adopted January 2015)

[http://www.haringey.gov.uk/sites/haringeygovuk/files/timetable\\_for\\_development\\_plan\\_documents\\_for\\_haringey\\_local\\_development\\_scheme\\_2015-2018.pdf](http://www.haringey.gov.uk/sites/haringeygovuk/files/timetable_for_development_plan_documents_for_haringey_local_development_scheme_2015-2018.pdf)

Current and earlier draft versions of the local plan documents that make up Haringey's Local Plan

<http://www.haringey.gov.uk/planning-and-building-control/planning/planning-policy/local-development-framework>