

	<h2>Policy and Resources Committee</h2> <h3>13th February 2018</h3>
<p style="text-align: right;">Title</p>	<p>Response to Mayor of London’s Draft London Plan</p>
<p style="text-align: right;">Report of</p>	<p>Cllr Richard Cornelius</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>Yes</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A – Member Briefing on Draft London Plan</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Nick Lynch – Planning Policy Manager 0208 359 4211 Nick.lynch@barnet.gov.uk</p> <p>Ken Bean – Principal Policy Planner 0208 359 5393 Ken.bean@barnet.gov.uk</p>

<h2>Summary</h2>
<p>The Mayor of London is consulting on a new version of the London Plan. Representations received by 2nd March 2018 will then be considered by an independent Inspector at an Examination in Public anticipated to be held later this year. It is anticipated that the London Plan will then be finalised for publication in late 2019.</p> <p>Once finalised the new London Plan will set the policy framework for local plan production by London Boroughs and all planning decisions will need to consider the published London Plan policies. Barnet’s emerging new Local Plan will therefore need to be drafted so as to be ‘in general conformity’ with the London Plan with any divergence from Mayoral policy requiring support of robust evidence.</p> <p>Commenting on the current consultation draft affords the Council with the opportunity to ensure that representations are fully considered before the new London Plan is published.</p> <p>The report is urgent as there will not be another meeting of P&R committee until</p>

significantly after the consultation closing date of 2nd March. The report could not be drafted earlier as the briefing session for members of the Local Plan Members Advisory Group and Planning Committee did not take place until 8th February.

Recommendations

- 1. That Committee notes the contents of the Mayor of London's current consultation Draft London Plan and agrees the matters that the Council intends responding on as set out in the attached briefing paper (Appendix A) circulated to and discussed by members of the Council's Local Plan Members Advisory Group and Planning Committee.**
- 2. Subject to agreeing recommendation 1, that the Committee authorise the Deputy Chief Executive, in consultation with the Leader, to finalise and send by 2nd March the Council's response to the Draft London Plan.**

1. WHY THIS REPORT IS NEEDED

- 1.1 The London Plan is one of the most important documents that the Mayor of London is required to produce, shaping how London evolves and develops. Unlike the current 2016 consolidated London Plan, this is a new replacement Plan that sets out the current Mayor's overarching strategic planning framework from 2019 up to 2041.
- 1.2 The London Plan sets the policy framework for the production of local development plans across all London Boroughs. All planning decisions need to take account of published London Plan policies. Barnet's emerging new Local Plan will therefore need to be 'in general conformity' with the London Plan. Any divergence from Mayoral policy needs support of robust evidence.
- 1.3 The current 2016 consolidation London Plan remains the adopted Development Plan that planning applications should continue to be determined in accordance with. Whilst at an early stage, policies contained in the Draft London Plan (DLP) are however capable of being considered as material considerations in planning decisions and the DLP gains more weight as it moves through the process to adoption; however the weight given to the DLP is a matter for the decision maker.
- 1.4 Comprising of 114 policies and over 500 pages, the DLP is drafted in a more prescriptive way than the 2016 London Plan. There has been a

deliberate attempt to make policies less aspirational and instead enable them to be more directly applied at local level avoiding the need for them to be repeated in local plans. Six 'Good Growth' policies underpin the DLP seeking growth that is sustainable and supported by sufficient infrastructure that benefits all Londoners, and to ensure that all of London contributes towards addressing its housing needs.

- 1.5 There are no changes proposed to the site size thresholds that trigger the referral of applications to the Mayor (the Mayor of London Order 2008). Therefore, the Mayor will continue to have the ability to intervene in applications that are of 150 residential units or more; development over 30m height, and development on Green Belt / MOL.

London Plan Timetable

- 1.6 Following the current consultation period (ending 2nd March) all submitted responses to the DLP will be published prior to consideration by an independent Planning Inspector, as appointed by the Secretary of State, to carry out an Examination in Public for the London Plan. Those who have made representations on the DLP may then also be invited to discuss and expand on their comments at the Examination in Public.

- 1.7 The anticipated timings for the next stages of the new London Plan are:

- Examination – Autumn 2018 (expected to last 3 months);
- Submission to MHCLG Secretary of State - Summer 2019;
- Publication (adoption) - Autumn 2019.

Proposed Response

- 1.8 The DLP aims to increase housing supply from 42,000 to 65,000 new homes per annum. A detailed Briefing Note (Appendix A) has been produced for Members who sit on the cross party Local Plan Members Advisory Group as well as Members of the Borough Planning Committee. The Briefing Note focuses on 36 subjects / areas of particular interest to Barnet, setting out for each the existing and proposed London Plan policy stance together with an initial proposed response to the consultation.

- 1.9 The matters raised in the DLP as highlighted in the briefing note were discussed at the special meeting of the Local Plan Members Advisory Group held on 8th February. Particular concerns on the DLP highlighted by Members included:

- Continued car use in the lower density suburbs of Outer London remains a reality, irrespective of public transport service and reliability improvements. We therefore advocate more flexibility to

support more local evidence based approaches to car parking which are marginally less restrictive than the London Plan for residential development.

- The adverse impact of more restrictive parking standards for new development, particularly in the northern part of the borough. The London Plan needs to recognise that even with improvements to public transport, walking and cycling routes, reliance on the car will remain important in outer London boroughs and therefore use of the car in these locations should not be made more difficult than it needs to be;
- The need to prioritise the provision of improved orbital transport links – including for both train and bus;
- Serious concerns about the proposed new housing target numbers and the potential adverse impacts that excessive densification and intensification may have;
- The failure to acknowledge that Barnet's contribution to London's housing delivery has been driven by major and complex regeneration schemes. These opportunities for brownfield development are not limitless. Following the delivery of Barnet's comprehensive regeneration programme there is a distinct lack of additional large brownfield sites;
- Barnet's need to ensure an appropriate choice of housing for its residents, including recognition of the need for family homes and protecting houses from inappropriate conversion into flats.

2. REASONS FOR RECOMMENDATIONS

- 2.1 To ensure that Barnet Council's representations on the Mayor's DLP are fully considered at the forthcoming Examination in Public.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option is to not to respond to the DLP. Failure to make representations on the DLP would be a missed opportunity for ensuring that Barnet's position is properly reflected in the next version of the London Plan.

4. POST DECISION IMPLEMENTATION

- 4.1 Once adopted, the final version of the London Plan will be a material consideration in the determination of future planning applications.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan 2015-2020 highlights the following corporate priority:
- Promote responsible growth within the Borough, encouraging development and success, revitalising communities whilst protecting what residents love about the Borough. This response to the DLP helps to promote this message to the

Mayor.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 There are no direct cost implications of responding to the Mayor's DLP.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

5.4 Legal and Constitutional References

5.4.1 The legal provisions for the London Plan are in Part VIII of the Greater London Authority (GLA) Act 1999 (as amended) in sections 334 to 341. The requirement for the Mayor to undertake an Examination in Public before publishing the final version of his Spatial Development Strategy is covered in Section 338.

5.4.2 Constitution, Article 7, paragraph 7.5 Responsibility for Functions sets out the Policy and Resources Committee's terms of reference including '(1) To be responsible for strategic policy...[and] Local Plans (except matters reserved to Full Council)' and (2) to be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council'.

5.5 Risk Management

5.5.1 The management of risk is undertaken on a continual basis and reported as part of the Council's Quarterly Performance regime and considered as part of the Performance and Contract Management Committee quarterly monitoring report. Risks are managed through the project boards and are reviewed and revised at board meetings.

5.5.2 Failure to make representations on the DLP is likely to result in less awareness of Barnet priorities being adequately reflected in the new London Plan.

5.6 Equalities and Diversity

5.6.1 The Equalities and Diversity Act, 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:-

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act, 2010;
- Advance equality of opportunity between people of different groups; and
- Foster good relations between people from different groups.

5.6.2 In preparing the London Plan, the Mayor of London will need to take full account of the demographic data of the increasingly diverse nature of the city

and how this relates to the nine characteristics protected under the Equality Act 2010 namely:

- Age
- Disability
- Gender reassignment
- Marriage/civil partnership
- Pregnancy and maternity
- Race and ethnicity
- Religion or belief
- Sex
- Sexual orientation.

5.6.3 When the Council produces the Barnet Local Plan an Equalities Impact Assessment will be undertaken This will similarly ensure that full account is taken of demographic data, and the impacts on different protected groups.

5.7 Consultation and Engagement

5.7.1 Prior to publishing a revised version of the London Plan, the Mayor of London is required to undertake a full public consultation on a draft version of a replacement London Plan, and following that arrange for an Examination in Public to be held to consider representations.

6 BACKGROUND PAPERS

6.1 Mayor of London's Draft London Plan <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>