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|  | <p>Policy and Resources Committee 11 June 2018</p> |
| <p>Title</p> | <p>Barnet’s Local Development Scheme 2018</p> |
| <p>Report of</p> | <p>Deputy Chief Executive – Cath Shaw</p> |
| <p>Wards</p> | <p>All</p> |
| <p>Status</p> | <p>Public</p> |
| <p>Urgent</p> | <p>No</p> |
| <p>Key</p> | <p>Non-key decision</p> |
| <p>Enclosures</p> | <p>Appendix A: Barnet’s Local Development Scheme 2018</p> |
| <p>Officer Contact Details</p> | <p>Nick Lynch, Planning Policy Manager nick.lynch@barnet.gov.uk, 0208 359 4211 Rita Brar, Principal Policy Planner rita.brar@barnet.gov.uk, 0208 359 4177</p> |

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| <p>Summary</p> |
| <p>The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a three-year project plan, the Local Development Scheme (LDS), setting out the programme for preparing the Local Plan. This LDS reflects the changing context for planning in particular the programme for the Draft London Plan together with national planning reforms.</p> |
| <p>Recommendation</p> |
| <p>That Barnet’s revised Local Development Scheme, as set out in Appendix A to this report, be approved for publication.</p> |

1. WHY THIS REPORT IS NEEDED

- 1.1 In order to effectively manage growth and positively respond to a changing national and London-wide agenda on planning the Council needs to keep the Local Plan up to date. In order to show progress on the review of the Local Plan a revision is required to the Local Development Scheme (LDS).

2. REASONS FOR RECOMMENDATION

- 2.1 Section 15 of the Planning and Compulsory Purchase Act requires local planning authorities to prepare and maintain a LDS specifying a timetable for preparation and revision of Local Plan documents. This is a rolling three-year project plan setting out all the planning documents to be produced by the authority and the timetable for their preparation.
- 2.2 The LDS, set out in Appendix A, provides background information on Local Plan document preparation up to 2021 enabling partners, residents and businesses to know where, when and how the planning policy framework for Barnet is progressing. This is the fifth revision to Barnet's LDS. This version covers the period 2018- 2021 and supersedes the LDS approved by this Committee in September 2016. Revisions to the Local Plan timetable ensure alignment with the review of the London Plan enabling the Borough to respond to the challenges raised by the Mayor and produce a document that reflects local circumstances and contributes to place shaping in Barnet. It also sets out our programme for the production of two new Supplementary Planning Documents (SPDs) on Colindale Station and Middlesex University Hendon Campus.
- 2.3 This LDS also sets out our future intentions for producing area planning frameworks with neighbouring boroughs at Brent Cross West and New Southgate. It also signals our intention to produce a SPD focusing on public transport hubs in Barnet (including land owned by Transport for London and Network Rail). The production of area planning frameworks will unlock capacity for new homes and jobs as well as other benefits including improvements to the public realm.
- 2.4 The National Planning Policy Framework (NPPF) sets out Government planning policy. Initially published in March 2012 the NPPF has been revised and is expected to be formally published in Summer 2018. The Local Plan will be produced in accordance with the new NPPF. The new NPPF will focus more on Local Plans delivering more new homes from small sites (under 0.5 ha). It will also introduce the Housing Delivery Test and the requirement for an action plan if housing delivery is under 95% of the housing requirement.
- 2.5 With an existing London Plan 10-year housing target of 23,489 new homes by 2025 Barnet already has a challenging target to meet to deliver the most new homes in Outer London. The Draft London Plan proposes to raise this 10-year target to 31,340 new homes by 2028/29 (3,134 new homes per annum). The Draft London Plan is expected to undergo an Examination in Public later this year. Adoption is expected in late 2019.

- 2.6 The Government has proposed a new standardised methodology for calculating objectively assessed need, our housing requirement. On the basis of this methodology a provisional figure of 4,126 new homes per annum has been calculated for Barnet. As the London Plan forms part of Barnet's development plan clarification is sought from the Government on the unique circumstances of London. This will become clearer with the London Plan Examination in Public.
- 2.7 The Local Plan Core Strategy 2012 highlights that if progress is not made with the implementation and delivery of regeneration in Brent Cross - Cricklewood (BXC) the Council will, through a revision to the LDS, instigate a review of the existing planning policy framework for the BXC area. The Council remains satisfied with the progress of the 2010 planning consent (and Section 73 revisions approved in 2014) and a review to the BXC planning policy framework is therefore not required.
- 2.8 The revised LDS also sets out a timetable for revisions to the charging schedule underpinning Barnet's Community Infrastructure Levy (CIL) which was introduced in May 2013. The revised standard charge for CIL will contribute to the costs of infrastructure arising from development across the Borough; therefore, the timetable for the revision of CIL will run parallel with the review of the Local Plan.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative is not to revise and republish the Council's LDS, leaving the 2016 published LDS timetable in place and resulting in the Council demonstrating non-delivery against the proposed programme. This is not advised as there is now a requirement to review Local Plans every 5 years?
- 3.2 The alternative also sends out a negative message to residents, businesses and the development industry that we are not prepared to manage new challenges and opportunities facing the Borough.

4. POST DECISION IMPLEMENTATION

- 4.1 Following approval by Committee of the LDS a statement of confirmation should be published on the Council's website.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan for 2015-2020's objectives are embedded within the documents that are identified in the LDS. In particular Barnet is a place:

- *“of opportunity where people can further their quality of life; and where people are helped to help themselves, recognising that prevention is better than cure; and where responsibility is shared fairly”*, the LDS therefore sets the programme for a review of the Local Plan and CIL that:
 - provides increased housing choice in mixed communities;
 - supports social infrastructure delivery;

- targets unhealthy lifestyles and health inequalities through planning policy;
- “where services are delivered efficiently to get value for money for the taxpayer” the LDS addresses the need to revise the charging schedule for CIL, the primary source of development contributions to infrastructure.

5.1.2 The Council’s 2018/19 Corporate Plan addendum further identifies that it is “*Our job is to work together for residents and businesses to ensure:*”

- *successful places;*
- *great outcomes*
- *resilient communities”*

5.1.3 The following are key objectives listed within that addendum:

- Regenerating Brent Cross Cricklewood
- Increasing the housing supply
- Delivering the family friendly Barnet vision
- Investing in key Town Centres and making Barnet the best place in London to be a small business

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

5.2.1 There are no direct costs associated with the Local Development Scheme (LDS), and it is a statutory requirement to have an up to date scheme.

5.2.2 The programme of work, however, has the following financial implications:

- (a) New burdens placed on the Council associated with the Housing and Planning Act 2016, some of which are only transitional funded.
- (b) Costs associated with developing a new Local Plan for those elements that are the Council’s direct duty or are not contracted to Re.
- (c) Costs associate with developing SPDs, although these are normally externally funded or delivered through income from planning fees.

5.2.3 The total cost for the range of required planning policy work and associated infrastructure strategies is £838,099. This consists of:

- (a) £507,099 of existing commitments and contracted outcomes (profiled as £421,367 in 2018-19 and £60,732 in 2019-20 and £25,000 in 2020-21).
- (b) £331,000 further requirement for the policy programme set out in the LDS that enables the Council to meet its statutory duty to maintain an up to date Development Plan (profiled as £165,000 in 2018-19, £25,000 in 2019-20 and £141,000 in 2020-21).

5.2.4 The Local Plan elements falling outside existing contracted workstreams relate to duties of the Local Authority like appointing an inspector, holding a public examination and supporting delivery of a North London Waste Plan, alongside costs associated with the production of some specific pieces of evidence needed to ensure the Local Plan is a robust plan.

5.2.5 The potential for additional but unquantifiable financial implications should be noted in relation to where delays to the Local Plan / other Policy production impacts on development management decision-making, a suitable housing land supply and/or receipt of infrastructure funding.

5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The Act is not applicable in the context of this report as it does not concern a procurement process.

5.4 **Legal and Constitutional References**

5.4.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of the Local Plan. The Localism Act 2011 allows Local Planning Authorities to adopt their own Local Development Schemes without approval from the Secretary of State and Mayor of London.

5.4.2 Under the Council's Constitution, Document Article 7 (section 7.5 Responsibility for Functions) sets out that the Policy and Resources Committee is responsible for the overall strategic direction of the Council including responsibility for Local Plans.

5.4.3 It is a legal requirement to publish a Local Development Scheme (LDS) containing the timetable for the Local Plan. It is also a legal requirement for the Local Plan to be prepared in accordance with the LDS, and for the LDS to be revised at such time as the local planning authority considers appropriate.

5.4.4 Upon adoption the LDS becomes a statutory document that forms part of Barnet's planning policy framework. Barnet's Local Plan documents should be prepared in accordance with the LDS.

5.5 **Risk Management**

5.5.1 The LDS timetable for preparing Local Plan and CIL documents is based on the current legislative and regulatory context, together with assumptions about the availability of resources and the work involved in compiling a robust evidence base. The following are the main sources of uncertainty and mitigation measures:

- **National planning reforms:** publication of the new NPPF is expected in Summer 2018. Working with the Planning Advisory Service, London Councils and Planning Officers Society will help ensure early awareness of the implementation of national changes to planning.

- **London Plan:** A full review of the London Plan is underway, with the direction of travel in terms of planning policy being determined by the Mayor's priorities. Our Local Plan timetable responds to that of the London Plan and enables us to work in partnership with other London Boroughs (in particular the West London Alliance) on joint evidence which supports both Local Plan preparation and enables a robust and effective response to the London Plan.
- **Consultation and stakeholder engagement:** Risks apply both in terms of stakeholder and public consultation. In terms of stakeholder consultation, the Council must ensure it meets the requirements of the 'Duty to Cooperate', whilst in terms of public consultation the Local Plan review may raise issues that had not been fully anticipated and give rise to the need for further research or re-drafting. An emphasis on early consultation and engagement will mitigate this risk.
- **Staff resources and technical expertise:** Meeting timetables is dependent on appropriate and timely resources being made available to ensure all aspects of the Local Plan review including evidence gathering, public consultation and examination are appropriately funded and delivered according to the project plan. Mitigation of this risk is to be managed through a project board and appropriate processes.
- **Ensuring the Local Plan is deliverable, viable, realistic and flexible:** To manage the complexity and challenges associated with a review of the Local Plan the Strategic Planning Operations Board manages detailed programme and risks. The aim of the Board is to oversee strategic planning activities to ensure they address the changing needs of the Borough and secure a sound planning policy framework. An emphasis on early dialogue / engagement and timely input / feedback is therefore used to mitigate the risks associated with delays.
- **Ensuring the Local Plan meets local expectations:** Working sub-groups are used to discuss evidence and agree content, policy proposals and draft wording. Member input and support is provided by the cross-party Local Plan Members Advisory Group who review proposed content and help shape emerging policy changes at each stage of the Local Plan review.

5.6 Equalities and Diversity

5.6.1 The Local Plan as identified in the LDS is subject to an Equalities Impact Assessment (EqIA). EqIAs are not a legal requirement under the Equality Act 2010 but the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 requires public authorities to have due regard to a number of equality considerations when exercising their functions and are a way of ensuring that the Public Sector Equality Duty has been complied with.

5.6.2 For Barnet's Local Plan an Integrated Impact Assessment (IA) will be undertaken. The Integrated Assessment includes elements of an Equality Impact Assessment and Health Impact Assessment as well as a Sustainability Appraisal and Strategic Environmental Assessment. This integrated approach

will assess the impact of the Plan on social, economic, environmental, health and equality objectives.

5.7 Consultation and Engagement

5.7.1 There are no external consultation requirements on the LDS except for publishing the adoption version on Council's website.

5.8 Insight

5.8.1 The Local Plan process utilises all available insight and seeks to commission additional insight or evidence where required to understand local and thematic matters that affect the way policy will be developed. A range of additional evidence has been commissioned or provided for through the Re contract.

5.8.2 Effective and quality insight plays an important role in ensuring the Local Plan and other Planning Policy documents are based on robust and sound analysis of issues and identification of suitable policy options to address them.

5.8.3 The Local Plan can utilise existing corporate insight, together with that secured through the Re contractual commitment for a Barnet Observatory. This is designed to deliver targeted provision of insight and analysis, this then supplements and builds upon data and analysis associated with the Council's Joint Strategic Needs Assessment (updated January 2018) and data collated by partner organisations such as the GLA.

6. BACKGROUND PAPERS

6.1 Committee, 1 September 2016 (Decision item 10) approved the Local Development Scheme for adoption.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&Mid=8729&Ver=4>