

Cabinet	 TOWER HAMLETS
1 December 2015	
Report of: Aman Dalvi, Corporate Director Development and Renewal	Classification: Unrestricted
Our Borough, Our Plan: A New Local Plan First Steps (October 2015)	

Lead Member	Councillor Rachel Blake, Cabinet Member for Strategic Development
Originating Officer(s)	Adele Maher, Strategic Planning Manager
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	A Great Place to Live

Executive Summary

The Local Plan is the Borough's most important planning document. It sets out a vision, strategic priorities, and planning policy framework for development in the Borough. Its purpose is to direct the determination of planning applications and also positively plan for the development and infrastructure requirements to meet the needs of existing and future communities.

"Our Borough, Our Plan: A New Local Plan First Steps" will form the basis of the first stage of public consultation on the scope of the Borough's new Local Plan. When adopted, the new Local Plan will guide development in Tower Hamlets for the next 10 to 15 years. Public consultation on "Our Borough, Our Plan: A New Local Plan First Steps" is anticipated to commence on 14 December 2015 for eight weeks, following approval by the Mayor in Cabinet.

"Our Borough, Our Plan: A New Local Plan First Steps" has been prepared in consultation with the Mayor and Cabinet Member for Strategic Development and colleagues from across the Council. This first round of engagement will focus on establishing the vision, challenges, direction and focus of the new Local Plan. It aims to begin engagement with the public and key partners at an early stage of the plan making process.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the draft "Our Borough, Our Plan: A New Local Plan First Steps" (contained in appendix 1) and the supporting documents (contained in appendix 2 – 3) for public consultation.

2. Authorise the Corporate Director for Development and Renewal, on behalf of the Mayor, to make any necessary and appropriate minor amendments to the draft of “Our Borough, Our Plan: A New Local Plan First Steps” (appendix 1) prior to public consultation (anticipated to commence on 14th December 2015).

1. REASONS FOR THE DECISIONS

- 1.1 Since the adoption of the Core Strategy (2010) and Managing Development Plan Document (2013), Tower Hamlets has experienced significant changes. In particular, continued population growth and increasing demand for homes, jobs and infrastructure are occurring. Information from the Office for National Statistics (ONS) showed that the population of Tower Hamlets was estimated to be 284,000 in June 2014, and this is expected to increase by 13 per cent to reach 320,000 by 2023. The Borough has a relatively young working age population, with almost half of all residents of the Borough (49 per cent) aged between 20 and 39. Tower Hamlets is the fourth largest employment location in London with 240,000 jobs based in the Borough in 2012. The Greater London Authority estimates that the number of jobs in the Borough will increase by 169,000 between 2010 and 2031. The Further Alterations to the London Plan (FALP) (GLA, 2015) has correspondingly increased Tower Hamlets’ minimum ten year housing target from 28,850 to 39,314 new homes over the plan period.
- 1.2 These combined changes will have significant implications for the Council’s planning policies, in particular the need to plan for sufficient additional infrastructure to support the increasing population.
- 1.3 The pace of development in Tower Hamlets is faster than anywhere else in London, and a fresh look at our policies is required to help manage the rate of this change. New development helps to bring forward new affordable housing for residents and new community facilities, such as schools and health centres to meet the needs of these growing communities. The Mayor of London has identified the Isle of Dogs and South Poplar and City Fringe as “Opportunity Areas” where significant additional homes and jobs are expected to be accommodated. A large part of the east of the Borough is included in the Poplar Riverside Housing Zone, also an initiative of the Mayor of London to drive forward housing growth.
- 1.4 Planning policy changes have been introduced at both a national and regional level. Amongst others, this includes the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance, the FALP and additional Supplementary Planning Guidance (SPG) documents from the Mayor of London. The Council is proactively responding to these changes by preparing a new Local Plan that will replace the current Core Strategy and Managing Development Document when it is adopted in Autumn 2017. This will help ensure that the growing needs of the Borough residents can continue to be met through the provision of affordable housing, jobs, community

facilities and infrastructure.

- 1.5 The process of producing a new Local Plan takes approximately two to three years. It is therefore important that the Council starts this process now and approves a new Local Plan which responds to the updated projections of population growth, new government legislation and policy requirements.
- 1.6 The new Local Plan is programmed to be adopted by autumn 2017. In order to deliver a new Local Plan within this timeframe it is essential that we obtain approval from the Mayor at Cabinet to start the first round of public consultation without delay in December 2015.

2. ALTERNATIVE OPTIONS

ALTERNATIVE OPTION A: NO CHANGE TO EXISTING LOCAL PLAN

- 2.1 The Council could decide not to prepare a new Local Plan. However, for the reasons outlined above this option is not advisable. Should the Council delay its process of updating the current Local Plan documents there is a high risk that the Borough may not be able to fully plan properly for the additional new homes, jobs and infrastructure such as schools, parks, health facilities, transport needed to meet the extra demand from a rapidly growing population.
- 2.2 Furthermore, if the Council's existing Local Plan policies contained in the Core Strategy and Managing Development Document, as well as the evidence base that underpins these policies, are not reviewed, there is a risk that they might not be working as effectively as they could or best respond to updates and changes to national and regional guidance and legislation. As a result the Council may not be able to maximise social, economic and environmental benefits for Tower Hamlets communities from development.

ALTERNATIVE OPTION B: PARTIAL REVIEW OF EXISTING LOCAL PLAN

- 2.3 This option would involve the review of only those policies in the current Local Plan documents that are considered to be in need of updating as a result of changes to population growth and national and regional legislation and guidance.
- 2.4 This option is not recommended for a number of reasons. The policies in the Local Plan should be read as a whole and therefore would need to be considered together, as part of any review. It will be difficult to separate the policies out and argue that they are disconnected and have not, in some way, been affected by changes to population and new government legislation and guidance. In addition, the Core Strategy was adopted more than five years ago and much of the evidence base to support its policies was prepared before 2010. The Borough and national planning legalisation has changed considerably since then and it is advisable to do a whole review, to ensure the Local Plan policies function effectively, individually and together.

- 2.5 It may be the case that the more recently adopted local policies in the Managing Development Document will stay the same or be subject to less change than the Core Strategy policies. The wording of many of the existing Managing Development Document policies could remain the same in the new Local Plan. It could be therefore argued, that only the strategic policies of the Core Strategy should be reviewed and not the policies in the Managing Development Document. However, officers advise that good practice is applied and for the Council to review both the strategic and local policies as a whole, as there are significant links between the policies contained in the two Local Plan documents.

3. DETAILS OF REPORT

The need for a new Local Plan

- 3.1 The reasons why a new Local Plan is needed are outlined in section one of this report in paragraphs 1.1 to 1.6. As stated, the Council has an existing Local Plan, consisting of a Core Strategy adopted in 2010 and a Managing Development Document adopted in 2013. These documents translate national and regional policy requirements into a local planning framework to guide the design, planning and building in Tower Hamlets.
- 3.2 The Council is required by the NPPF to keep its Local Plan up-to-date, to ensure that it responds to projections of population growth and infrastructure requirements changes and national and regional legislation and guidance. The Local Plan also provides the context for neighbourhood planning by establishing up-to-date and relevant policies that Neighbourhood Plans need to be in conformity with.
- 3.3 Tower Hamlets is anticipated to experience high levels of population growth and the London Plan annual housing target has been revised upwards from 2,885 units per year to 3,931 units per year in 2015. As outlined above, this will have a significant impact on the levels of new infrastructure that will need to be planned for and secured through development decisions and an up-to-date Local Plan will form the basis for these decisions. In addition, a number of Neighbourhood Planning Forums and Areas have been designated, and it would be helpful that these are supported by the most up-to-date strategic policies in a new Local Plan.

Policy development and evidence base

- 3.4 The new Local Plan policies will be developed through engagement with the Mayor, the Cabinet Lead for Strategic Development, Councillors, the public and key partners and colleagues from across the Council. The policies will be supported by an updated and relevant evidence base to ensure that they are sound and justified, and able to be robustly defended at Examination in Public.
- 3.5 Officers have been gathering information to scope out the economic, social and environmental evidence base required to support development of the Local Plan. The table below presents what are considered the essential

evidence base needed to meet the basic requirements of the National Planning Policy Framework (NPPF). It is not exhaustive at this stage, may be subject to change and is likely to be updated during the preparation of the Local Plan over the next year. Officers are working with other services to make sure an integrated, sound and resource efficient evidence base is compiled.

Table 1: Evidence Pipeline

Project	Details
Sustainability Appraisal	Meet the requirements of the European Union Directive on Strategic Environmental Assessment.
Tower Hamlets Growth Model	A dynamic model used to project development in the Borough over the next 20 years. The model incorporates update to the Borough's Strategic Housing Land Availability Assessment (SHLAA).
Employment Land Review	Assess supply and demand of employment land and floor space to inform Local Plan policies.
Town Centre Study	Incorporating retail and leisure capacity study to inform Local Plan policies.
Waste Management Evidence	Identify waste sites and assess existing safeguarded waste sites.
Open Space Strategy	Incorporating updated Green Grid Strategy to inform Local Plan policies.
Strategic Housing Market Assessment	Assess the local housing needs
Habitat Regulation Assessment	Statutory requirement.
Strategic Flood Risk Assessment	Assess the likely significant effects to certain sites in the Borough.
Viability Assessment	Assess viability of Local Plan policies.
Infrastructure Delivery Framework	Assess quality and capacity of infrastructure.
Transport Impact Assessment	Inform Local Plan policies.

- 3.6 After the first public consultation, officers will analyse consultation response, together with evidence base to inform the next stage of the plan making process. It is currently scheduled to publish a draft new Local Plan, containing detailed policies, for formal Regulation 18 consultation in September 2016. The proposed submission version of the Local Plan is planned to be submitted to the Secretary of State for examination in early 2017.

Content of "Our Borough, Our Plan: A New Local Plan First Steps"

- 3.7 This first stage of public consultation will focus on establishing the vision, challenges, direction and focus of the new Local Plan. It will engage with the public and stakeholders at an early stage to help building understanding and ownership by residents and stakeholders. The document has been drafted with the input and support of the Mayor and Cabinet Lead for Strategic Development. Feedback obtained through this consultation will inform the preparation of policies and supporting evidence base to be contained in the Draft Local Plan, which is scheduled for consultation in autumn 2016.

- 3.8 “Our Borough, Our Plan – A New Local Plan First Steps” does not contain draft policies. This is to ensure that those comments made through the public consultation are able to influence the Council’s approach to policies in the next Draft Local Plan stage as much as possible.
- 3.9 “Our Borough, Our Plan: A New Local Plan First Steps” is accompanied by the following supporting documents:
- Sustainability Appraisal (SA) Scoping Report (appendix 2) - The scoping stage of the Sustainability Appraisal identifies the scope and level of detail of the information to be included in the Sustainability Appraisal report that will accompany the final version of the Local Plan.
 - Equality Analysis Quality Assurance Checklist (appendix 3) - This is a Council assessment and requirement to understand if a full Equalities Assessment is required.

Public Consultation

- 3.10 Consultation on Local Plan documents is guided by Regulations of The Town and Country Planning (Local Planning) (England) Regulations 2012. This is reflected within the Council’s adopted Statement of Community Involvement (SCI) adopted in 2012. These regulations require formal public consultation on a Draft Local Plan (“Regulation 18) and to invite comments on the amended final version that the Council intends to submission to the Secretary of State, for approval through an Examination in Public.
- 3.11 “Our Borough, Our Plan – A New Local Plan First Steps” has been produced as an introduction to the new Local Plan preparation process. Consultation on this document is informal and not a statutory stage that the Council is required to undertake by Government regulation. However, the Council considers it important to communicate with the public and partners in advance of the publication of the formal Draft Local Plan and its policies. The Council’s Statement of Community Involvement (SCI) sets out how the Council will engage the public in plan making and decisions on planning applications. Though these requirements do not apply to an informal consultation, the Council has committed itself to meeting the same standards, as part of best practice.
- 3.12 Officers consider that this approach represents good practice by enabling the public and stakeholders to become involved as early as possible in the development of a new Local Plan, through the identification of “issues” affecting planning in the Borough that will need to be addressed in the Local Plan. Feedback obtained through this early stage of consultation will assist the formulation of policies that will be included in the Draft Local Plan. The next stage of consultation on the Draft Local Plan will take place in autumn 2016.
- 3.13 The public consultation on “Our Borough, Our Plan: A New Local Plan First Steps” is anticipated to start on 14 December 2015 and run for eight weeks, subject to approval by Cabinet on 1 December 2015. The start date for the consultation takes into account the ten day call-in period following Cabinet.

The consultation period is longer than the six weeks stated in the Council's Statement of Community Involvement (SCI) to take account of the Christmas holiday period.

- 3.14 During this eight week consultation period, a series of events and activities have been planned to take place to encourage public participation in the new Local Plan preparation process. Exact details will be confirmed nearer to the time but it is likely that this will comprise a drop in exhibitions at four different public locations in the Borough and at different times of day.
- 3.15 Officers will also aim to utilise existing Council meetings where possible to raise awareness of the consultation and hold bespoke events for colleagues, elected Members, external stakeholders and local community groups during the consultation period. Full details are contained in a draft internal Consultation Programme which has been produced in partnership with the Council's corporate Communications team. Officers will continue to develop the programme as the plan evolves.
- 3.16 "Our Borough, Our Plan: A New Local Plan First Steps" will be published on the Council's website. The public and stakeholders will be able to make comments online, by email or by post. The website will also contain details of all the consultation activities which will also be publicised in East End Life in advance of the events.
- 3.17 To publish the consultation, the Council has already commenced a launch in the local media in November 2015, in advance of the consultation start in December 2015. This is to help raise awareness and interest in the upcoming public consultation amongst local residents, community groups and stakeholders. It is being communicated through messages on the Council's website and social media (e.g. the corporate Twitter account) and an article in East End Life.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report seeks the approval of the 'Our Borough, Our Plan: A New Local Plan First Steps' consultation process by the Mayor in Cabinet, as the initial stage in the proposed review of the Council's Local Plan.
- 4.2 Whilst there are no specific financial consequences arising directly from the recommendations in the report, ultimately the new Local Plan will underpin key decisions in relation to the allocation of the limited resources available within the Borough, and will influence the shaping of the Council's Capital Strategy.
- 4.3 The compilation of the various studies and evidence required to support the plan will set out some of the challenges that the Authority and its partners may face over coming years as a result of demographic and economic growth. Individual infrastructure developments will need to be subject to detailed planning at the appropriate time, including consideration of the financial impact on both partner organisations and on the Council. The new Local Plan

and supporting data will also provide evidence to determine the charging schedules in relation to Section 106 obligations and the newly introduced Community Infrastructure Levy, and to inform decisions concerning the appropriate use of the resources secured.

- 4.4 The main costs associated with the development of the new Local Plan are staffing related and are financed from within existing resources. The consultation process will incur costs on items such as advertising, printing, hiring venues and facilitating public meetings. There is existing budgetary provision to fund this expenditure.

5. LEGAL COMMENTS

- 5.1 Whilst the proposed “Our Borough, Our Plan – A New Local Plan First Steps” is not a mandatory statutory requirement, it is considered in the interests of good plan making that it will help to identify the key issues and objectives that the new Local Plan will seek to address.
- 5.2 The Courts have ruled that where a public body decides to embark upon a consultation exercise when it is not obliged to do so, it must nonetheless comply with the minimum standards of a lawful consultation procedure. It is confirmed that the proposed consultation for the “Our Borough, Our Plan – A New Local Plan First Step” shall comply with the Town and Country Planning (Local Planning) Regulations 2012 on the basis that it will exceed the six week consultation period required by the Council’s Statement of Community Involvement (SCI).
- 5.3 In carrying out the function of preparing and adopting a new Local Plan, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. An Equality Analysis Quality Assurance Checklist has been completed (see Appendix 3).

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 An Equality Analysis Quality Assurance Checklist is appended to this report in appendix 3. This is the first stage in assessing whether a full Equalities Assessment is required. The checklist has showed that a full Equalities Assessment is not required at this stage. However steps will be taken to ensure due regard for the nine protected groups is embedded in the process and product of the Draft Local Plan polices in 2016, in particular when it comes to planning the consultation events and activities.
- 6.2 A full equalities screening and if required Equalities Assessment will be prepared alongside the Draft Local Plan in autumn 2016. Officers will work with Equalities team to make sure that actions will be undertaken to mitigate the likely impacts on the equality profile of those affected by the Draft Local Plan.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 A new Local Plan will enable the Council to continue to ensure that the delivery of housing and infrastructure is optimised, and that benefits continue to be secured for the wider community. The development of sites following the policies and guidance of the new Local Plan will generate section 106 and Community Infrastructure Levy (CIL) contributions where relevant. This may include the delivery of new affordable housing, local enterprise and employment opportunities, public realm enhancements and infrastructure.
- 7.2 The new Local Plan is largely being produced in-house by the Strategic Planning – Plan Making team, with significant input from colleagues from other Council departments.
- 7.3 The majority of the evidence base will be commissioned from external expert consultants. Officers will liaise closely with colleagues in the Procurement team to ensure that best value is achieved through the awarding of contracts.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 A Sustainability Appraisal (SA) is a legal requirement for the preparation and development of the Local Plan. Under the Planning and Compulsory Purchase Act 2004, a Sustainability Appraisal must comply with the requirements of a Strategic Environmental Assessment (SEA). A SEA ensures that environmental issues are incorporated and assessed in decision-making throughout the entire plan making process.
- 8.2 An SA Scoping Report (appendix 2) will be presented to Cabinet alongside “Our Borough, Our Plan: A New Local Plan First Steps”. This is the first stage in identifying the environmental, economic and social aspects that could be impacted by the making and implementation of the new Local Plan.
- 8.3 The scoping stage of the SA reviews all relevant policies, plans and programmes in order to define preliminary sustainability objectives and indicators to be included in the SA framework. Once existing information and data relating to these objectives and indicators is collected this serves as a baseline against which positive and negative impacts may be assessed throughout the rest of the SA process. The SA report is prepared alongside the draft of the new Local Plan and submitted to the Secretary of State alongside the new Local Plan.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Progress on the new Local Plan is being regularly reported through a number of internal groups that consider risk management issues and mitigation measures. These include:
- Local Plan Internal Stakeholders Group
 - Development and Renewal Directorate Management Team

- Corporate Management Team

9.2 A Project Initiation Document (PID) was approved by Corporate Management Team in May 2015. Officers are working collaboratively across the relevant Services on the development of the new Local Plan and its evidence base through Corporate Management Team and the Local Plan Internal Stakeholder Group. There are on-going discussions between Strategic Planning Manager and the service heads on resourcing. Furthermore, the Mayor of Tower Hamlets and Lead Member for Strategic Development have been briefed on the new Local Plan on a regular basis and have provided significant input into the development of “Our Borough, Our Plan: A New Local Plan First Steps”.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 “Our Borough, Our Plan: A New Local Plan First Steps” is not considered to have any implications for crime and disorder reduction at this stage. However the next draft of the new Local Plan will contain policies that will seek to ensure that the design of developments minimise opportunities for crime and create a safer and more secure environment.

11. SAFEGUARDING IMPLICATIONS

11.1 There are no specific implications associated with this report.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

1. “Our Borough, Our Plan: A New Local Plan First Steps” document
2. Sustainability Appraisal (SA) Scoping Report
3. Equality Analysis Quality Assurance Checklist

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

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