


Non-Executive Report of the: Overview and Scrutiny Committee 1 February 2016	 TOWER HAMLETS
Report of: Aman Dalvi, Corporate Director Development and Renewal	Classification: Unrestricted
A New Local Plan for Tower Hamlets	

Originating Officer(s)	Adele Maher, Strategic Planning Manager
Wards affected	All wards

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.

Following approval by the Mayor at Cabinet on 1 December, public consultation started on 14 December 2015, on an early stage public engagement document titled "Our Borough, Our Plan: A New Local Plan First Steps" (Appendix 1). The consultation will end on 8 February 2016. 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 although not a statutory requirement. Feedback obtained through the consultation will inform the next stage of the drafting of the new Local Plan.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the scope, process and timescales for the new Local Plan

1. REASONS FOR THE DECISIONS

- 1.1 Item is for information and discussion, no decision is required.

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 below 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 and 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. Furthermore, an up-to-date Local Plan is viewed as being more effective in influencing the outcome of appeals against the refusal of planning permission.

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 legislation 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.

3. DETAILS OF REPORT

- 3.1 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 National Planning Policy Framework (NPPF) to keep its Local Plan up-to-date, to ensure that it responds to changes in projections of population growth and infrastructure requirements 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.

Local Plan 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 started the process of commissioning the evidence base to support the new Local Plan policies. Invitations to tender for seven separate evidence base pieces of work have been published. This included an Integrated Impact Assessment (including Sustainability Appraisal, Equalities Impact Assessment and Health Impact Assessment) and a Habitat Regulation Assessment, Strategic Flood Risk Assessment, Employment Land Review, Town Centre Study and Strategic Transport Study, a Waste Management Strategy and Gypsy Traveller Accommodation Needs Assessment. It is expected that there will be further evidence base studies commissioned including areas such as playing pitches, children's play, early years learning, sustainable place making, affordable work space, a conservation strategy, conservation areas reviews and the Local List.

Public Consultation

- 3.6 The public consultation on "Our Borough, Our Plan: A New Local Plan First Steps" started on 14 December 2015, following approval by the Mayor at Cabinet on 1 December. It will end on 8 February 2016. "Our Borough, Our

Plan: A New Local Plan First Steps” has been published on the Council’s website. The public and stakeholders will be able to make comments online, by email or by post. The website contains details of all the consultation activities which have also been publicised in East End Life in advance of the events.

- 3.7 During this eight week consultation period, a series of public drop-in events were held to encourage public participation in the new Local Plan preparation process. Details of these events are given below:

Date	Location	Time	Address
Thursday, January 14, 2016	Idea Store, Chrisp Street	11.30am-2.30pm	15 Market Square London E14 6AQ
Saturday, January 16, 2016	V&A Museum of Childhood, Bethnal Green	10am-1pm	Cambridge Heath Road, London E2 9PA
Thursday, January 21, 2016	Alpha Grove Community Centre	6.30-8.30pm	Alpha Grove, London E14 8LH
Thursday, January 28, 2016	Idea Store, Whitechapel	5.30-8.30pm	321 Whitechapel Road, London E1 1BU
Saturday, January 30, 2016	Idea Store, Bow	10am-1pm	1 Gladstone Place, Roman Road, London E3 5ES

- 3.8 Officers have also utilised existing Council meetings where possible to raise awareness of the consultation and held bespoke events for colleagues, elected Members, external stakeholders and local community groups during the consultation period.

Timetable and next steps

- 3.9 After the first public consultation, officers will analyse the consultation responses, which together with evidence base findings will inform the next stage of the plan making process. A summary of the indicative Local Plan preparation timetable is set out below:

Milestone	Indicative Date
First engagement and consultation	Winter 2015/2016
Preparing the Draft Local Plan	Spring - Summer 2016
Draft Local Plan formal consultation	Autumn 2016
Amending the Draft Local Plan for Submission	Winter 2016
Publication of the Local Plan for Submission	Winter 2016 - Spring 2017

Milestone	Indicative Date
Preparing the Local Plan for Submission	Spring 2017
Submission to the Secretary of State	Spring 2017
Examination by a Planning Inspector	Spring/Summer 2017
Adoption by Full Council	Autumn 2017

3.10 Officers consider that the approach of undertaking an early stage consultation 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.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 The ‘Our Borough, Our Plan: A New Local Plan First Steps’ consultation process was approved by the Mayor in Cabinet on 1 December 2015 as the initial stage in the proposed review of the Council’s Local Plan. This report provides an update for the Overview and Scrutiny Committee on the scope, process and timescales involved.

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 expenditure 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 Following approval on 1 December 2015, by the Mayor in Cabinet of the proposed early stage public consultation document “Our Borough, Our Plan – A New Local Plan First Steps”, this report to the Overview and Scrutiny Committee identifies the scope, process and timescales for making the new Local Plan. Although this early stage consultation 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 eventual Local Plan will seek to address.
- 5.2 The Government guidance on plan making urges early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses which would have the opportunity to respond to the public consultation document “Our Borough, Our Plan – A new Local Plan First Steps” which sets out the strategic priorities at an early stage of the New Local Plan making process.
- 5.3 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 public consultation for the “Our Borough, Our Plan – A New Local Plan First Steps” 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).
- 5.4 In carrying out the function of preparing and adopting a 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 item 5.1 (i) to the Cabinet Report 1.12.15).

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 A full equalities screening and if required Equalities Assessment will be prepared alongside the Draft Local Plan in autumn 2016. Officers will work with the 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. This will form part of the Integrated Impact Assessment, which will also include a Health Impact Assessment.

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 Undertaking a range of consultations with council services and partners, as well as residents, will ensure the new Local Plan incorporates a full range of local priorities and is underpinned by a full and thorough evidence base. This will improve the likelihood of the plan being found sound when examined.

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. 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 the Strategic Planning Manager and 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.
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Linked Reports, Appendices and Background Documents

Linked Report

NONE

Appendices

1. “Our Borough, Our Plan: A New Local Plan First Steps” document

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

NONE

Officer contact details for documents:

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