



**Report for:
ACTION/INFORMATION**

Item Number: 6

Contains Confidential or Exempt Information	No
Title	Local Plan Update
Responsible Officer(s)	Lucy Taylor, Assistant Director of Property and Regeneration
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Portfolio(s)	Cllr Julian Bell, Leader of the Council (Policy Overview Portfolio)
For Consideration By	The Local Development Framework Advisory Committee
Date to be Considered	April 3 rd 2013
Implementation Date if Not Called In	
Affected Wards	All
Keywords/Index	Local Plan, Local Development Framework (LDF), Development Management DPD, Development Sites DPD, Joint West London Waste Plan, Community Infrastructure Levy, Local Development Scheme (LDS), Plan for the Environment, Unitary Development Plan (UDP), Supplementary Planning Documents (SPD), London Plan

Purpose of Report:

To update on progress on the preparation and production of Ealing's "Local Plan" – the statutory development plan prepared by a local planning authority setting out detailed policies for environmental protection and development.

1. Recommendations

- i) To note the contents of this report including, in particular, that officers submitted the Development Sites and Management DPDs together with the Policies Map to the Secretary of State for Communities and Local Government on February 25th 2013 and that a revised "project plan" has been published that

identifies which local development documents will be produced, in what order and when.

2. Reason for Decision and Options Considered

2.1 The report has been produced for information only.

3. Key Implications

a) Submission of the Development Sites and Management DPDs

3.1 On February 25th 2013, the Council formally submitted its Development Sites and Development Management Development Plan Documents (DPDs) (together with an associated Policies Map) to the Secretary of State for Communities and Local Government.

3.2 He has appointed Inspector Christine Thorby DipTP MRTPI IHBC of the Planning Inspectorate to conduct the examination into the compliance and soundness of the Development Sites and Management DPDs.

3.3 The Inspector will consider all the representations made on the plans published during Summer/Autumn 2012 and associated supporting documents, and will decide who should be invited to take part in the debates at the public hearing sessions.

3.4 A timetable has yet to be published for the examination but officers believe that the formal public hearings are now likely to take place during the month of June 2013. Full details will be published shortly. Subject to the Inspector's report, if the plans are found to be legally compliant and sound formal adoption by Full Council is now expected at the meeting scheduled for November 2013. At this point all policies in the existing adopted Unitary Development Plan (UDP) will then finally expire. In the meantime, whilst these plans have not yet been formally adopted, they have considerable "weight" in planning terms

3.5 The plans submitted include the:

- **Development Sites DPD** – sets out planning requirements for those key sites with significant development potential in the borough.
- **Development Management DPD** - guides decisions on planning applications.
- **Policies Map** - illustrates all site-specific policies in the Local Plan in map form. (This was previously known as the Proposals Map).

3.6 These plans support the delivery of Ealing's Development Strategy DPD which sets out an overall spatial vision that was adopted on April

3rd 2012. All of these DPDs must be in general conformity with the London Plan.

3.7 The following documents have been submitted:

REF	DOCUMENT	DATE
Development Sites		
EDS1	Development Sites DPD, Final Proposals	Jun 2012
EDS2	Development Sites DPD with Minor Track Changes	Feb 2013
EDS3	Development Sites DPD Incorporating Minor Changes	Feb 2013
EDS4	Schedule of Minor & Technical Changes for Development Sites DPD	Feb 2013
EDS5a	Sustainability Appraisal Full Technical Report for Development Sites	Oct 2012
EDS5b	Sustainability Appraisal Executive Summary for Development Sites	Oct 2012
EDS6a	Development Sites, Consultation Statement (part A) Regulation 22 (1) (c)	Feb 2013
EDS6b	Development Sites, Consultation Statement (part B) Regulation 22 (1) (c)	Feb 2013
Development Management		
EDM1	Development Management DPD, Final Proposals (Consolidated Incorporating Further Alterations)	Feb 2013
EDM2	Development Management DPD (Consolidated Incorporating Further Alterations) with Minor Track Changes	Feb 2013
EDM3	Development Management DPD (Consolidated Incorporating Further Alterations) with Minor Changes	Feb 2013
EDM4	Schedule of Minor & Technical Changes for Development Management DPD	Feb 2013
EDM5a	Sustainability Appraisal Full Technical Report for Development Management	Oct 2012
EDM5b	Sustainability Appraisal Executive Summary for Development Management	Oct 2012
EDM6a	Development Management, Consultation Statement (part A) Regulation 22 (1) (c)	Feb 2013
EDM6b	Development Management, Consultation Statement (part B) Regulation 22 (1) (c)	Feb 2013
Policies Map		
EPM1	Policies Map (Consolidated Incorporating Further Alterations)	Feb 2013
EPM2	Policies Map (Consolidated Incorporating Further Alterations) with Minor Changes	Feb 2013
EPM3	Policies Map Booklet (Consolidated Incorporating Further Alterations)	Feb 2013
EPM4	Policies Map Booklet (Consolidated Incorporating	Feb 2013

REF	DOCUMENT	DATE
	Further Alterations) with Minor Track Changes	
EPM5	Policies Map Booklet (Consolidated Incorporating Further Alterations) with Minor Changes	Feb 2013
EPM6	Atlas of Map changes with Minor & Technical Changes	Feb 2013
EPM7a	Policies Map, Consultation Statement (part A)	Feb 2013
EPM7b	Policies Map, Consultation Statement (part B)	Feb 2013
Other Submission documents		
ODS1	Habitat Regulations Assessment Screening Report	Feb 2011
ODS2	Statement of Community Involvement	Feb 2013
ODS3	Plan for the Environment - Ealing Council Unitary Development Plan (UDP)	Adopted Oct 12 th 2004 as amended Sept 27 th 2007
ODS4	Adopted UDP Proposals Map	October 2004

3.8 Copies of these 28 documents together with an extensive examination library are now available to download from the Council's website. See:

http://www.ealing.gov.uk/info/200921/local_plans/1512/examination

3.9 Hard copies of the above submission documents for inspection are also available at the Customer Services Centre at Perceval House and each of the borough's local libraries.

3.10 In the meantime, any queries relating to the examination process should be addressed to the Programme Officer for the examination, Caroline Caldwell. She is independent of the Council and is responsible for assisting the Inspector with all aspects of the examination administration. If you have any queries regarding the examination, please contact her at (020) 8825 7944 or ldfprogrammeofficer@gmail.com.

b) Publication of a Revised Local Development Scheme

3.11 In February 2013, officers produced a revised Local development Scheme (or LDS). See Appendix 1 of this report.

3.12 The LDS is a public 'project plan' which identify which local development documents will be produced, in what order and when. It indicates the work that is being done to produce the necessary documents and shows the timescales for preparation of these documents, the way in which the work will be done and the resources needed to do it. It effectively establishes the Council's priorities for forward planning, and includes consideration of further reviews of the documents once they have been prepared and adopted.

- 3.13 This is the fifth published version of the LDS and it updates the edition last published in March 2010 which superseded earlier editions that were published in 2009, 2007 and 2005.
- 3.14 In reviewing the document it was decided that the last published LDS was far too unwieldy to be updated on a regular basis and that given there was no longer a requirement for it to be submitted to the Secretary of State for Communities and Local Government and/or the Mayor of London that this provided an opportunity to review its structure and content.
- 3.15 Furthermore, there is no longer a requirement that SPDs have to be identified in the LDS although the CIL SPD has been included because of its significance and the likely interest that it will generate.
- 3.16 For the LDS to be useful it needs to be regularly updated and to directly inform the project management and delivery of local development documents and it is therefore envisaged that in future it will be reviewed and updated 3-4 times each year, as appropriate.
- 3.16 Section 3 of the LDS provides a short profile of each of the key local development documents that are being prepared by the local planning authority.

4. Financial

- 4.1 There are no financial implications directly arising from this report. One off growth to enable the preparation, production and examination of various development plan documents to be included in the LDF portfolio was approved by Full Council on March 1st 2011 and is included in the Planning Policy base budget between 2011/12 to 2013/14 as follows:

	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>
Base Budget (One Off Growth approved Council March 2011)	£243,000	£250,000	£29,000
Budget adjustment (Cabinet July 2011)	(63,000)		£63,000
Adjusted Base Budget	£180,000	£250,000	£92,000

- 4.2 Delays in the LDF work programme resulted in an under spend of £63,000 against this one off budget during 2011/12, however this funding will still be required to complete the LDF works, it was therefore recommended to and agreed by Cabinet in the 2011/12 Revenue and Capital Outturn report in July 2012, that this underspend be carried forward to be applied later in the LDF programme, in effect re-profiling

this one off budget over the term of the LDF project. This re-profiling is shown as a budget adjustment in the base budget above

5. Legal

- 5.1 When preparing Development Plan Documents, the Local Planning Authority must comply with the consultation requirements found both in the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”) and the National Planning Policy Framework (March 27th 2012), which sets out government policy on local plan making.
- 5.2 This includes the duty to consult with specific and general consultation bodies, the requirement to place an advertisement in the newspaper, the general duty to comply with the Council’s Statement of Community Involvement and a duty to cooperate with neighbouring local planning authorities about any of the plan’s potential implications.
- 5.3 In particular, Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012 states that the local authority must carry out a six week consultation on a Development Plan Document before it is submitted to the Secretary of State. Any representations must be fully considered by the decision maker, including those which do not accord with the proposals.

6. Value for Money

- 6.1 The project plan for preparing local plans has been designed to achieve the earliest possible adoption of the new development plan documents that will guide the future development of the borough and help promote inward investment that will provide new homes and sustain and secure jobs. It also seeks to minimise the range and number of rounds of community consultation.

7. Sustainability Impact Appraisal

- 7.1 In accordance with Section 5 of the Planning and Compulsory Purchase Act 2004 and EU Directive 2001/42/DC, a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) are required for Development Plan Documents (DPDs), produced as part of the Local Development Framework.
- 7.2 Interim Reports are produced at each stage in the evolution of a DPD, to appraise the performance of the emerging plan/policies against the Framework set out in the Sustainability Appraisal Scoping Report. In July 2011 and interim report was produced relating to the Initial Proposals, the results of have fed into the Final Proposals. The full Sustainability Appraisal will be published at submission stage.

8. Risk Management

- 8.1 There are no risks arising directly from this report.
- 8.2 There are however risks associated with not introducing new approaches to replace the existing and outdated Unitary Development Plan (UDP) policies. Without an alternative perspective, there will be no basis for developers, members of the community or indeed the local planning authority, to evaluate development proposals.
- 8.3 A lack of certainty and clarity regarding the development plan framework could stifle inward investment. It will also mean a less efficient and effective development control/management process, including the potential for greater expenditure on planning appeals. It will also mean that development undertaken in the borough is less likely to reflect the borough's priorities.

9. Community Safety

- 9.1 The policies in the Council's local plans will take account of existing development plan policies and guidance on community safety. The borough's community safety strategies will be incorporated into local plans.

10. Links to the 5 Priorities for the Borough

- 10.1 The role of local plans is to turn the sustainable community strategy's strategic vision into policy that guides and shapes development over 15 to 20 years after the plan's adoption. The Development Strategy acts as the spatial vision of the sustainable community strategy covering a wide range of policies and programmes; the Development Sites DPD seeks to deliver key policies and objectives within the Development Strategy through allocating land for a particular use or type of development.
- 10.2 Local plans are therefore integral to the delivery of numerous elements of the Sustainable Community Strategy and the council's Corporate Plan - e.g. the aims of improving the quality of residents' homes across all tenures and creation of affordable homes, facilitating economic development objectives (through promoting business development in appropriate locations), becoming a greener borough (through the protection of open space from built development and a range of other measures), and of course a safer borough (through integrating crime prevention measures into urban design standards).

11. Equalities, Human Rights and Community Cohesion

- 11.1 Work on the council's local plans makes a positive contribution to equalities, human rights and community cohesion. The council's procedures for community involvement provide the opportunity to bring

together all sections of the community to engage with the local authority on planning policy and town planning matters. The Council's Development Plan Documents have been subject to a full equalities impact assessment (published March 2009).

12. Staffing/Workforce and Accommodation implications:

12.1 None

13. Property and Assets

13.1 None

14. Any other implications:

14.1 None

15. Consultation

15.1 The preparation of Local Plans involves widespread stakeholder and public consultation.

16. Timetable for Implementation

16.1 None.

17. Appendices

17.1 Appendix 1: Local Development Scheme, February 2013

18. Background Information

The following documents are relevant to this report. Most can be viewed on the internet site at www.ealing.gov.uk/planpol (Ealing Council) or www.communities.gov.uk (the Department of Communities and Local Government) or www.london.gov.uk (the Mayor of London). Alternatively, contact the author of this report.

- Adopted 2004 Plan for the Environment - Ealing's Adopted Unitary Development Plan (UDP), October 2004.
- Annual Monitoring Reports, Ealing Council, 2005, 2006, 2007, 2008, 2009, 2010 and 2011.
- Statement of Community Involvement, June 2006 and July 2011.
- Ealing's Sustainable Community Strategy, 2006, updated 2008 and 2011.
- Ealing's Local Area Agreement, 2008.
- West London Sub regional Development Framework, 2006
- Park Royal Opportunity Area Planning Framework, 2008.
- The London Plan, July 2011, and proposed early alterations, 2012.
- Localism Act, 2011.

- National Planning Policy Framework, March 27th 2012.
- Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.
- Ealing's Adopted Development (or Core) Strategy, April 3rd 2012.

In addition, please refer to the submission documents referred to at Para 3.7 of this report. There are also a number of background and evidence base reports that have informed the local planning process and these can be accessed at:

http://www.ealing.gov.uk/info/200921/local_plans/614/evidence_base

In addition there are a number of reports relating to previous rounds of community and stakeholder consultation including reports on representations made and the council's responses. This can be accessed at:

http://www.ealing.gov.uk/info/200921/local_plans/1242/previous_consultations

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Lucy Taylor	AD Property & Regeneration	22.03.13		
Alison Luff	c/o Head of Legal	22.03.13		
Matthew Bunyon	c/o Head of Finance	22.03.13		

3.5.1 Report History

Decision type:	3.5.1.1.1 Urgency item?
Non-key decision	No
Report no.:	Report author and contact for queries:
	Steve Barton, Planning Policy Manager, x8056 bartons@ealing.gov.uk