

CABINET

12 November 2019

Title: Consultation on Barking and Dagenham's Draft Local Plan	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
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Accountable Director: Caroline Harper – Chief Planning Director, Be First	
Accountable Strategic Leadership Director: Graeme Cooke – Director of Inclusive Growth	
Summary <p>Be First, which undertakes statutory planning services on LBBD's behalf, is in the process of preparing a new Local Plan. This document is one of the Council's key strategic documents and sets out the Borough's development vision, its strategic priorities and the local planning policy framework to guide development within the Borough for the next 15 years. It is used to inform the Council's decisions on planning applications.</p> <p>LBBD previously undertook Reg 18 public consultation in 2015. The Local Plan drafted for this November's public consultation is much more detailed, drawing on the evidence base that is being prepared to inform and support the planning policies within it.</p> <p>Subject to Cabinet approval, Be First intends to undertake public consultation from Nov 29 2019 to Jan 24 2020. Consultation will be in line with the Regulation 18 of the <i>Town and Country Planning (Local Planning) (England) Regulations 2012</i>.</p> <p>Be First intends to undertake Reg 19 public consultation on the Local Plan in Spring 2020, after which the Local Plan will be submitted to the Planning Inspectorate for an independent examination, prior to the finalised version being adopted by LBBD. Consultee responses to public consultations will be reviewed and incorporated into subsequent drafts of the Local Plan as appropriate.</p> <p>The Reg 18 draft of the Local Plan is attached in Annexe 1.</p> <p>This report provides an outline of the proposed approach to key planning policies, to regeneration visions across the Borough and the engagement strategy for internal and external stakeholders.</p>	

Recommendation(s)

Cabinet is recommended to:

- (i) Agree to public consultation on the Regulation 18 draft Local Plan at Annexe 1, and its associated evidence base studies, taking place from 29 November 2019 to 24 January 2020;
- (ii) Delegate authority to the Director of Inclusive Growth, to make non-material amendments to the consultation documents, in advance of public consultation; and
- (iii) Note the proposed timeframe for adopting the Local Plan.

Reason(s)

LBBB has a statutory duty to prepare an up-to-date Local Plan.

The document is also an important mechanism for establishing development expectations for the Borough, and assist in determining regeneration visions and planning applications in accordance with these expectations.

Introduction and Background

- 1.1 The Local Plan sets out the Council's spatial vision for development and strategic objectives, which will be delivered through strategic policies and more detailed, area-specific policies. These policies seek to address local issues specific to Barking and Dagenham and to ensure the growth ambitions of the Borough are achieved in a sustainable manner. Together with the London Plan, the Joint Waste Development Plan and any related policy and guidance documents, the Local Plan and accompanying Proposals Map will provide comprehensive planning guidance in determining planning applications and in shaping what the area will look like over the next 15 years (to 2034).
- 1.2 It must be prepared in line with the relevant legislation, government policy and guidance (specifically the National Planning Policy Framework and Planning Practice Guidance), as well as the London Plan and its supplementary planning guidance. In order to keep the Local Plan succinct, it does not seek to repeat policies already contained in the NPPF and London Plan.
- 1.3 The Local Plan also seeks to align with the long-term vision set out in the Borough Manifesto (see Figure 1 below), and it has been informed by Barking and Dagenham's emerging Inclusive Growth Strategy. It has focused on guiding development in line with the Council's vision of 'One borough; One community; London's growth opportunity' whilst also delivering the borough's ambitions in terms of creating new jobs and new homes for local communities.
- 1.4 Once the new Local Plan is adopted, it will replace the current suite of documents comprising LBBB's local planning policy documents.
- 1.5 Drafting the Local Plan has also had regard to the following:
 - Responses to the previous 2015 Reg 18 public consultation;

- Duty to Co-operate meetings with relevant stakeholders, including from specific LBBB teams, neighbouring boroughs, the GLA and bodies like the Environment Agency;
- An updated housing trajectory;
- A call for sites between May – June 2019, when the Council invited landowners, developers, site promoters and other bodies to put forward potential sites for development;
- The emerging evidence base, which underpins all planning policies.

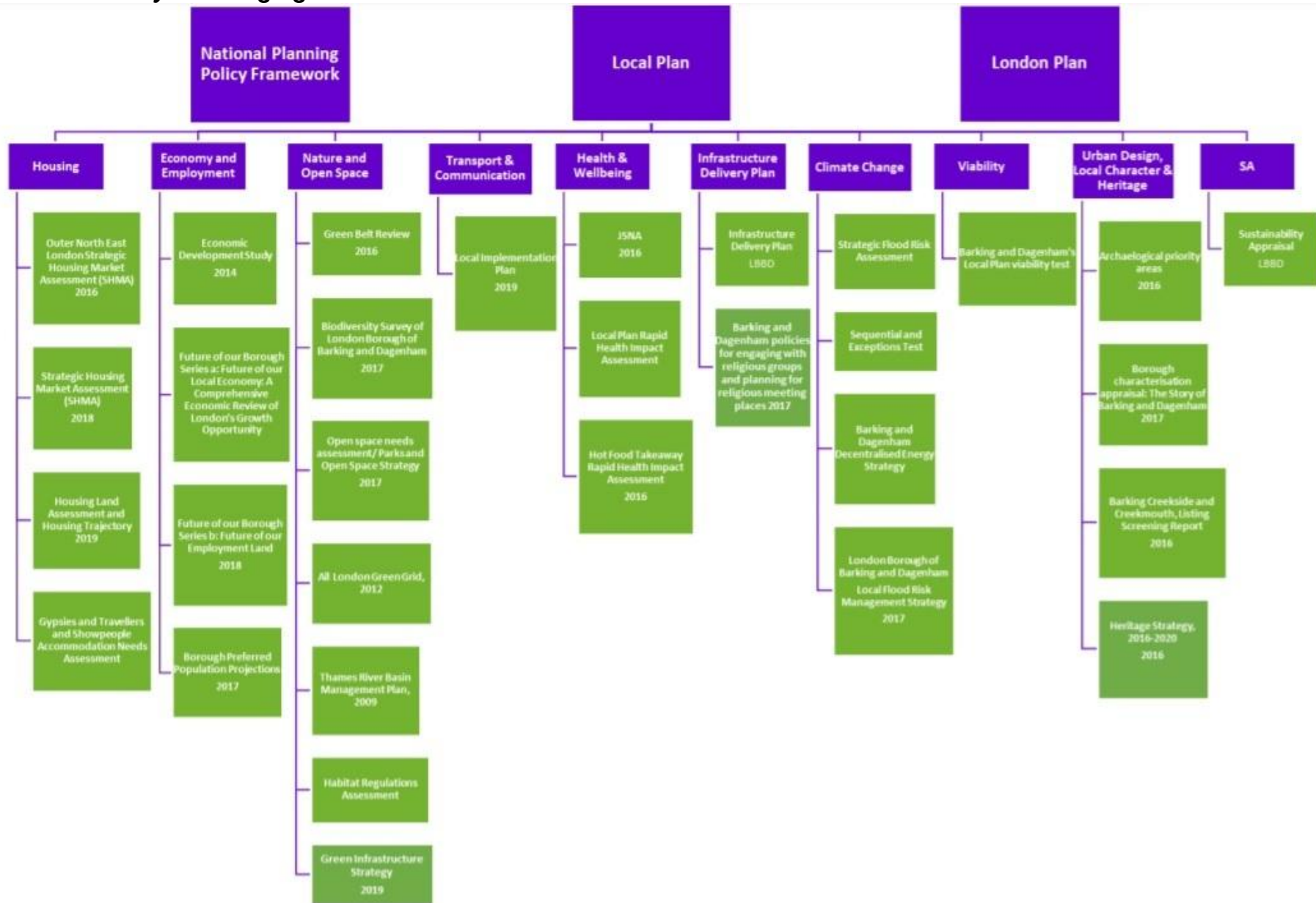
1.6 It should be noted that preparation of the evidence base that informs and supports the Local Plan is ongoing. This is expected for this stage in the process, and policies will be added and refined as appropriate, to reflect evidence findings (as well as public consultation responses and Duty to Co-operate discussions).

Figure 1: Extract from the Borough Manifesto: Long-term Vision for Barking & Dagenham



- 1.7 A summary of the emerging evidence base is provided in Figure 2 below, and this is included in the Council's Local Development Scheme (LDS) which is published on its website https://www.lbbd.gov.uk/sites/default/files/attachments/Local-Development-Scheme-July-2019_0.pdf Completed evidence base documents, and interim overviews of emerging evidence base documents, will be published as part of the Reg 18 public consultation.
- 1.8 Be First intends to undertake Reg 19 public consultation on the Local Plan in Spring 2020, after which the Local Plan will be submitted to the Planning Inspectorate for an independent examination, prior to the finalised version being adopted by LBBD. Consultee responses to public consultations will be reviewed and incorporated into subsequent drafts of the Local Plan as appropriate. Be First will prepare and publish a consultation summary report once the Reg 18 public consultation ends in January 2020.

Figure 2: Summary of emerging Local Plan Evidence Base



1.9 The proposed timetable through to adoption is summarised in Figure 3 below.

Figure 3: Proposed Local Plan Timetable

Cabinet	November 2019
Reg 18 Public Consultation	Nov 2019 – Jan 2020 (8 weeks)
Reg 19 Public Consultation	Spring 2020
Submit to Planning Inspectorate for independent examination (EiP)	Summer 2020
EiP (TBC by Planning Inspectorate)	Autumn / Winter 2020
LBB approve and adopt finalised Local Plan	Spring 2021

Draft Local Plan: Emerging Content

1.10 A copy of the Reg 18 Local Plan is included in Appendix 1. It should be noted that this is a draft document, and that its approach and the policies within it will be refined as the evidence base is completed and in response to public consultations and discussions with other stakeholders.

1.11 In the section below, we outline the broad approach and summarise the proposed direction of travel for key policies.

Emerging regeneration visions across the Borough

1.12 The Local Plan envisions that, over the plan period to 2034, the Borough will play an important role in shaping east London's future, creating a resilient economy that moves away from industrial decline, driving economic growth, whilst leaving no-one behind. Development will deliver high quality places for people to live, work, and visit and across the Borough there will be a network of well-integrated and distinctive places with social infrastructure to support a growing population and help build strong communities. Residents will have access to life-long education, skills and training to access the Borough's employment opportunities. Communities will be better integrated by transport improvements. The Borough's natural environment will be enhanced, including at the River Roding, and the Borough will be celebrated for its sustainability attributes, in line with its position as London's 'green capital'.

1.13 Within the Local Plan, the Borough has been organised into 7 sub-areas, linked to the Borough Characterisation Study (2017) and the Council's emerging 'Borough & Me' campaign. High level development principles will be specified for each sub-area, to guide overall development expectations. The proposed sub-areas are:

- Barking Town Centre and the River Roding;
- Thames and Barking Riverside;
- Dagenham Dock, Beam Park and the Ford Stamping Plant;
- Becontree;
- Chadwell Heath and Marks Gate;
- Becontree Heath and Rush Green; and
- Dagenham East and Dagenham Village.

1.14 Within each sub area, the Local Plan will allocate a number of strategic sites that will come forward over the plan period. It will specify where further documents,

including Masterplan Supplementary Planning Documents (SPDs), design codes and intervention strategies, will be prepared to provide more detailed guidance on how these sites should come forward. At this stage in drafting the Local Plan, site pro-formas are included within the Local Plan's Appendix 4, and consultees are invited to comment in respect of the development suitability and achievability of these sites. Further refinement and assessment is ongoing, and the draft Local Plan that goes out for public consultation in Spring 2020 will include specific strategic site allocations.

Housing

- 1.15 The Local Plan incorporates strategic objectives and policies intended to improve housing delivery and address unmet housing need. In so doing, the intention is to build communities and help working people to stay in the Borough and families to live near each other.
- 1.16 Policy carries through the approach to affordable housing that is specified in the London Plan, requiring all residential development providing 10+ new homes to provide a minimum of 35% affordable housing, subject to financial viability. This is expected to be split as follows:
- Min 30% low cost rent (including London affordable rent), as required by the London Plan;
 - Min 30% intermediate (including shared ownership), as required by the London Plan;
 - For the remaining 40%, the tenure of which is determined by LBBD, to be split 50:50 between London affordable rent and social rent, and intermediate (including shared ownership).

The economy

- 1.17 Emerging planning policy reflects the Council's commitment to revitalising the Borough's economy, supporting more and better jobs for local residents, as well as education and skill training. There is significant scope to use the Borough's industrial land more intelligently so that it meets modern requirements whilst embracing green technology. Policy also seeks to maintain and enhance LBBD's town centres and support the Borough's growing creative and SME sector, including affordable workspace.

Parking

- 1.18 The London Plan specifies maximum car and minimum cycle parking standards, subject to land use and public transport accessibility. Policy expects development within the Borough to conform with these standards, including disabled parking provision.

Sustainability

- 1.19 There is a strategic commitment to ensuring that the Borough develops as a sustainable and healthy place to live and work. Detailed policies encourage development to incorporate healthy design principles, the 'greening' of the Borough, to mitigate nuisance like noise, to improve air quality, reduce flood risk and enhance land quality.

Community and social infrastructure

- 1.20 The strategic approach is to ensure infrastructure supports existing and new communities so that they are able to function effectively. This includes the provision of new and improved infrastructure (including local shops, cultural facilities, public houses, sports venues, meeting places, places of worship). Policy sets an expectation that major new development provides for community facilities, resists their loss, and encourages co-location / multi-use

Public realm

- 1.21 The Local Plan includes policies emphasising the importance of high quality design, and ensuring that all new development should make a positive contribution to site's surrounding context and character. This includes having regard to public realm and wider place-making.
- 1.22 More specifically, major development is expected to provide public realm and amenity space (private, communal and child play space). Buildings are discouraged from creating inactive frontages and are instead expected to contribute positively to the street scene and public realm, avoiding visual clutter and incorporating appropriate secure by design principles.

Planning obligations

- 1.23 Policy expects development proposals to contribute to infrastructure provision through planning obligations and the Borough's Community Infrastructure Levy (CIL).
- 1.24 As part of the evidence base, Be First is preparing an Infrastructure Delivery Plan (IDP) to assess the quality and capacity of existing and planned physical, environmental and social infrastructure to support the needs and demands of development in the Borough. Planning obligations and the Community Infrastructure Levy (CIL) are mechanisms by which monies can be accrued to (part) pay for delivering this infrastructure, and the Local Plan includes policy which expects development to contribute through planning obligations, the Borough's CIL and, where development does not achieve the GLA's zero carbon targets, to LBBD's carbon offset fund.
- 1.25 Please note that Be First will review the Borough's CIL in 2020/21, as part of a comprehensive review of planning obligations including LBBD's work on carbon offset rates.

Options Appraisal

- 1.26 Alternative options were considered to preparing a new Local Plan, namely:
- Do not revise the Local Plan and rely instead on the adopted version;
 - Undertake a partial review of the Local Plan
- 1.27 These options were not considered viable given the statutory obligation for LBBD to prepare an up-to-date Local Plan.

Consultation

- 1.28 As referenced above, in preparing the draft Local Plan, Be First has worked with key services areas across the Council to reflect their concerns and priorities in the draft Local Plan.
- 1.29 Duty to cooperate conversations are also in progress with neighbouring boroughs, the GLA and other stakeholders like TfL and the Environment Agency.
- 1.30 All Local Plan consultation documents will be published on the Council's website, on Be First's online consultation portal (Engagement HQ) and hardcopies of the Local Plan will be available at Barking Town Hall, the Borough's libraries, Dagenham Civic Centre, Barking Learning Centre and at Participatory City Offices. People can also request a hardcopy via email or post.
- 1.31 Be First will collate and review all responses received to the Reg 18 public consultation and refine the Local Plan accordingly. In some cases, it may be prudent to meet with local resident and interest groups to discuss concerns and issues. Be First will undertake this on a case-by-case basis.

Financial implications

Implications completed by: Sandra Pillinger Group Accountant

- 1.32 The cost of preparing the Local Plan and consultation will be met by Be First.
- 1.33 The Local plan encompasses a large number of Borough wide proposals that will affect housing, local businesses and stakeholders, infrastructure, public realm, environmental issues and local services such as schools, leisure facilities and public health provision. The production and finalising of the Local Plan does not commit the Authority to any of the individual developments and schemes mentioned. Some of the projects in the plan have already been reported to Cabinet and future proposals will also need to be the subject of individual reports where the business cases and full financial implications will need to be separately assessed to ensure their viability.
- 1.34 In general, there will be significant financial benefits to the Authority if the proposed Local Plan is successfully implemented. These include increases in Council Tax as a result of the rise in the number of housing units and increases in the level of NNDR as a result of expanding the business potential of the Authority.
- 1.35 There will also be income in respect of Community Infrastructure Levy and Section 106 agreements. However, at this early stage in the process and with insufficient details available on the individual proposals it is not possible to accurately assess the actual amounts of income that will be forthcoming.
- 1.36 The emerging Infrastructure Delivery Plan will set out the key infrastructure and funding streams and identify funding gaps essential for the successful implementation of the Local Plan.

Legal Implications

Implications completed by: Dr. Paul Feild Senior Governance Lawyer

- 1.37 The Planning and Compulsory Purchase Act 2004 sets out specific matters to which the local planning authority must have regard when preparing a Local Plan. The Town and Country Planning (Local Planning) (England) Regulations 2012 (2012 Regs) prescribe the general form and content of Local Plans and adopted policies map, and states what additional matters local planning authorities must have regard to when drafting their plans.
- 1.38 It is essential that the Council can show with an evidenced audit trail in that developing the draft local plan it has observed the procedural steps and requirements set out in the relevant regulations. These include not only the 2012 Regs as amended by Page 117 Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, but also the Environmental Assessment of Plans and Programme Regulations 2004 and taking into account the riverside location also the Conservation of Habitats and Species Regulations 2010 (as amended) which requires a Habitats Regulation Assessment, if it is considered likely to have significant effects on European habitats or species, located in the local planning authority's area or in its vicinity.
- 1.39 The Council must show it has had due regard to the current NPPF and the NPPG, as well as creating and maintaining an up to date and proportionate evidence base to inform its policy decisions. The evidence base includes the documents that show objectively assessed need within the borough.
- 1.40 The Local Plan Process has reached the Consultation stage. The Council must comply with the specific requirements set out in Regulation 18 of the 2012 Regs, on consultation, which specifies specific and general bodies to be consulted together with residents and businesses carrying on in the borough as the Council considers appropriate to invite representations, together with observing the Councils Statement of Community Involvement.
- 1.41 Regulation 19 is the second stage of the consultation process when forming a Local Plan and it represents the proposed policies for an area. This phase of the consultation process provides local communities, businesses and other interested stakeholders with the opportunity to comment on the policy content of a draft Local Plan.

Other Implications

Risk Management

- 1.42 The new Local Plan will:
 - Meet the Council's statutory duty on plan making;
 - Set out a development vision, strategic priorities and planning policy framework;
 - Help shape and manage development growth in the Borough, responding to local circumstances within the policy framework set at the London-wide and national level; and,
 - Inform the Council's decision-making on planning applications.

Corporate Policy and Equality Impact (EIA)

- 1.43 A full EIA of the Draft Local Plan is being prepared, and it will be published for comment as part of the Reg 18 Local Plan public consultation.
- 1.44 The Assessment of the eight Strategic Policies including in the Local Plan has found that the policies are anticipated to have a positive or neutral impact on groups with protected characteristics as defined by the Equalities Act 2010. Its findings add that,
- Local communities are expected to benefit from the proposed increase in net affordable housing and access to social infrastructure;
 - Proposals that are designed to meet the specific needs of older people, students and people with disabilities will be encouraged;
 - Policy support for family housing and healthcare facilities will ensure development helps meet the needs of families and parents, and pregnant women;
 - The provision of new sites and plots for Gypsies and Travellers will be encouraged and potential locations for new plots to meet assessed;
 - Proposals for places of worship that improve access to worship and are multi-functional will be supported; and,
 - The socio-economic impact of policies will be positive particularly with regard to increased net affordable housing and, increased employment and training opportunities.
- 1.45 With regard to the protected characteristics of gender reassignment, marriage and civil partnership, sex and sexual orientation, the impact of the Draft Local Plan has been assessed as neutral.
- 1.46 The inclusion of potential development sites in the draft Local Plan will provide residents and businesses, as well as other stakeholders, the opportunity to comment on the locations and types of development proposed. These comments will be considered as part of the ongoing assessment of the suitability of the sites for subsequent, and help identify mitigation measures if applicable.

Health Issues

- 1.47 A Health Impact Assessment (HIA) was undertaken in 2018. No updates are required as the direction of travel of policies have remain unchanged since 2018. The proposals are likely to have positive affect on the local community.

Public Background Papers Used in the Preparation of the Report: None.

List of Appendices:

Annexe 1	Barking and Dagenham Draft Local Plan (Regulation 18) Consultation Document (contains Appendices 1 and 2)
Appendix 3 (Part 1)	Maps
Appendix 3 (Part 2)	Maps