

## CABINET

8 June 2010

## REPORT OF THE CORPORATE DIRECTOR OF FINANCE AND COMMERCIAL SERVICES

<b>Title:</b> Local Development Framework – Adoption of Core Strategy Development Plan Document	<b>For Decision</b>
<p><b>Summary</b></p> <p>The 2004 Planning and Compulsory Purchase Act required Barking and Dagenham to replace its Unitary Development Plan with a Local Development Framework (LDF). The Local Development Framework is a key corporate document which is focused on implementing the spatial dimensions of the Community Plan.</p> <p>The Core Strategy is the main Local Development Framework document as it sets the vision for the future planning of the borough up to 2025. All other Local Development Framework documents are focused on delivering the Core Strategy. It sets out a strategy for the future development of the borough, making sure that opportunities to increase prosperity and wellbeing are maximised whilst protecting and strengthening what is best about Barking and Dagenham. This will heavily support future planning decisions in the Borough.</p> <p>An independent Inspector has confirmed, following an Examination-in-Public, that the Council’s Core Strategy is “legally compliant” and “sound”. Consequently the Inspector has:</p> <ul style="list-style-type: none"> <li>• Confirmed the Council’s strategy for the three key regeneration areas of South Dagenham, Barking Riverside and Barking Town Centre</li> <li>• Supported the case for major transport schemes including the DLR Extension to Dagenham Dock</li> <li>• Endorsed the Council’s strategy for the Dagenham Dock Sustainable Industrial Park</li> <li>• Endorsed the Council’s 40% family housing target</li> <li>• Endorsed the Council’s approach to protecting the Green Belt, Public Green Spaces and Sites of Nature Conservation Interest from development</li> <li>• Endorsed the Council’s approach to planning for Climate Change, including making sure all new development is built to high environmental building standards</li> <li>• Endorsed the Council’s strategy for ensuring there is sufficient employment land to meet the needs of businesses</li> <li>• Endorsed the Council’s approach to planning for the borough’s town centres as the focus for retail and services.</li> </ul> <p>However, the Inspector has recommended the affordable housing policy is deleted on the basis that there was not sufficient evidence that the 50% target could be achieved. In practice this alteration in local planning policy is not likely to have an impact on the amount of affordable housing that is secured in new developments as the London Plan policy can</p>	

be used which requires that councils seek the maximum reasonable viable amount of affordable housing. Officers will start drafting a Supplementary Planning Document regarding affordable housing. This will take about 18 months to go through the statutory procedures and will be based on the latest housing needs and housing market data from the forthcoming sub-regional and local Strategic Housing Market Assessments.

It is important to note that there were a significant number of objections to the Core Strategy and with the exception of the affordable housing policy the Inspector did not impose any significant changes on the Council in the light of these. For example, a number of developers strongly objected to the 40% family housing target but this was successfully defended.

**Wards Affected:** None

### **Recommendation(s)**

The Cabinet is asked to recommend to the Assembly the adoption of the Barking and Dagenham Local Development Framework Core Strategy Development Plan Document.

### **Reason(s)**

To help deliver all the Community Plan priorities.

### **Implications**

#### **Financial**

The costs of adopting the Core Strategy will be met from within the existing Regeneration and Economic Development Division budget.

There are a number of policies that will have financial implications for developers, for example the requirements for major development to meet high environmental building standards and to make significant contributions towards social infrastructure needs.

#### **Legal**

The Planning and Compulsory Purchase Act 2004 (the "Act") required the Council to replace its Unitary Development Plan (UDP) with a Local Development Framework (LDF). As observed above the Core Strategy is a key LDF document.

The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004 provide that adoption of LDF documents are not an Executive function, so the resolution to adopt LDF documents under section 23 of the Act must be carried out by the Assembly.

#### **Contractual**

No specific implications

#### **Risk Management**

No specific implications

#### **Staffing**

No specific implications.

#### **Customer Impact**

In line with the Council's adopted Statement of Community Involvement the Core Strategy has been through three stages of consultation and consulted the following groups, the Faith Forum, Forum for the Elderly, Lesbian, Gay, Bisexual and Transgender Forum, Refugee Forum, Tenants Federation, Youth Forum, Disablement Association Barking and Dagenham, Age Concern, Citizens Panel. Dagenham Dock Employers Forum and Chamber of Commerce.

Full details of consultees, those who responded, comments raised, and how those comments are reflected in the document are set out in a consultation statement which is publicly available on the Council's website. This statement was reported to Councillors when the Executive agreed the pre-submission version of the Core Strategy on the 20 May 2008 (Executive Minute 5, 20 May 2010). In finding the Core Strategy legally compliant the Inspector judged that the Council met its legal requirement to comply with the arrangements sets out in its Statement of Community Involvement.

In preparing the Core Strategy officers have needed to have a thorough understanding of the current and forecast population profile of the borough and this was established in preparing the baseline for the Sustainability Appraisal for the Core Strategy and in preparing the Issue and Options documents.

The Issues and Options documents included a document profiling the composition of each ward, the issues raised at their community forums and a focus on the major projects and development opportunities available in each as a basis for consultation.

Officers are confident that having undertaken comprehensive consultation and undertaken a through sustainability appraisal that the Core Strategy policies do and will respond to the needs of the borough's current and future residents.

### **Safeguarding Children**

No specific implications

### **Crime and Disorder**

Section 17 of the Crime and Disorder Act 1998 places a responsibility on local authorities to consider the crime and disorder implications of any proposals. The Core Strategy reflects policies and approaches aimed at contributing towards preventing and reducing crime and the fear of crime. The impact of all policies in relation to contributing towards reducing crime and the fear of crime has been appraised as part of the Sustainability Appraisal process.

### **Property / Assets**

All development proposals will need to be in line with the Core Strategy and therefore it will have an impact on the future use of the Council's Property and Assets where the need for planning permission is involved. In general the Core Strategy sets higher standards for new developments compared to the previous Unitary Development Plan so this will impact on the cost of new development.

### **Options Appraisal**

The Council could choose not to adopt the Core Strategy. However, the Executive previously approved the Core Strategy on 20 May 2008, and officers consider that the changes made during the examination as summarised in the report strengthen it except for the deletion of the affordable housing policy.

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## 1. Report detail

1.1 To reach this stage the Core Strategy has been through three stages of consultation; issues and options, preferred options and submission. Following this consultation a hearing was conducted by an independent Inspector to determine whether or not the Core Strategy was “sound” and “legally compliant”. The Inspector issued his report on 10 February 2010 and has confirmed that the Core Strategy is sound and legally compliant subject to a number of changes being made to the document. The majority of these changes were suggested by officers during the examination into the Core Strategy in response to queries raised by the Inspector. The majority of these are minor inconsequential changes, however, there are a number of more significant changes which are summarised below:

- Information included on the findings of the Joint Strategic Needs Assessment
- More information included on the importance of the Thames Gateway and Barking and Dagenham’s position within it
- Clarified that in the South Dagenham West site some employment uses would be acceptable as part of a mixed use development.
- More guidance provided on the implementation of the Green Grid
- Policies updated to reflect the current status of major transport schemes including the DLR extension and more emphasis placed on their importance to delivering the growth set out in the Core Strategy
- Policies on managing flood risk strengthened

1.2 However, the Inspector has recommended the affordable housing policy is deleted on the basis that there was not sufficient evidence that the 50% target could be achieved. In practice this is not likely to have an impact on the amount of affordable housing that is secured in new developments as the London Plan policy can be used which requires that Council’s seek the maximum reasonable viable amount of affordable housing. Officers will start drafting a Supplementary Planning Document regarding affordable housing. This will take about 18 months to go through the statutory procedures and will be based on the latest housing needs and housing market data from the forthcoming sub-regional and local Strategic Housing Market Assessments.

1.3 Achieving a sound Core Strategy is a significant achievement and Barking and Dagenham becomes the fifth London Borough to have done this. This means the Inspector has:

- Confirmed the Council’s strategy for the three key regeneration areas of South Dagenham, Barking Riverside and Barking Town Centre

- Supported the case for major transport schemes including the DLR Extension to Dagenham Dock
- Endorsed the Council's strategy for the Dagenham Dock Sustainable Industrial Park
- Endorsed the Council's 40% family housing target
- Endorsed the Council's approach to protecting the Green Belt, Public Green Spaces and Sites of Nature Conservation Interest from development
- Endorsed the Council's approach to planning for Climate Change including making sure all new development is built to high environmental building standards
- Endorsed the Council's strategy for ensuring there is sufficient employment land to meet the needs of businesses
- Endorsed the Council's approach to planning for the borough's town centres as the focus for retail and services.

1.4 The revised Core Strategy has been circulated under separate cover to all Councillors and is available on the Council's website.

## **2. Links to Corporate and other Plans and Strategies**

2.1 The Local Development Framework is a key corporate document which is focused on implementing the spatial dimensions of the Community Plan. It also links in to other Council Strategies including the Housing Strategy, Local Implementation Plan, Climate Change Strategy, Parks and Green Spaces Strategy, Economic Development Strategy and Regeneration Strategy.

## **3. Consultees**

3.1 The following were consulted in the preparation of this report:

Councillor McCarthy Cabinet Member for Regeneration  
 Tracie Evans, Corporate Director, Finance and Commercial Services  
 Jeremy Grint, Divisional Director of Regeneration and Economic Development  
 Lee Russell, Group Manager Resources and Budgeting Team  
 Yinka Owa, Legal Partner Procurement, Property and Planning  
 Andy Butler, Group Manager for Area Regeneration  
 Mark Tyson, Group Manager Policy and Partnerships  
 Dave Mansfield, Development Management Manager  
 Sue Lees, Divisional Director Asset Management and Capital Delivery  
 Stephen Clarke, Divisional Director of Housing Services  
 Mike Freeman, Group Manager Schools Estate  
 Ann Bristow, Corporate Director of Adult and Community Services  
 Heather Wills, Head of Community Cohesion and Equalities  
 Glynis Rogers', Divisional Director Community Safety and Neighbourhood Services  
 Paul Hogan, Head of Leisure Arts

## **4. Background Papers Used in the Preparation of the Report:**

- Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Development) (England) Regulations 2004.
- The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004

- Executive report and Minute 5, 20 May 2008, Re: Local Development Framework - Submission of Core Strategy and Borough Wide Development Policies
- Pre-submission Core Strategy, LBBB, 2008
- Pre-submission Core Strategy Consultation Statement, LBBB, 2009
- Pre-submission Core Strategy Sustainability Appraisal, LBBB, 2009
- Inspector's report on the Barking and Dagenham Core Strategy Development Plan Document, Planning Inspectorate, 2010

## **5. List of Appendices**

Revised Core Strategy - circulated under separate cover to all Councillors