

# **Local Development Scheme**

Local Plan

**June 2015**



# Preface

This version of the London Borough of Barnet's *Local Development Scheme* (LDS) replaces the previous version, which came into effect in July 2011. It takes into account changes in the Regulations for Development Plans as well as the Council's changes to its programme for production of Barnet's Local Plan.

In summary, the main changes since the 2011 Local Development Scheme are:

- The Local Plan for Barnet was adopted in September 2012 with the Core Strategy and Development Management Policies
- Supplementary Planning Documents (SPDs) to amplify Local Planning policies. These SPDs cover :
  - Planning Obligations (2013);
  - Sustainable Design and Construction (2013);
  - Residential Design Guidance (2013); and
  - Skills Employment Enterprise and Training from Development through S106 (2014).
- Barnet's Community Infrastructure Levy introduced in May 2013

The main revisions in the 2015 Local Development Scheme are:

- Revised timetables for Local Plan documents, including:
  - Site Allocations Development Plan Document;
  - North London Waste Plan;
  - Affordable Housing SPD; and
  - Green Infrastructure SPD;
- New SPD for Grahame Park Phase B
- New timetable for revision of Community Infrastructure Levy

# Contents

Introduction .....	5
Barnet's Local Plan .....	5
Background to Local Development Scheme .....	7
Decision Making and Monitoring .....	8
Appendix 1 – Barnet's Local Plan: Inter-relationship.....	10
Appendix 2 – Barnet's Local Plan Documents Timetable .....	11
Appendix 3 – Barnet's Local Plan Preparation Timetable .....	14
Appendix 4 – Local Development Scheme – Risk Assessment.....	15

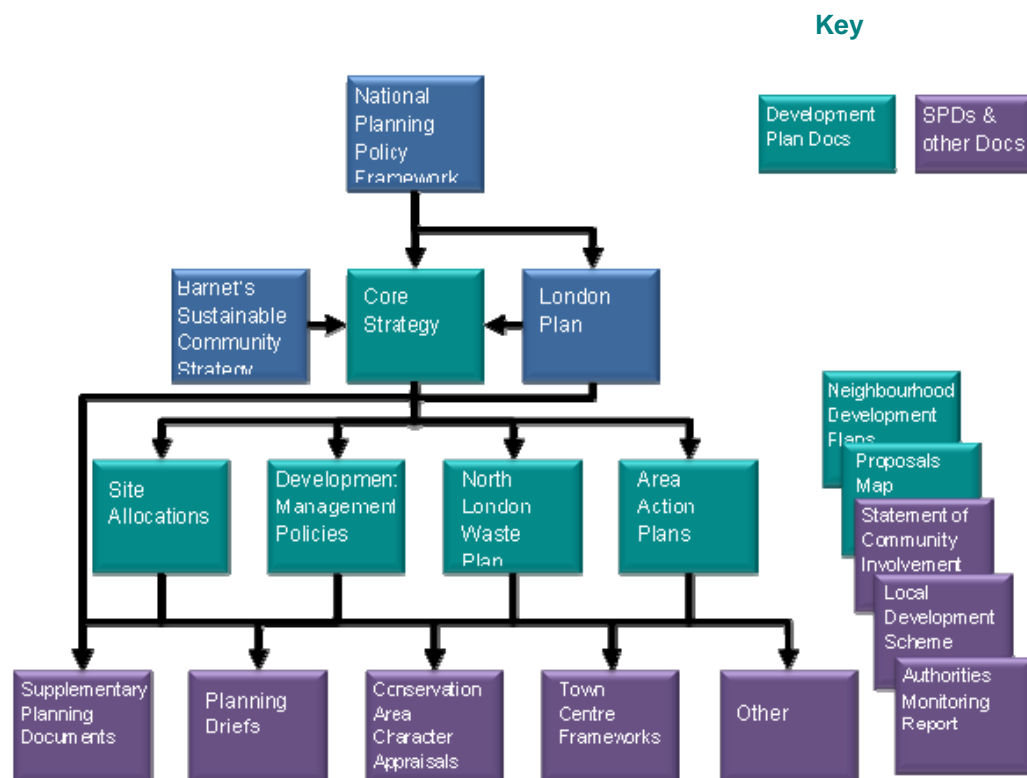
# 1 Introduction

- 1.1 This document is Barnet's fourth Local Development Scheme (LDS). The LDS is the project plan for preparing the Local Plan in that it sets out the programme for production of Local Plan documents. It also reviews the progress made in the production of new documents since the approval of the third LDS in 2011. The programme of documents generally extends for three years: in this case for the period to 2018.

## Barnet's Local Plan

- 1.2 The Council is under a statutory duty to provide a framework of planning policies which can be used to guide development proposals and determine planning applications. This framework is called the Local Plan (formerly the Local Development Framework (LDF)) and is comprised of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The Local Plan must comply with both the National Planning Policy Framework and the Mayor's London Plan.
- 1.3 The diagram below illustrates the structure of Barnet's Local Plan within the context of national and regional planning policy.

Figure 1: Barnet's Local Plan



- 1.4 The DPDs and SPDs are prepared according to different processes:
- **Development Plan Documents (DPDs)** – prepared according to a statutory process and subjected to an independent examination of ‘soundness’ by the Planning Inspectorate.

- **Supplementary Planning Documents (SPDs)** – not subject to external examination process, but have to be approved by the Council executive following significant public consultation.

1.5 In addition, there are other documents that are included within the Local Plan and produced on regular basis:

- **Statement of Community Involvement (SCI)** – this sets out minimum standards for community engagement in both Local Plan document production and the decision process on planning applications.
- **Local Development Scheme (LDS)** – the project plan for preparing the Local Plan.
- **Authorities Monitoring Report (AMR)** – this should review actual plan-making progress with targets and milestones set out in the Local Development Scheme.
- **Policies Map** – this identifies proposal sites and areas where specific policies apply – the policies map will be updated when the Site Allocations DPD is adopted.

1.6 The Development Plan Documents which the Council intends to produce by 2018 include:

- Site Allocations
- North London Waste Plan – produced jointly by the seven Boroughs of the North London Waste Authority.<sup>1</sup>
- Policies Map

1.7 The Supplementary Planning Documents which the Council intends to produce by 2018 include:

- Affordable Housing
- Green Infrastructure
- Grahame Park Phase B

1.8 Following adoption of the Site Allocations and NLWP documents as well as the Policies Map the Council will be in a position to commence a review of the Local Plan (Core Strategy and Development Management Policies). This will coincide with the completion of the review of the London Plan, which is expected by 2019. The timetable for this review will be a matter for the next version of the LDS.

### **Community Infrastructure Levy (CIL)**

1.9 The Community Infrastructure Levy (CIL) is a levy that local authorities can choose to charge on new developments in order to fund infrastructure. CIL is designed to be fairer, faster and more transparent than the previous system of agreeing S106 Agreements with developers.

---

<sup>1</sup> The North London Waste Plan (NLWP) is one of the largest DPDs in the country and its production involves seven local planning authorities. Each authority has its own governance procedures and timetable for approval of the emerging DPD. The programme for delivery of the NLWP therefore needs to factor in these different procedures.

In areas where CIL is in force, land owners and developers must pay the levy to the local council. The charges are based on the size and type of the new development.

- 1.10 Barnet's CIL was adopted in May 2013. The Council plans to revise its CIL charging schedule in 2017. The programme for the revision of CIL including public consultation and examination by an independent planning inspector is set out in **Appendix 2**.

### Neighbourhood Plans

- 1.11 The Localism Act 2011 introduced statutory policies which enable communities to draw up a Neighbourhood Plan for their area. Neighbourhood Plans can be produced by Neighbourhood Forums, which evolve from the designation of Neighbourhood Areas. Any adopted Neighbourhood Plans will form part of the statutory development plan. The programme for the production of Neighbourhood Plans is the responsibility of individual Neighbourhood Forums and not the local planning authority.
- 1.12 In September 2014 the Council approved an application the establishment of a Neighbourhood Area and Forum in Mill Hill. The Council is working with the Mill Hill Neighbourhood Forum in producing its Neighbourhood Plan.

## Background to Local Development Scheme

- 1.13 LDS production is a mandatory requirement of the planning system (as set out in Part 2 of the Planning and Compulsory Purchase Act 2004). The LDS describes the individual documents that form part of the statutory development plan for the Borough and sets out the timetable for the preparation and review of these documents.
- 1.14 The LDS will take effect four weeks after submission to the Mayor of London unless the Mayor requests changes or more time to consider the draft LDS.
- 1.15 **Appendix 1** highlights the linkages and influencing factors between various Local Plan documents. **Appendix 2 & 3** of the document sets out the timetable for Local Plan documents.

## 2 Decision Making and Monitoring

### Decision Making and Governance

- 2.1 The Policy and Resources Committee is the approval body for all stages of Local Plan document preparation as well as the Community Infrastructure Levy charging schedule and Neighbourhood Area and Forum designation as well as Neighbourhood Plan preparation

### Monitoring and Review of Development Plan Documents

- 2.2 Barnet prepares an *Authorities Monitoring Report* (AMR) for each year. The AMR:
- monitors the effectiveness of Local Plan (Core Strategy, Development Management Policies, Colindale and Mill Hill East Area Action Plans) planning policies by considering progress against a series of performance indicators as set out Appendices to these documents;
  - sets out the 5 year supply of housing, together with a trajectory of residential schemes which have been approved or allocated within Local Plan and associated documents;
  - considers the application of Local Plan policies where planning appeals have been allowed;
  - identifies any new development trends within the Borough; and
  - sets out progress on Local Plan document production and delivery on LDS milestones.
- 2.3 The National Planning Policy Framework (NPPF) which sets out Government planning policy was published in March 2012. NPPF (paragraph 153) states that Local Plans ‘can be reviewed in whole or in part to respond flexibly to changing circumstances’. Local planning authorities are advised to carry out regular swift, focused reviews of their Local Plans to ensure compliance with the NPPF and take into account changing local circumstances.
- 2.4 The Local Plan Core Strategy and Development Management Policies documents were adopted in September 2012 and remain consistent with the NPPF. This LDS does not set out a timetable for review of the Local Plan Core Strategy and Development Management Policies. A review can be triggered for a number of reasons, the most significant of which is that the context and assumptions behind the Local Plan have changed.
- 2.5 In response to unexpected demographic growth a partial review of the London Plan was completed in March 2015. The partial review still leaves a shortfall in accommodating this growth. A full review of the London Plan’s existing strategy and philosophy is required in order to deliver sufficient homes to meet objectively assessed need. This review is not expected to complete until 2019. The Core Strategy and Development Management Policies documents are therefore not programmed to be reviewed before 2019.
- 2.6 The Core Strategy highlights that if progress is not made with the implementation and delivery of regeneration in Brent Cross Cricklewood (BXC) the Council will, through a

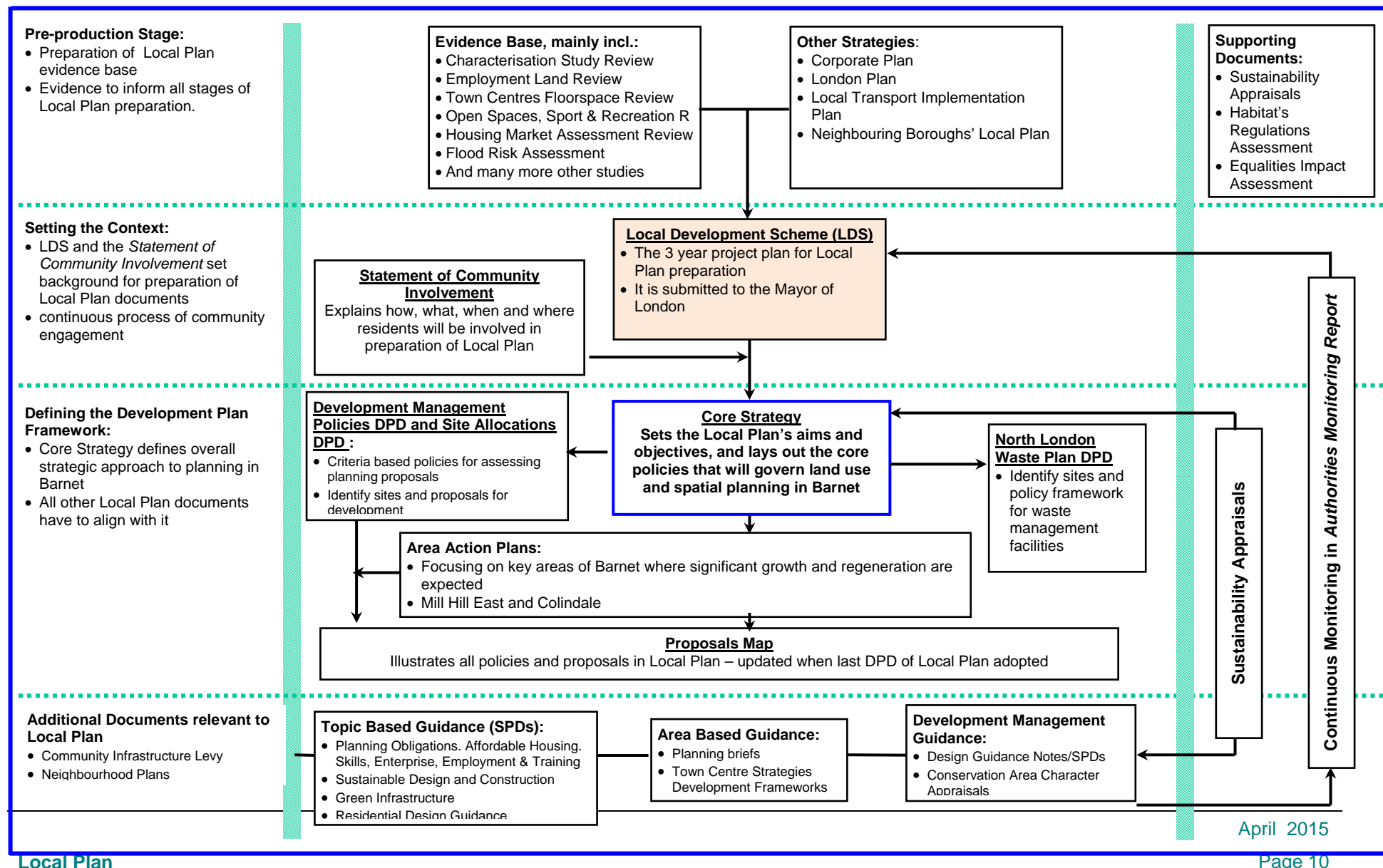


revision to the LDS, instigate a review of the existing planning policy framework for the BXC area. Progress with the delivery of the 2010 planning consent (and Section 73 revisions approved in 2014) is measured by a suite of monitoring indicators. The key milestone for regeneration of the area is the making of the Phase 1 Compulsory Purchase Order CPO by 2014/15. In March 2015 the Council resolved at Assets Regeneration and Growth Committee to make the Phase 1 CPO. Given this progress the existing planning policy framework for BXC can continue to decide future planning applications and a new DPD, SPD or partial review of the Core Strategy is required to further guide and control the comprehensive regeneration of BXC.

### **Risk Assessment**

- 2.4 The LDS identifies a Local Plan documents which have to be prepared. Failure to undertake this work or to undertake it such that the outputs are not fit for purpose would expose the Council to both legal and financial risk. **Appendix 4** sets out the Council's risk assessment associated to the production of the LDS.

# Appendix 1 – Barnet's Local Plan: Inter-relationship



## Appendix 2 – Barnet's Local Plan Documents Timetable

Document Title	Total Time	Purpose of Document	Commence Sustainability Appraisal	Public participation	Submission of DPD to Secretary of State	Date for independent examination	Adoption of DPD
Site Allocations DPD	3+ years	To allocate sites and proposals for development in order to ensure the vision, objectives and targets of the Core Strategy are met. Regulation 18 – Preferred Stage Consultation Regulation 19 – Publication Stage Consultation	May 2015	Reg 18 - Sept 2015 Reg 19 Sept 2016	Feb 2017	June 2017	Feb 2018
North London Waste Plan DPD	3+ years	To allocate sites for development of waste management facilities and provide a policy framework against which planning applications for waste management facilities can be considered. Regulation 18 – Preferred Stage Consultation Regulation 19 – Publication Stage Consultation	June/July 2014	Reg 18 – May/June 2015 Reg 19 - Feb/Mar 2016	Reg 22 – June 2016	Reg 34 – Sept 2016	Reg 36 – May 2017
Policies Map DPD	3+ years	To show designations in any adopted Development Plan Document and set out the areas to which specific Local Plan policies apply.	Production will be continuous	Not applicable	Not applicable	Not applicable	Feb 2018
Statement of Community Involvement	10+ months	To update SCI in accordance with new Regulations and to clearly set out how the community will be involved in the preparation of Local Plan documents and development management decision making.	Not applicable	February 2015	Internal Assessment of Representations - April 2015	Not applicable	July 2015

<b>Authorities Monitoring Report (AMR)</b>	3 months	To update AMR in accordance with new Regulations and to clearly set out how the community will be involved in the preparation of Local Plan documents and development management decision making	Not applicable	Not applicable	Not applicable	Not applicable	To be produced annually
<b>Community Infrastructure Levy and related documents</b>	1+ years	Review of effectiveness of CIL and the charging schedule which is the primary means of funding local infrastructure  Revised preliminary draft IDP (Infrastructure Delivery Plan) and Review of current CIL - 2016/2017 Revised preliminary draft charging schedule (PDCS) - 2017. Revised draft charging schedule (DCS) – June 2017	Not applicable	PDCS – March 2017 DCS – June 2017		November 2017	April 2018
<b>Affordable Housing SPD</b>	1+ years	To update Affordable Housing SPD adopted in January 2007 to reflect new policy approach as set out in Barnet's adopted Core Strategy and Development Management Policies DPDs.	Not applicable	July 2015	Internal Assessment of Representations - September 2015	Not applicable	January 2016
<b>Green Infrastructure SPD</b>	1+ years	The SPD provides further detailed guidance on how a planning policy will be implemented. The guidance is a material consideration for planning decisions and will be used to ensure new development contributes physically and/or financially to the strategic aims for green infrastructure	Not applicable	December 2015	Internal Assessment of Representations - February 2016	Not applicable	May 2016
<b>Grahame Park Phase B SPD</b>	1+ year	To undertake a comprehensive review of the remainder of the masterplan (known as Stage B of adopted masterplan 2007) in order to add	May 2015	July 2015	Internal Assessment of	Not applicable	December 2015

		drive to the project. In particular, it is critical that the Concourse (the central part of the Grahame Park estate containing shops and services) is dealt with and its speedy redevelopment is contingent on government funding with associated time constraints.			Representations - September 2016		
--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	----------------------------------	--	--

# Appendix 3 – Barnet's Local Plan Preparation Timetable

	June 2015 to May 2016												June 2016 to May 2017												June 2017 to May 2018													
	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M		
Site Allocations																																						
North London Waste Plan																																						
Policies Map	Continuous Production																																					
SPD																																						
Grahame Park – Phase B																																						
Green Infrastructure																																						
Affordable Housing																																						
Other Local Plan Documents																																						
Community Infrastructure Levy - Charging Schedule																																						
Authorities Monitoring Report	Produced Annually (as and when resources permit)																																					
Statement of Community Involvement																																						

## KEY:

Document Production



Consultation on document



Submission



Formal SPD/SCI/CIL Consultation



Examination Stage



Independent Examination



Adoption of Document



## Appendix 4 – Local Development Scheme – Risk Assessment

<b>Risk</b>	<b>Probability</b>	<b>Impact</b>	<b>Avoidance Process</b>
Loss of personnel or key personnel diverted to other duties	Medium/High	Delay in programme	<ul style="list-style-type: none"> <li>The Head of Strategic Planning and Assistant Director of Development Management allocates experienced staff from other duties or appoints temporary staff.</li> <li>Build 'buffers' into project plans.</li> </ul>
Underestimate of staff resources needed	Medium	Delay in programme	<ul style="list-style-type: none"> <li>Regular reviews of team work programme by Planning Policy (Local Plan) Manager and Head of Strategic Planning and Regeneration</li> </ul>
Programme delayed because of backlog at Planning Inspectorate	Medium	Delay in Examination in Public and therefore in programme	<ul style="list-style-type: none"> <li>Monitor progress of DPD production so that estimate of when Examination in Public is needed is robust.</li> <li>Maintain communication channels with the Mayor of London and the Planning Inspectorate.</li> </ul>
Delay in political agreement or change in political priorities	Medium	Delay in programme	<ul style="list-style-type: none"> <li>Utilise delegated powers where they are available.</li> <li>Regular progress briefing for Councillors via the Local Plan Member Steering Group.</li> </ul>
Failure to appoint consultants	Low/Medium	Delay in programme	<ul style="list-style-type: none"> <li>Early re-prioritisation of those areas where consultancy is needed.</li> </ul>
Poor evidence as part of Infrastructure Delivery Plan	Medium	DPD is found not fit for purpose	<ul style="list-style-type: none"> <li>Target resources to cover evidence gaps particularly on transport infrastructure</li> <li>Identify any secondary data sources.</li> </ul>
Delay in contract completion by consultants	Medium	Delay in programme	<ul style="list-style-type: none"> <li>Project Managers have specific responsibility for monitoring the performance of consultants.</li> </ul>
Budget constraints	Medium	Failure to appoint staff or consultants or to carry out adequate community engagement	<ul style="list-style-type: none"> <li>Local Plan Strategic Steering Group to regularly review the overall programme and budgets specifically.</li> <li>The Head of Strategic Planning to identify specific budget requirement for each part of the Local Plan's preparation.</li> </ul>
Major DPD faces legal challenge	Medium	DPD is found not fit for purpose	<ul style="list-style-type: none"> <li>Ensure all statutory guidance and processes governing Local Plan preparation are followed and DPDs are 'sound'.</li> <li>Use of Planning Advisory Service self-assessment toolkit</li> </ul>
Skills Gaps	Medium/High	Particularly with regard to sustainability appraisals and	<ul style="list-style-type: none"> <li>Appoint specialist consultants.</li> <li>Training for existing staff in sustainability appraisals / economic viability assessments if cost-effective.</li> </ul>

		economic viability work	
Insufficient joined-up working from corporate interests and Partnership members	Medium	Identification by the Planning Inspectorate of problems with the 'soundness' of a given DPD	<ul style="list-style-type: none"> <li>• Use of Local Plan Strategic Steering Group to ensure effective corporate working</li> <li>• Regular updates on Local Plan to RE and Barnet Boards</li> </ul>
Confusion over conformity with the London Plan	Medium / High	Identification by the Planning Inspectorate of problems with the 'soundness' of a given DPD	<ul style="list-style-type: none"> <li>• Regular meetings with the Mayor of London to address conformity issues with existing and emerging London Plan while it is subject to review.</li> <li>• Liaise with other London Boroughs to ensure clear and consistent guidance is provided by the Mayor.</li> </ul>