

London Borough of Enfield

Portfolio Report

Report of: **Executive Director Place**

Subject: **Local Development Scheme 2020**

Cabinet Member: **Cllr Caliskan, Leader of the Council**

Executive Director: **Sarah Cary**

Ward: **All**

Key Decision: **None**

Purpose of Report

1. The purpose of this report is for the Leader of the Council to agree to a revised Local Development Scheme including an updated timetable for the preparation of the Local Plan.

Proposal(s)

2. To AGREE the latest timetable, as set out in the revised Local Development Scheme for the preparation of the Council's Local Plan documents.
3. To NOTE the justification for an additional consultation under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 and approve it being incorporated to the Local Development Scheme appended to this report.
4. To delegate the finalisation of minor amends and subsequent adoption of the Local Development Scheme to the Executive Director Place.

Reason for Proposal(s)

5. Local Plans must be prepared in accordance with the published LDS. The current LDS is out of date and as such the emerging Local Plans would be unlikely to pass examination as their preparation would not have complied with this requirement.

Relevance to the Corporate Plan

6. The LDS helps contribute to objectives of the Corporate Plan in ensuring that Local Plans are prepared in an efficient and timely fashion.
7. The LDS also fulfils the role of keeping residents and stakeholders informed on progress on plan preparation in the borough as it sets out what documents the Council is seeking to prepare and when they can expect to

be consulted on and otherwise participate in the process. Public engagement is a fundamental component of the planning system.

Glossary of acronyms and any other abbreviations used in this report

AMR	Authority Monitoring Report
GDPO	General Permitted Development Order
LDS	Local Development Scheme
DPD	Development Plan Document
LHNA	Local Housing Needs Assessment
NLWP	North London Waste Plan
NPPF	National Planning Policy Framework
PPG	National Planning Policy Guidance
SCI	Statement of Community Involvement
SPD	Supplementary Planning Document

Background

8. The Council is required to produce and formally adopt a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The LDS is a work programme that provides information about Development Plan Documents (DPDs) (including the Local Plan) that Enfield Council will produce. The LDS is required to set out the subject and geographical area that each DPD will cover and the timetable for its preparation and revision.
9. It is important to note that the LDS is only required to set timetables for the preparation of local plans, however in the spirit of transparency the Council considers it helpful to also publish timetables for the preparation of Supplementary Planning Documents (SPD).
10. The LDS serves two purposes:
 - 1) It provides the starting point for the local community to find out what the council's, as the local planning authority, planning policies are for the area by setting out all the DPDs that form and supplement the Local Plan; and
 - 2) It sets out the programme for the preparation of DPDs over a four year period including timescales indicating when the various stages in the preparation of any DPD will be carried out.

Main Considerations for the Council

11. The council's previous LDS was adopted 20 months ago in April 2019 and covers the period between 2019 to 2022. It was adopted with the understanding that it would be reviewed regularly in order to ensure it is kept up to date and reflect the current and anticipated work programme. This is particularly important as Local Plans must be prepared in accordance with the published LDS.
12. Since April 2019, there have been a number of changes which means that it no longer reflects the current and anticipated work programme for local plan preparation. These changes are:

- Two of the plans in the LDS have now been adopted and no longer need to be included in the work programme. These plans are the Edmonton Leaside Area Action Plan and Heritage Strategy SPD.
 - Significant progress has been made on the draft North London Waste Plan.
 - A number of significant contextual changes to the plan making environment have occurred including:
 - Introduction of changes to secondary planning legislation relating to the Use Classes Order and the GPDO;
 - Changes to national planning policy and guidance;
 - The Planning for the Future White Paper proposals (August 2020);
 - Outbreak of COVID and its social and economic impacts;
 - Consultation on proposed changes to the current planning system and a Planning White Paper which seeks to introduce radical reforms to the Planning system
 - A delay in the progress of adopting the London Plan.
13. These contextual changes have necessitated a pause in the Enfield Local Plan preparation process whilst their implications were assessed. In response to the Planning for the Future White Paper proposals, the message from the Chief Planner¹ is clear on progressing local (and neighbourhood) plans: *'We would strongly encourage local authorities to continue in the preparation and adoption of local plans'*. The timetable now needs updating to take this pause period and changes into account.
14. As a result of the above changes the LDS needs to be updated to remain current. The revised timetable is summarised in paragraph 15 of this report and set out Section 4 of the revised LDS attached at **Appendix A**.

LDS and Enfield Local Plan timescales

15. The revised timetable for the Enfield Local Plan can be summarised in Table 1 below:

Table 1: summary of revised timetable

The Cabinet/Council approve the consultation on draft plan	Summer 2021
Consultation on draft plan (regulation 18)	Summer 2021

¹ MHCLG Planning Newsletter, No.3 of 2020
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/924423/Chief_Planners_Newsletter_-_October_2020.pdf

The Cabinet/Council approve the pre-submission version of the Local Plan	Spring 2022
Pre-submission consultation (regulation 19)	Spring/summer 2022
Examination (estimated)	Late 2022 through to 2023
Adoption (estimated)	Early 2024

16. The revised timetable demonstrates the Council's intention to deliver an up to date Enfield Local Plan which is consistent with the 2019 National Planning Policy Framework and which will be submitted for examination in 2022. It is considered that this will represent a realistic and achievable timetable, subject to no major changes in Government guidance or requirements.
17. Officers consider that the timetable remains challenging but it is deliverable. It should be noted, once the plan has been submitted to the Planning Inspectorate (PINS), the timing of the Public Examination and the production of the Inspector's report is in the hands of the Planning Inspectorate and the availability and workloads of their Inspectors and the Council can only have limited influence on this part of the process. The timetable set out in the LDS (and above) takes account of the latest timetabling information from the Planning Inspectorate but assumes no significant backlog.
18. The revised timetable assumes that restrictions associated with COVID-19 have eased sufficiently to allow the Council to conduct appropriate engagement on the Plan as currently intended. The Council will monitor the situation closely over the coming weeks and months and take necessary action, including putting in place appropriate measures to ensure public participation during forthcoming consultations and access to Council officers and documentation.

Safeguarding Implications

- 18 There are not considered to be any safeguarding implications.

Public Health Implications

- 19 The revised LDS and updated timetable for preparation for the Local Plan have no direct public health implications. The Local Plan itself will have the potential to positively impact the health and wellbeing of Enfield residents. Health considerations are a crucial part of planning policy. The Local Plan will help improve the public's health through prioritising active travel, mitigating climate change and creating opportunities for incidental social interaction.

Equalities Impact of the Proposal

- 20 No equalities impact has been identified in relation to the scope and preparation of a work programme for the preparation of local DPD's. It is important to ensure up to date information is available in the public domain and accessible to all. The Local Plan documents will be subject to equalities impact assessment as they are prepared. An equalities impact assessment is therefore not required for the LDS. This is because the LDS is an administrative document, which does not in itself create policy. The LDS will be published on the Council's website.

Environmental and Climate Change Considerations

- 21 Progressing Local Plans will help the council to make decisions on planning applications to help achieve sustainable development. The Local Plan documents themselves will be subject to separate sustainability appraisals.
- 22 A full Sustainability Appraisal (SA) must be carried out as part of the Local Plan process. The SA looks at social, environmental and economic impacts in detail and is scrutinised at the Local Plan examination by an independent inspector.

Risks that may arise if the proposed decision and related work is not taken

- 23 Local Plans must be prepared in accordance with the published LDS. The current LDS is out of date and as such the emerging Local Plans would be unlikely to pass examination.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

- 24 The risks relate to the LDS and not meeting the timetable therefore leading to a loss in momentum as plans and projects move on. The LDS is a good tool for programme management. The risk has been mitigated by the creation of a detailed work programme which sets out how we will work to ensure the timetables are met, keeping the LDS under review and updating as necessary.

Financial Implications

- 25 There are no direct financial implications associated with the adoption of the Local Development Scheme. Costs will be associated with publicising the adoption of the revised Local Development Scheme and these will be in the form of officer time, from the existing Local Plan budget.

Legal Implications

- 26 Section 15 of the Planning and Compulsory Purchase Act 2004, as amended, requires the local planning authority to prepare and maintain a local development scheme. It also requires the local planning authority to revise the local development scheme at such time as they consider appropriate. The updated Local Development Scheme is to be made available to the public, together with the changes made and details of compliance with the timetable.

Workforce Implications

- 27 The Strategic Planning and Design service currently has the staff resources available to deliver the Local Plan to the timetable set out in the Local Development Scheme.

Property Implications

- 28 There are no property implications associated with the adoption of a revised LDS.

Options Considered

- 29 Two options are available:
- Option 1: agree to the updated timetable and accept the recommendation to endorse the LDS; or
 - Option 2: do not formally endorse the LDS.
- 30 Local Plans must be prepared in accordance with the published LDS. The current LDS is out of date and as such the emerging Local Plans would be unlikely to pass examination as their preparation would not have complied with this requirement. Therefore Option 2 is not considered to be an appropriate option.

Conclusions

- 31 This report seeks to agree the latest timescales as set out in the revised Local Development Scheme for the preparation of the council's local plan document. The current LDS is out of date: two of the plans are now adopted and significant progress has been made to the NLWP. The LDS is now revised to reflect current and future work programmes.
- 32 The LDS is a valuable programme management tool and will set a challenging but realistic timetable for the preparation of the new Enfield Local Plan and North London Waste Plan. It is one component of helping ensure that Local Plans are legally compliant. The Leader of the Council is requested to agree the revised timetable set out in the updated LDS appended to this report.

Report Author: May Hope
Plan Making Manager
May.hope@enfield.gov.uk

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Appendices

Appendix A: Local Development Scheme: the timetable for Enfield's new Local Plan.