

<b>REPORT TO:</b>	<b>CABINET - 11 March 2013</b>
<b>AGENDA ITEM:</b>	<b>10</b>
<b>SUBJECT:</b>	<b>Adoption of the Croydon Local Plan – Strategic Policies</b>
<b>LEAD OFFICER:</b>	<b>Paul Spooner, Interim Executive Director Planning and Environment</b> <b>Mike Kiely, Director of Planning &amp; Building Control</b>
<b>CABINET MEMBER:</b>	<b>Councillor Jason Perry, Cabinet Member for Planning, Regeneration &amp; Transport</b>
<b>WARDS:</b>	<b>All</b>

**CORPORATE PRIORITY/POLICY CONTEXT:**

It has been a long standing and remains a key corporate priority for the Council to develop, produce and adopt an up to date development plan and associated masterplans and planning guidance to ensure the borough's growth and development is accommodated in a planned and sustainable manner that respects the borough's valuable character, heritage and environment.

The adoption of the Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy (the Plan)) will set the strategic context for the next twenty years and ensure the corporate objective above is met and that all future development plan documents, supplementary planning documents and planning guidance are in conformity with the Plan.

Due to the strategic nature of the Plan, attention has now turned to the development and production of the Croydon Local Plan – Detailed Policies and Proposals CLP – DPP) development plan document. This is essential, and is again a corporate priority, as this development plan document will included detailed policies for the purposes of development management and allocate and designate land to meet the development requirements set out in the Plan.

In addition to the above, adoption of the Plan aligns with Croydon's Corporate Plan 2011 to 2013 Objective 4 – Empowering Communities and Objective 5 – Competing as a place.

Furthermore, the adoption of the Plan will make a contribution, to varying extents, to all of the six of Croydon's Community Strategy (2010-2015) objectives (set out below).

- An Enterprising City
- A Learning City
- A Caring City
- A Creative City
- A Connected City
- A Sustainable City

**FINANCIAL IMPACT**

Sufficient budget exists for the adoption of the Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy (the Plan)) from the Spatial Planning services budget and (Local Plan) reserve (2011 – 13).

**KEY DECISION REFERENCE NO.:** This is not a key executive decision as it is reserved to the Council for approval as part of the policy framework.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below.

## **1. RECOMMENDATIONS**

### **1.1 That the Cabinet:**

1. Consider the content and conclusions of the Inspector's Report into the Croydon Local Plan – Strategic Policies (Appendix C - website copy only).
2. Endorse the adoption of the Croydon Local Plan – Strategic Policies development plan document (Appendix A - website copy only) and Croydon Local Plan – Strategic Policies development plan document Policies Map (Appendix B -website copy only) in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004.
3. Should it be necessary prior to adoption, agree that the Director of Planning and Building Control in consultation with the Cabinet Member for Planning, Regeneration and Transport be delegated authority to consider and approve minor editorial and factual changes to the Croydon Local Plan – Strategic Policies (including Policies Map).

### **1.2 Recommend to Full Council that it:**

1. Adopt the Croydon Local Plan – Strategic Policies development plan document (Appendix A) and Croydon Local Plan – Strategic Policies development plan document Policies Map (Appendix B) in accordance with Section 23 of the Planning and Compulsory Act 2004.
2. Adopt the Croydon Opportunity Area Planning Framework (Appendix E – Website copy only) as a Supplementary Planning Document to the Croydon Local Plan – Strategic Policies in accordance with Cabinet's Key Decision 1175 of 21 January 2013.

## **2. EXECUTIVE SUMMARY**

- 2.1 The Council submitted its Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy (the Plan)) to the Secretary of State in April 2012 following Council resolution in January 2012. The Secretary of State appointed Planning Inspector conducted the Examination into the soundness (appropriateness for adoption) of the Plan in September 2012. The Council received the Inspector's report in December 2012 and the report concludes that the Plan is sound and therefore appropriate for adoption, subject eight main modifications being included in the Plan on adoption. The Inspector's overall conclusion is set out below.

*This report concludes that the Croydon Local Plan – Strategic Policies provides an appropriate basis for the planning of the Borough over the next 15 years providing a number of modifications are made to the Plan.*

- 2.2 This report seeks a recommendation from Cabinet to Full Council to approve adoption of the Plan as part of the Council's development plan. Once part of the Council's development plan, development management decisions need to be made in accordance with the development plan unless material considerations indicate otherwise.
- 2.3 On adoption the Plan provides the strategic vision, objectives and policies for the borough accommodating growth and development over the next twenty years in a planned and sustainable manner that respects the borough's valuable character, heritage and environment.
- 2.4 The adoption of the Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy (the Plan)) will set the strategic context and all future development plan documents, supplementary planning documents and planning guidance will need to in conformity with the Plan.
- 2.5 Due to the strategic nature of the Plan, attention has now turned to the development and production of the Croydon Local Plan – Detailed Policies and Proposals CLP – DPP) development plan document. This is essential as this development plan document will included detailed policies for the purposes of development management and allocate and designate land to meet the development requirements set out in the Plan in an appropriate and sustainable manner.
- 2.6 The Croydon Opportunity Area Planning Framework was adopted by the Mayor as Supplementary Planning Guidance to the London Plan on 16 January 2013. Cabinet agreed to adopt the Croydon Opportunity Area Planning Framework as a draft Supplementary Planning Document (Cabinet's Key Decision 1175 of 21 January 2013) in advance of adoption of the Croydon Local Plan – Strategic Policies. Subject to Cabinet and Full Council approval to adopt the Croydon Local Plan – Strategic Policies, the Croydon Opportunity Area Planning Framework is recommended to be adopted as a Supplementary Planning Document to the Croydon Local Plan – Strategic Policies. The Croydon Opportunity Area Planning Framework January Cabinet report can be viewed via the following web link - <https://secure.croydon.gov.uk/akscroydon/images/att1549.DOC>

### **3. DETAIL**

- 3.1 In accordance with Planning and Compulsory Purchase Act 2004 and the relevant Town and Country Planning (Local Planning) Regulations the Council has been developing and producing the Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy) since 2009. The key stages in the Plan's production are set out below:
  - 'Imagine Croydon - Issues and Options', published in July 2009;
  - 'Towards a Preferred Core Strategy', published in February 2010;

- 'Towards a Preferred Core Strategy' – supplement, published for a further consultation during September and October 2010;
  - Core Strategy- Croydon Development Plan Document- Proposed Submission for Publication – September 2011 and the Proposals Maps, published 12 September to 24 October 2011;
  - Core Strategy- Croydon Development Plan Document- Proposed Submission for Publication – January 2012, published 16 January and 27 February 2012.
- 3.2 The Council submitted its Croydon Local Plan – Strategic Policies (formerly the Local development Framework – Core Strategy (the Plan)) to the Secretary of State in April 2012 following Council resolution in January 2012.
- 3.3 Due to the publication of the National Planning Policy Framework (NPPF) in March 2012 the Inspector directed the Council to conduct a consultation on the implications of the NPPF on the submitted Plan to inform the Examination, which was duly undertaken between 27 April 2012 and 8 June 2012. Furthermore, the Council was required to undertake an assessment regarding the compliance of the submitted Plan with the NPPF to inform the Examination.
- 3.4 The Secretary of State appointed Planning Inspector conducted the Examination into the soundness (appropriateness for adoption) of the Plan in September 2012. To be sound the Plan must be positively prepared, justified, effective and consistent with national policy. Furthermore, the Inspector must be satisfied the Plan is legally compliant with the requirements of Section 20(5) of the Planning and Compulsory Planning Act 2004.
- 3.5 Through the Examination hearings and process the Inspector considered the whole Plan and supporting material and evidence, including representations made to the plan and evidence presented at the Examination hearings by participants. Notwithstanding the plan was examined as a whole, particular focus was given to the nature of the plan, the presumption in favour of sustainable development, housing land supply over the entire plan period, affordable housing policy, the policy approach to tall buildings, necessity for Green Belt release and climate change policy. Further detail is included in the Inspector's report (appendix C).
- 3.6 Following the Examination the Council concluded eight main modifications needed to be made to the Plan to ensure the soundness of the Plan. These eight main modifications were recommended to the Inspector and, as directed by the Inspector, were consulted on from 12 October 2012 to 23 November 2012 to inform the Inspector's report. The eight main modifications are set out in detail in the Inspector's report (appendix C).
- 3.7 The Inspector's report (Appendix C) was received on 17 December 2012 and the Inspector's overall conclusion is as follows.

*This report concludes that the Croydon Local Plan – Strategic Policies provides an appropriate basis for the planning of the Borough over the next 15 years providing a number of modifications are made to the Plan.*

- 3.8 The Inspector’s report concludes the Plan satisfies the test of soundness of being positively prepared, justified, effective and consistent with national policy as set in paragraph 182 of the National Planning Policy Framework, subject to the inclusion of eight main modifications. Furthermore, the Inspector’s report concludes the Plan and its preparation is compliant with Section (5) of the Planning and Compulsory Purchase Act 2004.
- 3.9 As soon as reasonably practicable after receipt of the Croydon Local Plan – Strategic Policies (the Plan) Inspector’s report (as required by Regulation 25 of the Town and Country Planning (Local Planning) (England) Regulations 2012) the Council published the report as required by s.20 of the Planning and Compulsory Purchase Act 2004.
- 3.10 As a consequence of this very positive outcome, this report seeks Cabinet and Council approval to adopt the Plan as part of the Council’s development plan.

#### 4. CONSULTATION

- 4.1 The Plan was subject to numerous consultations throughout its production and the consultations related to the stage the Plan had reached. The consultations undertaken are set out in paragraphs 3.1, 3.3 and 3.6 of this report.

#### 5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

##### 5.1

##### 1 Revenue and Capital consequences of report recommendations

	Current year 2012/13 £'000	Medium Term Financial Strategy – 3 year forecast		
		2013/14 £'000	2014/15 £'000	2015/16 £'000
<b>Revenue Budget</b>				
Expenditure	0	15	0	0
Income	0	0	0	0
<b>Effect of decision from</b>				
Expenditure	0	15	0	0
Income	0	0	0	0
<b>To be funded from earmarked reserve</b>	<u>0</u>	<u>15</u>	<u>0</u>	<u>0</u>

**Capital Budget  
available**

Expenditure

**Effect of  
decision from**

Expenditure

**Remaining**

_____	_____	_____	_____
_____	_____	_____	_____

**2 The effect of the decision**

The effect of the decision will be to agree the expenditure outlined above to fund the adoption of the Croydon Local Plan – Strategic Policies (formerly the Local Development Framework – Core Strategy). Sufficient budget exists for the adoption from the Spatial Planning services budget and (Local Plan) reserve (2011 – 13).

**3 Risks**

The Spatial Planning Service are confident that the forecasted adoption cost is well founded and there is very limited risk of an overspend. However, although considered very unlikely, there is a risk the adoption of the Plan could be subject to a judicial review. Should a judicial review be submitted to the court, accepted by the court and contested by the parties there is currently no budget for the Council to contest a judicial review.

**4 Options**

The only alternative option is not to adopt the Plan. However, this would be inappropriate as this would leave the borough without an approach to strategic planning for the next 20 years and would lead to growth and development occurring in an unplanned and unsustainable manner.

**5 Future savings/efficiencies**

There will be no direct savings or efficiencies as a consequence of this decision. However, the adoption of the Plan will provide developers with investment certainty, speed up development negotiations and is likely to reduce the number of planning appeals as the Council will have an up to date strategic development plan.

Approved by: Richard Simpson, Director of Finance and Deputy Section 151 Officer

**6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

6.1 The Council Solicitor comments that following adoption of the Plan Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that the Council make available:-

- the plan;
- an adoption statement;

- the sustainability appraisal report; and
- details of where the local plan is available for inspection and the places and times at which the document can be inspected;

It must also send a copy of the adoption statement to any person who has asked to be notified of the adoption of the local plan and send a copy of the adoption statement to the Secretary of State.

6.2 Upon adoption the Plan will form part of the Council's development plan.

(Approved by: Gabriel MacGregor, Head of Corporate Law on behalf of the Council Solicitor & Monitoring Officer).

## **7. HUMAN RESOURCES IMPACT**

7.1 Resourcing of the adoption of the Croydon Local Plan - Strategic Policies will be met by existing Spatial Planning resources.

7.2 Approved by: Adrian Prescod, HR Business Partner, on behalf of the director, Human Resources & Organisational Effectiveness

## **8. EQUALITIES IMPACT**

8.1 The Croydon Local Plan – Strategic Policies is supported by an Equality Impact Assessment (appendix D – website copy only).

## **9. ENVIRONMENTAL IMPACT**

9.1 The Croydon Local Plan – Strategic Policies has been subject to a Sustainability Appraisal and Strategic Environmental Assessment, which was produced in accordance with the Sustainability Appraisal and Strategic Environmental Assessment Regulations and formed part of the Plan's Examination.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

10.1 Adoption of the Croydon Local Plan – Strategic Policies will have a positive impact on crime and disorder reduction in terms of ensuring developments are planned, located and designed in a manner that seeks to achieve crime and disorder reduction.

## **11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

11.1 Adoption of the Plan will provide the strategic vision, objectives and policies for the borough accommodating growth and development over the next twenty years in a planned and sustainable manner that respects the borough's valuable character, heritage and environment. Furthermore, the Plan's adoption will support the Council's regeneration objectives and create planning certainty, which is very often a catalyst for inward investment.

## 12. OPTIONS CONSIDERED AND REJECTED

- 12.1 The only alternative option is not to adopt the Plan. However, this would be inappropriate as this would leave the borough without an approach to strategic planning for the next 20 years and would lead to growth and development occurring in an unplanned and unsustainable manner, which undermine the Council's regeneration objectives and acts deterrent to inward investment.

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**CONTACT OFFICER:** Tim Naylor, Head of Spatial Planning ext 62615

**BACKGROUND DOCUMENTS:** none

**APPENDICES (e-copy only):** The following appendices can be accessed on the Council website by selecting the Cabinet meeting date of 11 March 2013 using this link <http://www.croydon.gov.uk/democracy/dande/minutes/committees>

Appendix A – Croydon Local Plan – Strategic Policies development plan document

Appendix B - Croydon Local Plan – Strategic Policies development plan document Policies Map

Appendix C - Croydon Local Plan – Strategic Policies development plan document Inspector's Report

Appendix D - Croydon Local Plan – Strategic Policies development plan document Equalities Impact Assessment

Appendix E – Croydon Opportunity Area Planning Framework supplementary planning document

Note: For the Cabinet meeting a printed reference copy will be provided in the Members' Library