

LONDON BOROUGH OF CROYDON

REPORT:	COUNCIL	
DATE OF DECISION	17 April 2024	
REPORT TITLE:	Croydon Local Plan Partial Review	
CORPORATE DIRECTOR / DIRECTOR:	Nick Hibberd, Corporate Director of Sustainable Communities, Regeneration & Economic Recovery Heather Cheesbrough, Director of Planning & Sustainable Regeneration	
LEAD OFFICER:	Julia Dawe - Plan Making Team Leader Steve Dennington – Service Head for Spatial Planning Growth Zone and Regeneration Email: Julia.Dawe@croydon.gov.uk Steve.Dennington@croydon.gov.uk	
LEAD MEMBER:	Cllr Jeet Bains, Cabinet member for Planning and Regeneration	
CONTAINS EXEMPT INFORMATION?	No	
WARDS AFFECTED:	All	

1 SUMMARY OF REPORT

- 1.1 The Executive Mayor in Cabinet on 27th March 2024 agreed, subject to officer delegated authority to make minor and/or factual changes, the publication of the Proposed Submission draft of the Croydon Local Plan review in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 The Executive Mayor also agreed that the Proposed Submission draft of the Croydon Local Plan review be recommended to Full Council for submission to the Secretary of State upon expiry of the statutory 6-week publication period including, if applicable, any minor changes arising from any representations received.
- 1.3 Therefore, the purpose of this report is to seek Council approval to submit the Proposed Submission draft of the Croydon Local Plan review to the Secretary of State for independent examination following the Regulation 19 consultation with officer delegated authority to make any minor changes arising from any representations received.

2 RECOMMENDATIONS

For the reasons set out in this report, report to Cabinet 27th March 2024 and associated appendices (Appendix 1), Council is recommended to agree:

- 2.1 The submission of the draft Croydon Local Plan Review and its associated Sustainability Appraisal (as per Appendix 1 but subject to the amendments set out in 4.6 and any further minor changes arising from any representations received) to the Secretary of State following the conclusion of the statutory 6-week publication and consultation period in accordance with Section 20(1) of the Planning and Compulsory Purchase Act 2004; and
- 2.2 Delegate to the Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, in consultation with the Executive Mayor and Cabinet Member for Planning and Regeneration, the making of minor modifications and factual corrections to the draft Croydon Local Plan Review and its associated Sustainability Appraisal arising from any representations received and prior to submission to the Secretary of State.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The National Planning Policy Framework (NPPF) states “**policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.**” It is a statutory requirement for the Council to have an up-to-date Local Plan. Croydon’s Local Plan 2018 therefore needs to be reviewed to comply with the relevant legislative requirements.
- 3.2 Further reason for undertaking the Local Plan Review are set out in detail in the cabinet report 27th March 2024.

4 BACKGROUND AND DETAILS

- 4.1 The Executive Mayor in Cabinet on 27th March 2024 agreed, subject to officer delegated authority to make minor and/or factual changes, the publication of the Proposed Submission draft of the Croydon Local Plan review in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 The full background and details relating the Partial Review of the Local Plan are detailed in the 27 March 2024 cabinet report and associated appendices at Appendix 1. In summary and as previously stated, it is a statutory requirement for the council to have an up-to date Local Plan for planning applications to be determined in accordance with the policies in the plan, to resist inappropriate development and minimise the risk of development being allowed at appeal.

4.3 The cabinet report 27th March 2024 already outlines the requirement to align the Local Plan Review with the London Plan 2021 and changes in national legislation relevant to plan making.

4.4 An earlier version of the Local Plan Review was published in January 2022 for a 6-week period under Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012. This resulted in several concerns being raised from various interested parties including Residents' Associations and politicians particularly in relation to the proposed intensification areas. There was also criticism expressed at the time suggesting that work on the Local Plan should stop until after the mayoral election had taken place. This was taken on board and work on the Local Plan Review was subsequently halted. Following the election of Mayor Perry and the publication of the Mayor's Business Plan, work recommenced to make amendments to the plan to address the pledges in the Mayor's Business Plan together with the representations made in respect of the previous Regulation 19 publication. In addition, updates to policies have been made to bring them in line with changes to the NPPF and other relevant legislation. The changes are summarised as follows:

- Removal of intensification areas;
- Refining the housing targets;
- Contributing to meeting the borough's housing need;
- Confirmation of the Spatial Strategy to concentrate development to the most sustainable locations, such as the Croydon Opportunity Area and District Centres;
- Developing vibrant places for people to live, work and visit focused on Town Centre and district centre renewal and regeneration;
- Amending policies to place more emphasis on design and character over density;
- Inclusion of a new policy in respect of Houses in Multiple Occupation (HMO's);
- Identification of Local Green Spaces;
- Updates to policies to address climate change; and
- Updates to policies to reflect changes to the National Planning Policy Framework and relevant legislation.

4.5 The changes to the Local Plan policies and an overview of the new policies are set out in detail, chapter by chapter, in the attached Cabinet Report (Appendix 1).

4.6 In addition, in consultation with the Executive Mayor and Cabinet Member for Planning and Regeneration, the Director of Planning and Sustainable Regeneration has made the following minor and/or factual changes to better meet the burial needs of all communities in the borough:

4.6.1 Policy DM22: Providing for cemeteries and burial grounds: the following criterion has been deleted:

a) Have good means of access from roads and are near bus routes or other transport nodes;

and

- 4.6.2 **Supporting text para. 7.46:** has been amended by inserting the word “ideally” as set out below:

*“A new cemetery or burial ground **ideally** needs to be well accessed from roads and bus routes or other transport nodes in order to be accessible for residents of the borough to visit and attend to gravestones.”*

- 4.7 Moving forward, delegated authority is sought for the Corporate Director for Sustainable Communities, Regeneration and Economic Recovery, in consultation with the Executive Mayor and Cabinet Member for Planning and Regeneration, to make minor modifications and factual corrections to the draft Croydon Local Plan Review and its associated Sustainability Appraisal arising from any representations received and prior to submission to the Secretary of State.
- 4.8 If any changes are made they will be submitted in a proposed modification schedule and limited to addressing soundness.

5 CONSULTATION

- 5.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the legal requirements for consultation in relation to preparation of a Local Plan. The Council is also required to prepare a Local Development Scheme (LDS) and Statement of Community Involvement (SCI) which set out the timetable for preparing the Local Plan and how the Council will consult with all relevant parties during the plan’s preparation. The final round of consultation in accordance with Regulation 19 is taking place in May. It is a statutory requirement that all representations received by the Council are submitted alongside the revised Local Plan to the inspector for independent examination. Both the SCI and LDS have been updated to reflect the current timetable as the Local Plan Review proceeds to formal adoption. The stages of consultation are set out in detail in section 6 of the Cabinet report 27th March 2024.
- 5.2 Furthermore, a programme of meetings with Local Residents’ Associations, other community groups and representatives across the Council’s political groups has taken place since October 2023. More detail regarding previous consultation is set out in Section 6 of the Cabinet report 27th March 2024.

6 CONTRIBUTION TO COUNCIL PRIORITIES

- 6.1 The Local Plan Review is key to delivering Priority 4 in the Mayor’s Business Plan “Ensure new homes are safe, well-designed and in keeping with the local area.” The Business Plan states that we will: **“Review Croydon’s Local Plan to remove intensification zones, support sustainable development and emphasise design and character over density”**. The Local Plan Review addresses this key priority.

7 IMPLICATIONS

7.1 FINANCIAL IMPLICATIONS

Members are referred to the Finance Implications in the Cabinet report 27th March 2024, Appendix 1.

7.2 LEGAL IMPLICATIONS

Members are referred to the Legal Implications in the Cabinet report 27th March 2024, Appendix 1.

A local plan is a development plan document for the purposes of the Planning and Compulsory Purchase Act 2004 and Schedule 3 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. It is therefore also a policy framework document for the purposes of Article 4 of the Constitution.

In accordance with statutory and constitutional processes, the decision to submit the draft Croydon Local Plan Review and its associated Sustainability Appraisal to the Secretary of State has to be recommended by the Executive and approved by Full Council.

Both the Executive and Full Council have legally prescribed roles to play in respect of policy framework decision making and the special decision-making rules set out in the Constitution (Part 4.C – Budget and Policy Framework Procedure Rules) apply.

At this meeting, Full Council cannot amend or reject the Executive's proposals. Full Council may by simple majority: (1) approve the draft Croydon Local Plan Review and its associated Sustainability Appraisal for submission to the Secretary of State or (2) object to the draft proposals and instruct the Executive to reconsider the draft proposals submitted to it. The instructions to the Executive must specify a period of at least 5 working days for the Executive to (1) submit revised draft proposals, with reasons for any amendments, for Full Council's consideration or (2) inform Full Council of its reasons for disagreeing with the objections.

At a subsequent meeting, Full Council can (1) approve the Executive's proposals or, as the case may be, revised proposals by a simple majority or (2) make amendments by a two thirds majority of those voting.

Council Procedure Rules (Part 4A of the Constitution) also need to be complied with (see, in particular, 3.81 to 3.90). For the purposes of this meeting, details of the referral back to the Executive/amendment(s) have to be submitted in writing to Democratic Services within 72 hours of publication of the meeting agenda.

7.3 EQUALITIES IMPLICATIONS

Members are referred to the Equalities Implications as detailed in the Cabinet report 27th March 2024, at Appendix 1.

8 APPENDICES

Appendix 1 - Local Plan Review report Cabinet 27th March 2024 and associated appendices.

9 BACKGROUND DOCUMENTS

9.1 See documents listed in the Cabinet report at Appendix 1.