



UNITARY DEVELOPMENT PLAN ADVISORY PANEL

**THURSDAY 8 JULY 2004
7.30 PM**

PANEL AGENDA (ADVISORY)

**COMMITTEE ROOM 5,
HARROW CIVIC CENTRE**

MEMBERSHIP (Quorum 3)

Chair: Councillor Burchell

Councillors:

Idaikkadar	Marilyn Ashton
N Shah	Mrs Bath
Anne Whitehead	Mrs Kinnear

Reserve Members:

- | | |
|------------|---------------|
| 1. Blann | 1. Kara |
| 2. Bluston | 2. Versallion |
| 3. Ray | 3. Harriss |
| 4. Miles | |

**Issued by the Committee Services Section,
Law and Administration Division**

**Contact: Rebecca Arnold, Committee Administrator
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***NOTE FOR THOSE ATTENDING THE MEETING:
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.
IT WILL BE COLLECTED FOR RECYCLING.***

HARROW COUNCIL

UNITARY DEVELOPMENT PLAN ADVISORY PANEL

THURSDAY 8 JULY 2004

AGENDA - PART I

1. **Attendance by Reserve Members:**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) after notifying the Chair at the start of the meeting.

2. **Declarations of Interest:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from all Members present.

3. **Arrangement of Agenda:**

To consider whether any of the items listed on the agenda should be considered with the press and public excluded on the grounds that it is thought likely, in view of the nature of the business to be transacted, that there would be disclosure of confidential information in breach of an obligation of confidence or of exempt information as defined in the Local Government (Access to Information) Act 1985.

Enc. 4. **Minutes:** (Pages 1 - 10)

That the minutes of the ordinary meeting held on 18 March 2004 and the Special Meeting held on 7 June 2004, having been circulated, be taken as read and signed as correct records of those meetings.

5. **Public Questions:**

To receive questions (if any) from local residents or organisations under the provisions of Panel Procedure Rule 15 (Part 4B of the Constitution).

6. **Petitions:**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Panel Procedure Rule 13 (Part 4B of the Constitution).

7. **Deputations:**

To receive deputations (if any) under the provisions of Panel Procedure Rule 14 (Part 4B of the Constitution).

Enc. 8. **Developing the Local Development Framework in Harrow:** (Pages 11 - 24)

Report of the Chief Planning Officer.

Enc. 9. **Interim Report on Green Belt Management Strategy:** (Pages 25 - 30)
Report of the Chief Planning Officer.

10. **Item Placed on the Agenda Further to a Request made by a Member - Section 106 Agreements:**

Councillor Mrs Kinnear requested that the above issue be placed on the agenda of the Special Meeting of the Panel held on 7 June 2004, under the provisions of Panel Procedure Rule 6(ii) (Part 4E of the Constitution). Having considered this request, the Panel agreed to defer consideration of this item until its next meeting and, accordingly, it has been placed on the agenda for this meeting.

AGENDA - PART II (PRESS AND PUBLIC EXCLUDED) - NIL

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**UNITARY DEVELOPMENT PLAN ADVISORY
PANEL****18 MARCH 2004**

Chair: * Councillor Burchell

Councillors: * Marilyn Ashton * Mrs Kinnear
* Mrs Bath * N Shah
* Idaikkadar * Anne Whitehead

* Denotes Member present

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Progressing the HUDP, and Preparation for the Local Development Framework in Harrow**

The Panel received a report of the Chief Planning Officer regarding progressing the adoption of the replacement Harrow Unitary Development Plan (HUDP) and preparation for the Local Development Framework.

The Panel had previously made provision to hold a Special Meeting on 1 April 2004 to consider the objections received to the proposed modifications to the HUDP, with a view to recommending the HUDP to the April meetings of Cabinet and Council for adoption. However, officers now advised that certain matters within the HUDP were at odds with the finalised London Plan and, as the replacement HUDP was required to be in general conformity with the London Plan, the timetable for adoption needed to be amended to allow further time for officers to discuss these issues with the Government Office for London (GOL) and the Mayor for London. It was indicated that Harrow was not the only Borough in this situation and officers were liaising with the Association of London Government and other similarly affected boroughs in negotiating a solution with the Mayor.

It was advised that, if further modifications were required to bring the HUDP into general conformity with the London Plan, depending on the extent of the modifications, it might prove necessary to re-open the public inquiry into the Plan and this, it was noted, would cause significant further delays to adoption.

It was also explained that, as resources were currently being diverted to deal with the negotiations regarding the London Plan, and due to the outstanding matters relating to the replacement HUDP, it was not proving possible to progress the preparation of a draft Local Development Scheme, as required under the Planning and Compulsory Purchase Bill which was currently proceeding through Parliament. Once the legislation came into force it would require authorities to have a Local Development Scheme in place by December 2004 and officers advised that, whilst this deadline would be met, it was unlikely that it would be possible to make any progress with preparing any of the documents for inclusion within the Local Development Framework.

During the discussion, which followed, the Panel expressed concern at the position the Authority had been placed in and praised the officers for their efforts in seeking a solution. Clarification was also sought on a number of issues. In response to question from a Member, officers confirmed that, on current advice, halting work on the HUDP did not appear to be a practical option as this might be counted as 'withdrawing' the HUDP, meaning that the 1994 Plan, which was now significantly out of date, would be reverted to.

At the conclusion of the discussion it was agreed that the 1 April Special Meeting would be cancelled and officers would circulate information to keep the Panel informed of any progress in the negotiations with the Mayor.

Resolved to RECOMMEND: (To the Portfolio Holder)

That (1) the current position in respect of progression on adoption of the replacement HUDP, and the implications for the approach to, and timetable for, the production of a Local Development Scheme (LDS) for Harrow, be noted; and

(2) the Special Meeting of the Panel scheduled for 1 April 2004 be cancelled.

[REASON: To keep the Panel informed of progress on replacement Harrow Unitary Development Plan and the Local Development Scheme].

RECOMMENDATION 2 - Harrow School Conservation Area: Draft Conservation Area Character Study Including Planning Policies

Your Panel received a report of the Chief Planning Officer which set out a draft Conservation Area Study for the Harrow School Conservation Area, and which it was advised had been produced after a comprehensive review of the area. The Panel was requested to recommend the approval of the document for the purposes of public consultation.

During the discussion which followed, a Member expressed concern that there were a number of factual inaccuracies in the document and indicated that she felt that the document would benefit from the input of bodies such as the Conservation Area Advisory Committee prior to being circulated for consultation. In response, officers stressed that input from such local bodies would be very much welcomed but advised that it had been envisaged that such input would be sought as part of the public consultation, once the draft had been agreed by the Panel and Portfolio Holder. The Member added that she believed it was usual for a draft of the document to be circulated to the relevant Ward Councillors prior to being submitted to the Panel. Officers confirmed that this was the case and apologised for this oversight.

Following further discussion, it was

Resolved to RECOMMEND: (To the Portfolio Holder)

That (1) subject to further consultation with Councillor Mrs Kinnear regarding the text of the document, the draft Harrow Conservation Area Character Study at Appendix 2 to the Officer report, including the proposed planning policies and proposals for the conservation area, be approved for the purposes of public consultation; and

(2) any queries arising out of the further consultation with the Member indicated above be resolved via consultation with Nominated Members .

[REASON: In order to fulfil the Council's obligation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which carries the continuing duty that every local planning authority is to consider whether it should designate and review the boundaries of conservation areas from time to time].

RECOMMENDATION 3 - The London Plan

Further to the report at item 8 on the agenda and previous reports on this subject, the Panel received a report of the Chief Planning Officer which outlined the main messages of the recently published London Plan, the main changes to the Plan and the main policy issues of importance for planning in Harrow.

Resolved to RECOMMEND: (To the Portfolio Holder)

That the main messages in the published London Plan, and the main policy implications for Harrow set out in the officer report be noted.

[REASON: To ensure that the replacement Harrow Unitary Development Plan can be adopted as expeditiously as possible, and for work on the preparation of the Local Development Framework to be started].

RECOMMENDATION 4 - Planning Policy Statement (PPS6): Planning for Town Centres

Your Panel received a report of the Chief Planning Officer which set out and sought agreement to the draft Council response to the Government consultation on the proposal to replace PPG6 with a new Planning Policy Statement PPS6 as part of a wider Government agenda to modernise the planning system. The report explained that the consultation draft broadly followed the principles established in PPG6 and did not therefore raise any fundamental issues, although the requirement relating to additional research and information needs which would be imposed on local planning authorities would stretch existing resources unless additional help was provided by the Government.

It was

Resolved to RECOMMEND: (To Cabinet):

That (1)the comments set out at Appendix A to the officer report be agreed as the Council's response to the Government Consultation on revised PPS6; and

(2) officers be authorised to forward these comments as the Council's response to the Office of the Deputy Prime Minister.

[REASON: As set out at paragraph 4 of the officer report].

PART II - MINUTES

81. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

82. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of personal or prejudicial interests made by Members of the Panel arising from the business transacted at this meeting.

83. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present.

84. **Minutes:**

RESOLVED: That the minutes of the meeting held on 5 January 2004, having been circulated, be taken as read and signed as a correct record.

85. **Matters Arising from Consideration of the Minutes:**

- (1) A Member queried whether a copy of the standard Section 106 agreement had been circulated to all Members of the Panel and Development Control Committee as agreed at the previous meeting (Minute 75, note 9 on page 5 of the agenda). The Senior Assistant Solicitor (Planning) explained that the document had only recently been updated and would be circulated shortly.
- (2) Further to the comments relating to this matter at Minute 78, a Member queried whether the cross-party Member-level informal discussions regarding the consultant's report on the review of the Development Control process had been held yet. The Chair confirmed that they had and that an action plan was to be drawn up. It was further queried whether the report would be submitted to the Panel. The Chair advised that he was unsure as to whether this would be the case.
- (3) A Member reiterated concerns which she had expressed at the previous meeting, that the existing HUDP policies did not adequately address residents' fears in relation to telecommunications masts and needed to be amended. She referred to a letter from the Borough Solicitor to the Ombudsman which she advised also raised this issue. Several Members advised that, as they had stated at previous meeting, they were satisfied that the existing policy adequately dealt with such applications, however it was agreed that the Member would pass a copy of the letter to officers to follow up.

RESOLVED: That the information set out above be noted.

86. **Public Questions:**

RESOLVED: To note that there were no public questions to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

87. **Petitions:**

RESOLVED: To note that there were no petitions to be received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

88. **Deputations:**

RESOLVED: To note that there were no deputations to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

89. **Progressing the HUDP, and Preparation for the Local Development Framework in Harrow:**

Recommendation 1, above, refers.

90. **Harrow School Conservation Area: Draft Conservation Area Character Study Including Planning Policies:**

Recommendation 2, above, refers.

91. **The London Plan:**

Recommendation 3, above, refers.

92. **Planning Policy Statement (PPS6): Planning for Town Centres:**

Recommendation 4, above, refers.

(Note: The meeting having commenced at 7.30 pm, closed at 8.28 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

**UNITARY DEVELOPMENT PLAN ADVISORY
PANEL (SPECIAL)****7 JUNE 2004**

Chair: * Councillor Burchell

Councillors: * Marilyn Ashton * Idaikkadar
* Mrs Bath * Mrs Kinnear
* Bluston (2) * Anne Whitehead

* Denotes Member present
(2) Denotes category of Reserve Member

[Note: Councillor David Ashton also attended this meeting to speak on the items indicated at Minute 95 below].

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Replacement Harrow Unitary Development Plan (HUDP) - Consideration of representations on the Proposed Modifications and Adoption of Plan**

Your Panel received a report of the Chief Planning Officer which outlined representations received in response to the Council's publication of the post-inquiry proposed modifications to the revised deposit draft Harrow Unitary Development Plan (HUDP), and, accordingly, set out suggested responses to those representations.

The report concluded that no new issues were raised by any of the objections received and that, further to previous reports received by the Panel, negotiations had been held with the Mayor for London and the Government Office for London, and having had regard to the guidance of the Secretary of State of 19 April 2004, the Council's view was that the Replacement HUDP was in general conformity with the London Plan. Therefore, the report recommended that the Council now proceed to adopt the Replacement HUDP without further modifications.

It was noted that, arising from the discussions with the Mayor, the Council had undertaken to prioritise the review of the Council's waste and housing policies under the Local Development Framework.

Prior to discussing the report, your Panel received a deputation from a local resident. The resident expressed concern at the adoption of the Replacement HUDP insofar as it related to the BAE Systems, Limes House and Wood Farm sites.

In expanding upon her concerns, the depute advised that she objected to the designation of the BAE Systems site as suitable for housing, as she felt this use would be detrimental to the green belt and nature conservation, and indicated that, contrary to the evidence presented to the inquiry, in her view there was still a demand for the employment use of the site. She considered that the ecological survey of the site had been inadequate and its nature conservation value had therefore not been recognised. She advised that BAE had refused an entomologist - hired by local residents - access to most areas of the site. She indicated that she did not accept the Council's response to her objection, which was that existing policies already provided adequate protection for the green belt and due consideration would be given to issues such as the impact of a development on the green belt at the planning application stage.

The depute further referred to similar concerns relating to the Limes House and Wood Farm sites. She considered that the Council should have accepted the inspector's recommendation in relation to the Limes House site and argued that the Wood Farm site provided a 'green corridor' which was essential for the survival of other adjacent sites.

In concluding her deputation, the depute advised of the collection of a petition with approximately 7000 signatures which called upon the Council to protect the green belt.

Following the receipt of the deputation, the Chief Planning Officer spoke to the officer report. He emphasised that, if further modifications to the Replacement HUDP were agreed at this late stage, it would be necessary to place the Plan back on deposit for the required period, and, depending on the extent of the modifications, it might prove necessary to re-open the public inquiry into the Plan. This, it was noted, would cause significant further delays to adoption.

It was also explained that, if resources continued to be diverted to deal with matters relating to the Replacement HUDP, it would not prove possible to progress the preparation of the draft Local Development Framework (LDF), as required under the Planning and Compulsory Purchase Act, and would place the Authority at risk of not meeting the related government deadlines.

Members were further reminded that the Authority would also have to continue to rely on the previously adopted UDP (1994), which was now out of date, at appeals, and, in considering planning applications, the London Plan and other government guidance would take precedence in the absence of an adopted UDP.

Officers also advised of a minor amendment to the fourth officer recommendation; it was proposed that the words 'subject to publication of the relevant statutory notices' be inserted for the purposes of clarification of the adoption process.

Following the presentation, Members sought clarification on a number of issues and turned to discussion of the report. The following points, inter alia, were raised and discussed:

- Review of the green belt policy
A Member inquired whether concerns raised by the deputees in relation to safeguarding the green belt might be addressed by prioritising the review of the green belt policy following the adoption of the HUDP. In response, the Chair advised that a report on the green belt strategy was scheduled to be submitted to the July meeting of Cabinet and could be admitted to the agenda for the Panel's July meeting to allow it's comments to inform Cabinet's decision. It was agreed that the Panel would welcome the opportunity to comment on the strategy.
- Objections to the Proposed Modifications
A Member advised that, whilst she recognised that delaying adoption of the Plan further would cause serious difficulties, she shared many of the concerns expressed by local residents and associations in relation to the proposed modifications to the HUDP, including those raised by the House Builders' Federation, and the Pinner Association. In particular she highlighted her concern in relation to the Council's affordable housing policy; she considered that affordable housing should include low cost market housing and not just shared ownership housing.
- Policies relating to Telecommunications Masts
A Member requested that as part of the work to progress the development of the LDS, officers urgently review the Council's policy in relation to Telecommunications Masts to ensure that it was sufficiently robust and included within it reference to the ICNRIP guidelines.
- Ecological Surveys
In response to a query raised by a Member, the Chief Planning Officer assured the Panel that ecological surveys were required to be carried out as a matter of course when applications were submitted in respect of sites situated in the green belt, and the Council as Local Planning Authority was stringent in enforcing this requirement. In response to a further query, it was confirmed that the surveys, although independent, were commissioned by the applicant and emphasised that it was not possible to exclude the applicant from the process without the Authority assuming responsibility for the cost.
- Ecological Surveys of the Borough by the GLA
In response to a question from a Member, officers confirmed that the GLA body which was the successor of the London Ecology Unit had recently re-surveyed sites of ecological significance in the Borough, and were due to put their findings out to public consultation shortly. It was requested that a copy of their findings be submitted to Panel once available. This was agreed.
- Protection for Locally Listed Buildings
A Member reminded the Panel that, following the recent destruction of part of the Railway Hotel in Hatch End, the Council at its meeting on 29 April had passed a Motion which stated that the Planning Department would be encouraged and supported to liaise with other Boroughs in promoting changes in legislation to strengthen the rules relating to consent required for the demolition of Locally Listed Buildings. The Member queried whether local policies could be also be reviewed to strengthen the Council's position. In response, the Chair advised that the Authority did not have the means to afford further protection to Locally Listed Buildings but reiterated the Council's commitment to lobbying central government

in relation to this issue.

Following the discussion it was

Resolved to RECOMMEND: (To Cabinet) That

- (1) the suggested Council responses to the representations made on the Proposed Modifications to the Replacement HUDP be agreed;
- (2) it be agreed that no further modifications to the Replacement HUDP are required;
- (3) it be agreed that it is the Council's opinion that the Replacement HUDP is in general conformity with the London Plan; and
- (4) subject to the publication of the relevant statutory notices, it be agreed that the Council now proceeds to adopt the Replacement HUDP.

[REASON: To expedite adoption of the Replacement HUDP after completion of all statutory procedures].

[Note: Councillors Marilyn Ashton, Mrs Bath and Mrs Kinnear wished to be recorded as having voted against resolutions (1), (2) and (4) listed above].

RECOMMENDATION 2 - Land at Honeypot Lane, Stanmore: Draft Development Brief

The Panel received a report of the Chief Planning Officer (CPO) and the draft Development Brief for the above site appended thereto. It was noted that part of the site had been identified in the revised deposit Unitary Development Plan as Proposal Site 33. The Brief set out a series of planning and development parameters to guide the comprehensive development of the site for a mix of uses, including residential and employment generation. Approval of the draft for the purposes of public consultation was sought.

During the ensuing discussion, a Member suggested that, given the sensitivity of this site, the Panel refer the matter to Cabinet for a decision rather than to the relevant Portfolio Holder. In response, officers explained that the results of the consultation would be referred to a future meeting of the Panel and the adoption of the Brief as Supplementary Planning Guidance would then be the subject of a recommendation to Cabinet. The Chair advised that he did not consider that it was necessary to refer the matter to Cabinet at this stage and pointed out that, moreover, applications in respect of this site were expected to be submitted shortly and it was therefore important that the approval of the Development Brief be progressed as soon as possible to allow it to guide development of the site and that any unnecessary delay be avoided.

During further discussion, Members sought clarification on a number of issues from officers. A Member queried what percentages of housing use and of employment use the Council would wish to see on the site. In response, the Chief Planning Officer explained that the Brief was not prescriptive about the percentage of each use as officers wished to retain flexibility to allow for a variety of packages with a corresponding variety of benefits. The CPO agreed, however, that a scheme for the site should make an employment contribution to the Borough and that a scheme which proposed solely housing use would not be acceptable. A Member suggested that the Brief be amended to make this explicitly clear. It was agreed that the following be inserted as a fourth bullet point under Section 2: Purpose of the Brief: 'As a strategic employment site a scheme for this site should make a significant employment contribution to the Borough'.

Several Members also commented that the Brief would benefit from the inclusion of a glossary to explain the meaning of some terms – for example 'intermediate housing' - to make the brief more accessible to ordinary members of the public.

Finally, a Member pointed out that the use of this site would impact on several nearby Wards, not just Canons Ward, and therefore requested that future reports relating to this matter also be distributed to Belmont and Queensbury Ward Members.

Resolved to RECOMMEND: (To the Portfolio Holder)

That the draft Development Brief for land at Honeypot Lane, Stanmore be approved, as set out in the officer report, for the purposes of public consultation.

[REASON: As set out in the officer report].

RECOMMENDATION 3 - Royal National Orthopaedic Hospital Masterplan

The Panel received a report of the Chief Planning Officer and a copy of the Royal National Orthopaedic Hospital Masterplan and Statement, which was circulated separately. It was explained that planning applications in relation to this site were expected to be submitted in the near future and the Masterplan was intended to set those applications within an overall context. Members were invited to comment on the Masterplan to assist in its development and to inform any future planning applications. It was noted that public consultation on the document was also ongoing.

During the debate which followed, a Member queried the status of the Masterplan and stressed her concern that those Members who were also Members of the Development Control Committee should not prejudice their eventual consideration of the applications relating to this site. In response, the Chief Planning Officer emphasised that the Panel's comments and the Masterplan would not be binding on Members of the Development Control Committee and assured Members that it would not prejudice the Committee's consideration of future applications.

Several Members registered their concern that the site would be developed in a piecemeal fashion and that the development of the more profitable elements of the site would be progressed at a faster rate and at the expense of the development of the new medical facilities and the enhancement of the landscaping and open spaces. The Chief Planning Officer agreed that this was a valid concern and advised that this could be addressed by the use of conditions at the planning application stage.

Several Members also voiced concern that the development, together with other significant developments in neighbouring Barnet, would give rise to increased traffic on Wood Lane and Warren Lane, which, they explained were currently relatively quiet, tree lined, unlit and attractive roads. They emphasised that they would wish the atmosphere and character of these roads to be retained. A backbenching Member who had been given permission by the Panel to speak in relation to this item suggested that, whilst he recognised it would be a costly exercise, the possibility of constructing a new road around the edges of the site to relieve the pressure of traffic on roads such as Wood Lane and Warren Lane be investigated. The Chair advised that he would be hesitant to support the construction of a new road in the green belt and also expressed doubt as to the viability of the suggestion. It was noted that other possibilities to reduce congestion were also being explored, such as the re-routing of buses to ensure that a service stopped directly outside the hospital.

Other concerns expressed included that some of the key worker housing on the site be restricted in perpetuity to those who also worked on site and that the density of the schemes proposed be appropriate to a site located in such a sensitive location.

RESOLVED: That the Panel's comments on the Royal National Orthopaedic Hospital Masterplan and Statement be noted, as set out above.

[REASON: To inform further development of the Masterplan and subsequent planning applications].

PART II - MINUTES

93. **Appointment of Chair:**

RESOLVED: That the appointment of Councillor Burchell as the Chair of the Unitary Development Plan Advisory Panel for the 2004/2005 Municipal Year, as agreed at the Cabinet Meeting of 20 May 2004, be noted.

94. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Navin Shah	Councillor Bluston

95. **Right of Members to Speak:**

RESOLVED: That in accordance with Advisory Panel Procedure Rule 4.1 Councillor

David Ashton, who is not a Member of the Panel, be allowed to speak on agenda items 11 and 12, which related to Honeypot Lane and the Royal National Orthopaedic Hospital respectively.

96. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of personal or prejudicial interests made by Members present arising from the business transacted at this meeting.

97. **Appointment of Vice-Chair:**

Councillor Anne Whitehead was nominated and duly seconded for the position of Vice-Chair. It was noted that this was the only valid nomination received, and following a vote, it was

RESOLVED: To appoint Councillor Anne Whitehead as Vice-Chair of the Unitary Development Plan Advisory Panel for the 2004/2005 Municipal Year.

98. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Item 11 – Honeypot Lane, Stanmore: Draft Development Brief	This report is admitted to the agenda as planning and development guidance for this site is required to enable the Council to respond effectively to anticipated proposals for the development of the site.
Item 12 – Royal National Orthopaedic Hospital Masterplan	This report is admitted to the agenda to enable urgent work on the development of the Masterplan and subsequent planning applications to continue.

(2) That all items be considered with the press and public present.

99. **Minutes:**

RESOLVED: That the approval of the minutes of the meeting held on 18 March 2004 be deferred until the next ordinary meeting of this Panel.

100. **Public Questions:**

RESOLVED: To note that there were no public questions to be received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

101. **Petitions:**

RESOLVED: To note that there were no petitions to be received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

102. **Late Deputation Request:**

The Panel considered whether to hear a deputation request which had not been received within the deadline set out under Advisory Panel Procedure Rule 16 (Part 4E of the Constitution). In accordance with the provisions of that rule, it was agreed that this requirement be waived on the grounds of urgency and it was:

RESOLVED: That the following request be heard:

Deputation re the Replacement Harrow Unitary Development Plan – Consideration of Representations on the Proposed Modifications and Adoption of Plan: From Mrs Lis, a local resident.

(See also Recommendation 1).

103. **Replacement Harrow Unitary Development Plan (HUDP) - Consideration of representations on the Proposed Modifications and Adoption of Plan:**

Further to Recommendation 1, above, it was

RESOLVED: That

(5) a report regarding the green belt strategy be submitted to the Panel's next meeting for comment; and

(6) the results of the GLA's ecological surveys of the Borough be submitted to the Panel when available.

[REASON: To ensure that open spaces/sites of significant ecological value in the Borough are afforded adequate protection].

104. **Land at Honey Pot Lane, Stanmore: Draft Development Brief:**

Recommendation 2, above, refers.

105. **Royal National Orthopaedic Hospital Masterplan:**

Recommendation 3, above, refers.

106. **Item Placed on the Agenda Further to a Request made by a Member - Section 106 Agreements:**

Councillor Mrs Kinnear had requested that an item regarding Section 106 Agreements be admitted to the agenda under the provisions of Panel Procedure Rule 6(ii) (Part 4E of the Constitution) to allow urgent discussion of this issue.

Following discussion it was

RESOLVED: That an item regarding Section 106 Agreements be placed on the agenda of the next meeting of the Panel to allow discussion at that meeting.

107. **Any Other Business:**

The Chief Planning Officer distributed a letter from the Office of the Deputy Prime Minister regarding the Planning and Compulsory Purchase Act to the Members present for their information.

(Note: The meeting having commenced at 7.30 pm, closed at 9.58 pm)

(Signed) COUNCILLOR KEITH BURCHELL
Chair

Meeting:	Unitary Development Plan Advisory Panel
Date:	Thursday July 8 th 2004
Subject:	Developing the Local Development Framework in Harrow
Key decision:	No
Responsible Chief Officer:	Chief Planning Officer
Relevant Portfolio Holder:	Portfolio Holder for Planning, Development, Housing and Best Value
Status:	Part 1
Ward:	All wards
Enclosures:	Annex A – Definitions Annex B - Possible Contents of Harrow's Draft Local Development Scheme 2004

1. Summary

1.1 At its meeting on 10 July 2003, the Panel considered a brief report on the government's proposals for the reform of the development plan system as set out in the Planning and Compulsory Purchase Bill. The introduction of Local Development Frameworks (LDF) to replace the UDP regime has now been confirmed following Royal Assent on 13th May 2004. The Council is required to prepare a Local Development Scheme (LDS), to be approved by the Government Office for London in December 2004 at the latest. This should set out those matters which the Council intend to include as local development documents over a 3 year period to April 2007. Production of the LDF will require fundamentally closer linkages to the Community Strategy and other strategies, together with a similar change in the emphasis on community engagement. This report sets out in more detail the range of issues to be considered in producing the LDS, suggests matters for inclusion, and puts forward mechanisms for securing the effective delivery of the LDF in Harrow.

2. Recommendations (for decision by the Executive)

2.1 The Panel is recommended to:

- (i) Note the report,
- (ii) Request officers to prepare the draft Local Development Scheme (LDS) for Harrow for clearance by the Portfolio-Holder or Chair and nominated member for informal discussion with GOL, and
- (iii) Submit the final version of the LDS to the next appropriate meeting of the Panel.

3. Consultation with Ward Councillors

3.1 Not applicable.

4. Policy Context (including Relevant Previous Decisions)

4.1 The Council agreed on 24th June 2004 to proceed to adopt the replacement Harrow Unitary Development Plan (HUDP). Adoption is programmed for early August. If there are no challenges, publication will follow as soon as possible.

5. Relevance to Corporate Priorities

5.1 The LDF for Harrow will eventually supersede the replacement HUDP. It will be central to strategic planning in Harrow, will be closely linked to the Community Strategy, and will provide the spatial context for delivery of the Council's strategic corporate objectives. It will also provide the local policy context against which planning applications will be determined.

6. Background Information and options considered

6.1 The proposals contained in the Planning and Compulsory Purchase Act 2004 are aimed at producing a more responsive and faster development plan system (i.e. Local Development Frameworks). Securing this objective will require a sea-change in the way planning policy is developed and community engagement/involvement in the development planning process, and together this should result in faster plan preparation, implementation and review. Policies and proposals contained in all Local Development Documents being produced will need to be informed by robust evidence. The following sections deal with these issues in greater detail. All of the documents the Council intends to be produce are to be set down in a Local Development Scheme (LDS) agreed with the Government Office for London. To assist understanding of the new system, the definitions included in consultation draft PPS12 are set out in Annex A of the report.

6.2 Developing a draft Local Development Scheme for Harrow

The Local Development Scheme (LDS) should set down a 3-year project management plan for the process, programming and resourcing of all the documents to be produced. All London Boroughs are required to submit their draft LDS and have it approved by GOL within 6 months of the enactment of the Planning and Compulsory Purchase Act 2004. Although this means the end of January 2005, GOL are currently requesting Boroughs to submit their draft LDSs by the end of December 2004, and it is understood that this is the timescale which will be used in assessing Planning Delivery Grant for 2005/06.

6.3 The Local Development Scheme for Harrow will set out all the Local Development Documents (LDDs) that the Council proposes to prepare, and the timetable for preparing each one. The LDDs will comprise Development Plan Documents (DPDs) (see para. 6.6 below), Supplementary Planning Documents (SPDs) (see para. 6.18), and a Statement of Community Involvement (SCI) (see para.6.20). It will also include 'saved' documents such as the adopted HUDP (2004). Boroughs will be asked to account for progress on component elements of their scheme. The LDS itself is an LDD. Importantly, the LDS will set out:-

- what DPD/SPD documents the Council proposes to prepare and what they will cover,
- which of these the Council proposes should be subject to statutory procedures, and which not,
- in the transitional period, which sections of the UDP are to be 'saved' documents, and which sections DPD/SPD will replace,
- whether any of these documents are to be prepared on a joint basis with another planning authority,
- how Sustainability Appraisals and Strategic Environmental Assessments (SEA) relate to the various stages of LDD preparation, and
- the planned timetable for preparing these documents.

6.4 Whilst the primary purpose of this report is to explain in more detail the requirements and components of the new system, it will be helpful to briefly set down how the transition to the new system will work in practice. Because the Council is just adopting its replacement UDP, this will be 'saved' into the LDS until such time as the LDF is approved and replaces it. In the immediate future, therefore, planning applications will be determined against the HUDP and London Plan. Existing Supplementary Planning Guidance can also be saved. It will set out the documents that currently form the development plan for the area where they are to be 'saved' in the LDS, and a key issue for the Council will be to identify which parts of the adopted HUDP it wishes to 'save' throughout the 3-year period, and which elements it wishes to review. This decision will have a significant impact on the LDS programme and the resources required.

6.5 As with the current system, a clear distinction is drawn between development plan documents and other documents, such as information which is supplementary to the development plan. All DPDs will be subject to independent examination. Although similar in principle to the UDP Inquiry process, the report of the independent examiner will be binding on the local authority. SPDs will not be subject to such examination.

6.6 What will Harrow's draft LDS contain?

The main focus of work in the next 6 months will be developing up the draft LDS for submission to GOL for initial comment. In order to provide members with an idea of its likely coverage, preliminary thoughts have been set out in Annex B to this report.

6.7 Local Development Framework (LDF) – Content, Implementation and Review.

LDF's should provide a clear coherent and deliverable framework for future development, addressing a wide range of policy priorities. The LDF will comprise various Development Plan Documents (DPD's) and provide the following:-

- A **Core Strategy**
- Clear guidance on **Site-specific Allocations of land**;
- **Area Action Plans** for key areas of change or conservation where development requires specific guidance and co-ordination;
- **Generic development control policies**; and
- A **Proposals Map** illustrating the policies and proposals contained in all the development plan documents.

Each of these elements, and supplementary planning documents (SPDs), is explained in more detail below.

6.8 Core Strategy – what will it contain?

The Core Strategy will comprise:-

- a written statement of the long-term spatial **Vision** for the area,
- **Strategic objectives, core policies** for delivering the spatial strategy; and
- a **Monitoring and implementation framework**.

LDF Core Strategies need to be more responsive to changing circumstances than previous development plans, and must be kept up-to date. This is particularly important as, once adopted, all other development plan documents produced must be in conformity with the Core Strategy.

6.9 Reflecting the holistic application of sustainable development principles, the core strategy must draw on a variety of strategies (both outside and inside the Council) which have implications for the development and use of land in the Borough e.g. Housing Strategy Statement, Community Care Plan, Waste Management and Recycling Plan. It should therefore provide an integrated approach to the implementation of those strategies, policies and proposals that will help to deliver the vision.

6.10 South-East Regional and London Strategic Context – The London Plan provides the regional spatial planning context for preparation of the LDF in Harrow, and as with the HUDP, the LDF will need to be in general conformity with the London Plan. Key strategic policies to be included in the core strategy will therefore relate to requirements for new housing provision, the various means and broad locations for delivering that housing, together with strategic development needs such as employment, retail, leisure, community and transport development. All policies should contribute to securing sustainable communities in Harrow and achieve more sustainable development.

6.11 **How will the policy content of the Core Strategy differ from the HUDP?**

This may be seen as one of the most important changes in the new development plan system. Generic development control policies are to be included. This contrasts with the current situation whereby most UDPs contain a very large number of detailed policies, designed to deal with a wide range of individual land uses and often attempting to cover as many eventualities as possible. The government considers such a 'belt and braces' approach to be very time-consuming for all parties involved, and a major contributor to the length of time taken to complete all statutory stages. As a result, plans almost by definition became out of date by the time they were adopted. Experience has also shown that many development plans contain policies that are never, or hardly ever used in processing planning applications. To speed up the development plan process, and at the same time provide appropriate guidance for determining development control applications, LDF policies are expected to be clear, concise and apply to the whole of the Borough, or locations (except for site-specific proposals).

6.12 **Period covered by the Core Strategy**

The policies and proposals contained in the core strategy should cover a period of at least 10 years from the date of adoption. It is envisaged that the Core Strategy element of the LDF will not require frequent review or changes. As with the HUDP, however, due acknowledgement will need to be given to the longer-term time frame for housing requirements.

6.13 **Site-specific Land Allocations**

These would be similar to the Proposals Sites in the current UDP process. Allocation of sites for specific or mixed uses can be included as a separate development plan document and therefore reviewed more frequently without the need to review other aspects of the LDF.

6.14 **Area Action Plans for key areas of change or conservation**

The preparation of area action plans, envisaged where there is a concentration of proposals for change, are seen as an important opportunity for community engagement through 'planning for real' and other community-based planning techniques. They also present the scope for greater integration and joining-up with other economic, social and environmental initiatives.

6.15 **Generic development control policies**

A limited suite of **generic development control policies** are suggested which set out the criteria against which applications will be determined. The draft Planning Policy Statement (PPS12) included examples of possible topic-related policies, as follows:-

- Protecting residential amenity;
- Protection of the landscape and natural resources;
- Nature conservation;
- Addressing highway and transport issues;
- Protecting vitality and viability;
- Addressing visual impact etc.

It will be up to individual planning authorities to determine their own topics and priorities. In order that these policies are comparatively concise, they must not repeat national planning policy, but importantly should set in context how such policies apply to the local area, and achieve the outcomes required to meet the authority's vision. Such policies should be accompanied by a supporting text, kept to a minimum such as to justify the policy.

6.16 Proposals Map and Key Diagram

This will include details of any site-specific policies outside of the area action plans. The Proposals Map would show existing and revised designations of areas of land such as green belt and conservation areas, define the sites for particular future land uses or developments (i.e. proposal sites) and the areas to which specific policies applied. The areas to be covered (or already covered) by area action plans should also be included. Inclusion of a Key Diagram is optional.

6.17 Joint LDDs and cross-Borough working

With flexibility and shorter timescales being one of the key features of the new system, greater opportunity may exist to work jointly with adjoining authorities on any matters of common interest or where geographically it would be advantageous to co-operate. Officers will be examining situations where such co-operation would assist the LDF process, for example, in topic areas such as waste policy.

6.18 Scrutiny procedures/Inquiry/independent examination

Development Plan Documents will be statutory and be subject to independent testing. A significant difference from the traditional Local Inquiry process will be that the examiner's role will be testing the validity of the LDF, not just deliberating on objections. Importantly, the recommendations of the Independent examiner will now be binding. In effect, the examiner has more control over the whole process than an Inspector, including the procedures for conducting the examination of the LDF.

6.19 Supplementary Planning Documents (SPD)

Just as the HUDP has been supported by Supplementary Planning Guidance (SPG), similar guidance, to be known as SPD, can be produced in support of the Core Strategy. These can cover such matters as design guides, extension guidelines, area development briefs, or issue-based documents which supplement policies in a development plan document (DPD). Each SPD would need to be subjected to community involvement, and must be-

- Consistent with national and regional planning policies as well as DPDs contained in the LDF;
- Clearly cross-referenced to the relevant DPD policy or proposal which it supplements;
- Reviewed on a regular basis alongside reviews of the DPD policies or proposals to which it relates, and
- Prepared as part of a clearly understood process, and a statement of conformity with the statement of community involvement (SCI) must be published with each SPD.

6.20 The extent and volume of SPG produced by Boroughs in relation to their UDPs has varied enormously. Given the major difference of status of SPG (in future SPD) to adopted UDPs, it is clearly important that policy matters are appropriately addressed in DPDs. SPDs that are linked to 'saved' HUDP policies can be prepared and do not have to wait until a new DPD is in place. The government's clear intention is that the production of much more concise LDFs is not to be accompanied by a 'compensatory' increase in SPDs covering in detail matters which are now no longer to be included in LDFs. With the government's clear priority being to ensure that Boroughs have approved LDFs in place by April 2007, draft LDSs submitted by Boroughs to GOL will be closely scrutinised to ensure that the extent of SPD material being produced by individual Boroughs does not compromise this objective being achieved.

6.21 The Statement of Community Involvement (SCI)

Successful implementation of the LDF will require community and stakeholder buy-in, which must be secured through involvement in LDF preparation from an early stage in the process. Historically, the involvement of the community in development plan processes in Harrow has been generally limited to consultation, and through the public inquiry stage which generates more objectors than supporters.. Engaging the community on strategic planning policy matters

is time-consuming and resource-intensive, and LDF preparation will require a steep change for the UDP process. Reflecting the government's general approach in the wider modernising agenda, effective public engagement is seen as central to the planning reform proposals. Importantly, LDFs must include a Statement of Community Involvement setting out the arrangements and standards for involving the public in all parts of the LDF process. Appropriate recognition needs to be paid to the fact that different mechanisms and processes of engagement may be required for different documents in the LDS. As an example, an Area Action Plan for a specific locality is likely to call for more targeted engagement when compared to borough-wide policies in the Core Strategy. A significant component of engagement will be the provision of feedback on how the Council has considered comments. In addition to community involvement in LDF matters, the SCI must also include the standards and procedures for public engagement on major with planning applications.

6.22 The SCI is not just about securing community involvement in planning processes, because the government's aim is that more effective community engagement is necessary across all Council services. There is an implicit assumption that local authorities should have corporate strategies on community/public engagement in place. SCIs for the LDF process should therefore be consistent with, and complementary to, any corporate strategy. The government, through the comprehensive performance assessment process, will be seeking validation that community involvement processes are consistent, and importantly, will be requiring evidence that the LDF and Community Strategy processes are closely interlinked. Authorities will be required to demonstrate how the LDF process has taken on board the spatial dimension of the Community Strategy (and vice versa).

6.23 Historically, securing extensive and effective public participation in development plan production has proved a challenging, and relatively unsuccessful, experience for many planning authorities. Clearly, the range of skills, including communication skills, required to secure high quality community involvement in the LDF process mainly falls outside the experience and training of many planners, although their technical knowledge will be a key input to successful community engagement processes. Depending on the range and type of LDDs to be produced, it will therefore be important, if possible, to harness skills and expertise existing elsewhere in the Council, as well as attempting to recruit additional expertise, or engage external consultants. These include service areas of the Council already undertaking community development and outreach, area-based working arrangements, performing a range of communications exercises, and the engagement mechanisms for the Community Strategy and Harrow Strategic Partnership. A particular challenge will be the need to access hard-to-reach groups. It may also be necessary to consider using consultants with a proven track record in this area. If the Council is to develop and implement a community involvement strategy to an excellent standard, this aspect of the LDF process will require utilising resources well beyond those available in the production of the replacement HUDP.

6.24 The Government's ambition in early and effective community engagement in the LDF process is that this 'front loading' will be the process for reducing differences and creating a degree of consensus on strategic issues. It is intended that this should avoid confrontation and objection at the examination stage and ensure a speedier and more streamlined process. The binding Inspector's report should also therefore contain few surprises as the major issues will all have been agreed at an earlier stage.

6.25 Sound Evidence Base for the LDF process

The government has specifically identified that policies and proposals being brought forward in LDFs must be justified against comprehensive, sound and reliable information and data. Accordingly, provision of a sound evidence base is seen as being so vital for the effective preparation of the LDF as to warrant separate consideration at the independent examination stage. Emphasis is placed on making the best use of stakeholders and the community in certain topic areas, whilst acknowledgment is given to information in areas where there is

greater emphasis in the new system, for example, strategic environmental assessments. Whilst development plan policies have been produced in the light of good survey and other information, the precise range being sought has never been specified. Although some guidance on good practice on the subject is given in the Consultation Draft on the process of preparing LDFs, no definitive guidance of what constitutes a good evidence base exists. Following representations to GOL on the value of having more specific guidance for London Boroughs, officers are taking the lead in developing this, with assistance from 3 other Boroughs.

6.26 The status of the London Plan, and the need for Borough LDFs to be in general conformity with it, provides another sound reason for clarifying what is required. In order for the policies in the London Plan to be effectively monitored, a wide range of information on development taking place is to be collected by Boroughs through the London Development Database. This information is also vital for supporting the policies likely to be included in Harrow's LDF.

6.27 In addition to the above information, a number of national Planning Policy Guidance Notes (PPGs) include requirements for other surveys to be undertaken, and information collected. The most important of these are a Housing Needs Survey (to be kept up-to-date)(PPG3); Urban Housing Capacity Studies (PPG3); Retail Needs Survey (PPG6); Assessing the Need for Employment Land/Buildings (PPG6); Assessing Needs and Opportunities for Open Space, Sport and Recreation (PPG17), and Traffic Flow Assessments (PPG13).

6.28 2001 Census information/ Harrow Vitality Profiles/ Community Strategy/ GIS development – A vast amount of data was collected in the 2001 Census which should be used to inform policy formulation, monitoring and review. A key challenge is the identification of information and relating it to specific policies. Reference has been made to the need to closely relate the LDF to the Community Strategy. Much of the information required to support the LDF will be made available to support action being pursued through the Community Strategy.

6.29 Monitoring of the 2004 HUDP indicators and targets will produce further data, besides other information required for effective HUDP policy monitoring purposes. With the requirement to produce Annual Monitoring Reports (see para 6.28 below), adequate information and staff resources will need to be available to ensure that this process continues alongside progressing the various LDDs contained within the LDS

6.30 Review and Monitoring of Local Development Documents - Annual Monitoring Report (AMR)

Review and monitoring are key aspects of the 'plan, manage and monitor' approach to the planning system. Furthermore, because flexibility is a key feature of the new system whereby LDF's can respond to changing local circumstances, plan making will be continuous, with Local Authorities constantly preparing, adopting and reviewing Local Development Documents (LDD's). Authorities will therefore be required to produce annual monitoring reports which assess:-

- the implementation of the local development scheme (LDS); and
- the extent to which policies in local development documents (LDDs) are being achieved.

Progress against targets and milestones is to be scrutinised, and the report should identify where these have not been met, or are unlikely to be met, together with reasons for this.

Monitoring systems will be required to assess the effectiveness of local development documents. Boroughs will also be required to include in the annual monitoring report an assessment of -

- Whether policies and related targets or milestones have been met;
- The impact policies are having on national, regional and local targets;
- Whether policies need adjusting;
- If policies need adjusting, actions necessary to achieve this.

6.31 Consideration of inclusion of indicators is suggested, and local planning authorities should seek to integrate their approach to monitoring and survey with other local initiatives, and particularly the Community Strategy. Common targets shared across various strategies as well as the local development documents should be highlighted.

6.32 In addition to compiling a sound evidence base, review, monitoring and survey are to be undertaken on a continuous proactive basis. Effective co-ordination of all of this work will require a sound knowledge of information sources and strategies both within the Council and of partners.

6.33 **Sustainability Appraisals and Strategic Environmental Assessment (SEA)**

Although the HUDP was the subject of a sustainability appraisal, compliance with Directive 2001/41/EC requires formal strategic environmental assessment (SEA) of certain plans which are likely to have significant effects on the environment. Assessments will play an important part in testing the 'soundness' of LDDs and are an integral part of the process in LDD production, assessing the impact of policies from environmental, economic and social processes. Officers are currently gaining information in order to assess the resource implications of the new requirements.

6.34 **Sustainable communities and sustainable development**

Sustainable development is central to the new planning system and there is a statutory requirement in the Act to contribute to the achievement of sustainable development. Making a contribution towards achieving sustainable development is also a central requirement of the Community Strategy, hence the need to facilitate strong inter-relationships between the two strategies.

6.35 **Relationship between the LDF and Community Strategy**

The Government intends that LDF's will give spatial expression to those elements of the community strategy that relate to the use and development of land. The ODPM guidance document 'The Relationship between the Community Strategy and Local Development frameworks' advises that there should be integration between the two where possible, with shared vision, objectives, community engagement and action plans. Local Authorities are asked to identify the most effective structure for developing the relationships between the CS and LDF, including on both content and means of community engagement.

6.36 **Mechanisms for progressing LDF**

In view of the strategic importance of the LDF and the need to ensure effective linkages to the Community Strategy and ownership by a wide range of partners and stakeholders, it is suggested that the process of producing the LDF will need to be embedded in the Council's corporate structures to a much greater degree than the UDP. Alignment and integration with the Community Strategy will require mechanisms to ensure co-ordination, especially through the community engagement stages. The involvement of the Harrow Strategic Partnership will be another key element. The most effective mechanisms for engaging and reporting to members have to be established. An officer steering group will identify the skills and resource requirements needed for the LDF, and look at the consultation arrangements and timescales that are shared with the community strategy in order to achieve efficiency and integration where appropriate, and then produce a comprehensive project plan for the production of the LDF.

7. **Consultation**

7.1 Whilst discussions on progress on the replacement HUDP have formed the main focus at the regular meetings with officers from the Government Office for London (GOL), GOL has appraised Boroughs on the latest situation on legislation. More relevantly, however, since the Planning and Compulsory Purchase Bill was first introduced, GOL and ALG have chosen the

meetings of the lead development plan policy officers in London to explain and discuss the many implications of the new regime. A sub-group continues to meet to progress understanding and good practice on specific issues. Submission of the draft LDS to GOL will represent the next formal consultation. The development and implementation of the Statement of Community Involvement (SCI) will also involve a wide range of groups, stakeholders and members of the community.

8. **Finance Observations**

8.1 It is likely that additional resource requirements will emanate from the transition to the new planning regime and its implementation. Any requirements for additional resources will need to be considered when the Medium Term Budget Strategy is reviewed.

9. **Legal Observations**

9.1 Under the provisions of the Planning and Compulsory Purchase Act 2004 and supporting material, the Council will be required obliged to make appropriate arrangements to produce its Local Development Scheme within 6 months.

10. **Conclusions**

10.1 The spirit of the legislation, as outlined above, when put into practice, should ensure that the new development plan process is faster. The Government's intentions will be backed up by statutory requirements with rewards through PDG and sanctions for poor performers. Detailed explanation should also dispel a myth that has existed in some quarters since the Bill was first drafted that LDF's are just UDP's with different covers. Because of the importance of the inter-relationship between the LDF and the Community Strategy, including on community engagement, mechanisms need to be put in place to effectively secure this. The importance attached to securing effective community engagement in the LDF process, and developing and maintaining a sound and up-to-date evidence base that underpins of LDDs require an evaluation of skills and resources required to produce a high quality LDF. Development and monitoring of the project management plan for the LDF, together with effective annual monitoring of planning policies and implementation of specific proposals will also require appropriate systems to be in place. The preparation of a Local Development Scheme that is realistic in both its aspirations and resource requirements is critical, a sit is against this programme that the Council's performance will be judged.

11. **Background Papers**

Draft Planning Policy Statement 12: Local Development Frameworks (October 2003)

Consultation draft on the process of preparing Local Development Frameworks (November 2003)

Consultation draft Local Development Frameworks – guide to procedures an Code of Practice (October 2003)

Community Involvement in Planning

Draft PPS1.

Planning and Compulsory Purchase Act 2004.

The Town and Country Planning (Local Development) (England) Regulations 2004

12. **Author**

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Annex A: Definitions

The development plan: will consist of regional spatial strategies (spatial development plans in London) and development plan documents contained within the local development framework.

Regional spatial strategy (RSS): will be prepared by the regional planning body. The regional spatial strategy will set out the policies in relation to the development and use of land in the region and will be approved by the First Secretary of State. In London, the spatial development strategy prepared by the Mayor will be the equivalent of RSS and GOL Circular 1/2000 provides advice in respect of the spatial development strategy. Planning Policy Statement II on Regional Planning provides detailed guidance on the function and preparation of regional spatial strategies.

Local development framework (LDF): will comprise a portfolio of local development documents which will provide the framework for delivering the spatial planning strategy for the area.

Local development scheme (LDS): will set out the programme for the preparation of the local development documents. All plan-making authorities – district councils, unitary authorities, national park authorities broad authority and county councils (in respect of minerals and waste local development documents only) – must submit a local development scheme to the First Secretary of State for approval within six months of the commencement date of the Act regardless of where they are in terms of their current development plan. The transitional arrangements allow for existing adopted plans to be saved for three years from the date of commencement of the Act and for unadopted plans to be saved for three years post adoption.

Local development documents (LDD): will comprise of:

- i. **Development plan documents (DPD):** prepared by the relevant plan-making authority. They will be spatial planning documents and subject to independent examination. There will be a right for those making representations seeking change to be heard at an independent examination;
- ii. **Supplementary planning documents (SPD):** will cover a wide range of issues on which the plan-making authority wishes to provide policy guidance to supplement the policies and proposals in development plan documents. They will not form part of the development plan or be subject to independent examination;

- iii. **Statement of community involvement:** will set out the standards which the plan-making authority intend to achieve in relation to involving the community in the preparation, alteration and continuing review of all local development documents and in significant development control decisions, and also how the local planning authority intends to achieve those standards. The statement of community involvement will not be a development plan document but will be subject to independent examination. A consultation statement showing how the local planning authority has complied with its statement of community involvement will be required for all local development documents.

Development plan documents: the development plan documents which local planning authorities must prepare include:

- Core strategy;
 - ii. Site specific allocations of land;
 - iii. Area action plans (where needed); and
- Proposals map (with inset maps, where necessary)

Development plan documents may form one document covering a range of policy areas or a number of individual documents. Individual development plan documents or coherent parts of a single development plan document will be able to be reviewed independently from other development plan documents. Taking each in turn:

- Core strategy:** will set out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision. It will contain a set of primary policies for delivering the core strategy. Broad locations for development may be set out in a key diagram;
- ii. **Site specific allocations and policies:** allocations of sites for specific or mixed uses or development will be contained in development plan documents. Policies will identify any specific requirements for individual proposals;
- iii. **Area action plans (AAP):** will be used to provide a planning framework for areas of change and areas of conservation; and
- iv. **Generic development control policies:** will be a suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

Strategic environmental assessment/sustainability appraisal: Strategic environmental assessment (SEA): a generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) does not in fact use the term strategic environmental assessment; it requires a formal 'environmental assessment' of certain plans and programmes, including those in the field of planning and land use.

POSSIBLE CONTENTS OF HARROW'S DRAFT LOCAL DEVELOPMENT SCHEME 2004

Whilst detailed discussions have not yet taken place on the number and type of documents that ideally should be included in the Scheme, and their resource implications, the following represent initial thoughts on what might be included:-

1. **The “Saved” plan** – Harrow Replacement UDP 2004, or parts of it.
2. **Existing SPG** (a material consideration if linked to a saved policy.):
 - Extensions: A Householders Guide 2003
 - Designing New Development 2003
 - Conservation Area Policy Statements (various dates)
 - Site development briefs (various dates)
3. **Statement of Community Involvement (SCI)**
4. **Core Strategy**, including site specific allocations and policies, and generic development control policies. Certain policy areas may be subject to early production e.g. housing provision, waste, nature conservation, telecommunications.
5. **Proposals Map**
6. **Area Action Plans (AAP):**
 - Harrow Town Centre Strategy*
 - Wealdstone*
 - South Harrow*
 - Other area-based or topic-based AAP e.g. Waste Plan, including any that might be prepared jointly with an adjoining authority
7. **Supplementary Planning Documents (SPD)**
 - Harrow on the Hill Station Site Masterplan*
 - Access for All design guide
 - Sustainable Construction design guide
 - Affordable Housing
 - Conservation Area Policy Statements (remaining areas plus any reviews of existing statements)
8. **Annual Monitoring Report**

* - One of the issues the Council will need to review is whether the Harrow Town Centre Strategy and Masterplan are SPD or AAPs, or what the process is for moving them from SPD to AAP, if necessary.

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Meetings:	Cabinet Unitary Development Plan Panel
Dates:	24 June 2004 8 July 2004
Subject:	Interim report on Green Belt Management Strategy
Key decision:	No
Responsible Chief Officer:	Chief Planning Officer
Relevant Portfolio Holder:	Portfolio Holder for Planning, Development, Housing and Best Value
Status:	Part 1
Ward:	Canons, Harrow Weald, Hatch End, Headstone North, Pinner and Stanmore Park
Enclosures:	Appendix 1 – further details on what the strategy could cover and some of the issues

1. Summary/ Reason for urgency (if applicable)

- 1.1 This report discusses the need for a long-term management strategy for Harrow's Green Belt land, particularly focusing on the Council's very extensive land holdings. It asks for Members to give direction to the process as it gets under way before officers report back on firmer proposals and costs.

2. Recommendations (for decision by the Executive)

For Cabinet:

- 2.1 That the position with the Green Belt Strategy be noted; and
2.2 That a further report on proposals and costs be requested for a future meeting

REASON: To initiate and give direction to the development of a management strategy for the Council's land holdings in the Green Belt

For Unitary Development Plan Panel:

- 2.3 To comment on the interim report on Green belt management strategy

REASON: To allow the Panel's comments to inform Cabinet's decision

3. Consultation with Ward Councillors

- 3.1 None at this stage.

4. Policy Context (including Relevant Previous Decisions)

- 4.1 There have been previous reports on particular Council-owned land holdings (e.g. Wood Farm – Cabinet, 15 October 2002; Pinner Park Farm – Finance & Property Sub-

Committee, 25 March 1999), but none for some years on all the Council's land holdings in the Green Belt area.

4.2 The general planning policies for the Green Belt are set out in the Harrow Unitary Development Plan, 2002.

5. **Relevance to Corporate Priorities**

5.1 This report concerns an issue which impacts to some degree on all of the Council's stated priorities, but particularly:

- enhancing the environment, through seeking better management of the Green Belt which is the borough's largest extent of open space;
- improving the quality of health and social care, through improving accessibility and usage of the countryside in the borough by more effective Green Belt management; and,
- developing a prosperous and sustainable economy, through establishing sustainable long term futures for the Council's land holdings, especially the agricultural holdings.

6. **Background Information and options considered**

6.1 **Harlow's Green Belt**

Harlow's Green Belt extends to 1090 hectares (2700 acres), which is just over one-fifth of the borough's area. Harlow Council owns the freehold of about 600 hectares (1500 acres). Half of the Council's land holding, about 300 hectares (750 acres), is farmland although less and less of that is actively farmed.

6.1 **Progress so far**

In 2001, a report on Council owned Green Belt land was commissioned from the Council's agricultural land advisers (Bidwells Property Consultants). This was completed in April 2002 and presented to a working group of officers and key Members (Portfolio Holders for: Finance, Human Resources and Performance Management; Partnership and Property; and, Planning, Development, Housing and Best Value; and Chair of Development Control Committee).

From October 2002 until May 2003, a series of meetings and associated site visits were held to discuss in some detail the current position, problems, proposals and opportunities affecting the Council land holdings in the Green Belt and adjoining major sites in other ownerships. This again involved Members and relevant officers, and further advice from Bidwells was received.

After completion of the site visits and meetings, a report on issues that a Green Belt Management Strategy would need to address was discussed at an Environment Portfolio Holder briefing on 19 June 2003. A similar report on Green Belt Management Strategy issues was taken to CMT on 9 July 2003.

6.2 **Need for a Management Strategy**

The discussions in 2002 and 2003 demonstrated the need and benefits of having a long-term management strategy for Harlow's Green Belt and the Council's land holdings in it. The strategy would need to cover:

- the long-term management and use of land in Harlow's Green Belt with special attention to Council-owned land,
- the future of agriculture and the alternative uses for farmland where agriculture is no longer possible,
- the resources needed to set up and sustain effective Green Belt management,

- the range of funding opportunities and mechanisms for achieving and maintaining long-term management, and
- ways of achieving effective partnership with landowners, volunteer groups and the community in general in the management of this area.

While the primary objective would be to secure a sustainable future for the Council's own land, the strategy would also need to address non-Council owned sites where there are likely to be opportunities to meet similar objectives.

6.3 **Funding options**

The financial options which might be considered include:

- Using money from potential future S.106 agreements (BAE Systems site, Royal National Orthopaedic Hospital redevelopment, Wood Farm, Cloisters Wood, RAF Bentley Priory, Harrow College Weald Campus, etc.) for long-term management and maintenance, perhaps through setting up an endowment fund
- Ring-fencing Green Belt income from land holdings (mainly derived from the golf courses) for Green Belt management and improvement
- Fully examine any opportunities to increase income potential from land holdings having regard to the overall management of the Green Belt
- A "shopping list" prepared for capital schemes for S.106 money
- Single management structure funded under one budget, possibly managed by a trust
- Bidding to grant opportunities which require a structure in place to bid for them

7. **Consultation**

- 7.1 In taking this work forward, further consultation will need to be undertaken with the occupiers of the Council's land holdings, and with key landowners and occupiers of other sites which are adjacent to, or have important implications for, the Council's land, as well as with all groups and organisations with an interest in Harrow's Green Belt.

8. **Finance Observations**

- 8.1 There are no financial implications at this stage. To the extent that any proposals do have revenue or capital consequences these will need to be taken account of when the medium term budget strategy is revised.

9. **Legal Observations**

- 9.1 No legal implications at this stage.

10. **Conclusion**

- 10.1 This report outlines the steps involved in preparing a Green Belt Management Strategy and seeks a decision on whether to proceed. In particular, it provides Members an early opportunity to comment on the scope and direction of the strategy and to consider the possible options for management structures and funding mechanisms.

11. **Background Papers**

- 11.1 Report on Harrow Council owned Green Belt land, Bidwells Property Consultants, April 2002

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Appendix 1 – further details on what the strategy could cover and some of the issues

1. The strategy itself might comprise:

- Land register with key information, including important adjoining land holdings in other ownership, especially those with development proposals – some of this already exists and the remaining information is available in-house
- A policy framework including planning advice (national, regional, local) – this can also be produced in-house
- Funding costs and options, including prioritised S106 objectives, to cover improvements, management and ongoing maintenance
- A Management Plan with appropriate management structures including the financial and human resources needed to support those structures
- A realistic Action Plan, with costings, priorities and timescales, and with appropriate involvement of all relevant partners

2. Other issues to be covered include:

- Acceptability of existing land uses
- Future of agriculture
- Developing recreational activities to enhance the usability of the Green Belt
- Recognising and dealing effectively with nature conservation / public access conflicts
- Making good use of partnerships, including the inclusion of land in non-Council ownership
- Action proposals for key sites
- Improvements to accessibility, for all potential users, including reviewing current access rights and where we want to add to them
- Avoiding suburbanisation of the Green Belt – i.e. keeping it open and green
- Safety and other responsibilities
- Resources
- Service needs, eg. cemeteries
- The need for a dedicated officer/manager plus full-time wardens to run the Green Belt (and any education/visitor centre(s) set up)
- Involvement of Mayor for London's office
- Consultation with public, schools, groups, etc. will be needed

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