

LONDON BOROUGH OF HARROW

Meeting:	Environment and Economy Scrutiny Sub-Committee
Date:	11 March 2004
Subject:	Replacement Harrow Unitary Development Plan
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
Enclosures:	None

1. Summary

- 1.1 This report informs Members of the current position with the review of the Harrow Unitary Development Plan, now coming to a conclusion. It also looks ahead to a new system of development plans, called a Local Development Framework, which is subject to legislation due to be enacted in Summer 2004, and implications of this for the Council.

2. Recommendations

- 2.1 **That the Sub-Committee note the contents of this report.**

REASON: To enable the Sub-Committee to note progress on the UDP review, and to be advised of proposed legislative changes to the development plan system and the implications for Harrow.

3. Consultation with Ward Councillors

- 3.1 Not applicable.

4. Policy Context (including Relevant Previous Decisions)

- 4.1 The Council is required to prepare a development plan for the whole borough called the Unitary Development Plan (UDP) and to keep this plan up to date. The task of preparing and reviewing the UDP is carried out on behalf of the Cabinet by the UDP Advisory Panel. The Council has carried out a full review of the 1994 adopted UDP and has prepared a new UDP, programmed to be adopted by the Council on 29 April 2004.

4.2 The Planning and Compulsory Purchase Bill is expected to be enacted in June or July this year and this legislation will make radical changes to the development plan system across England and Wales. The Council will now be required to replace the UDP, and any related supplementary planning guidance such as design guides and development briefs, with a Local Development Framework (LDF). This will progressively replace the existing UDP over a three year period and will need to be in place by March 2007. The LDF will be a series of distinct but related policy documents, prepared to a list and timetable (called the Local Development Scheme) published by the Council but approved by the Government Office for London, and done in the context of agreed standards of involving the local community (a Statement of Community Involvement). Each statutory document of the LDF (called Local Development Documents), of which there can be many, together with the Statement of Community Involvement, will need to be publicly tested through deposit and examination in public procedures similar to those that the new UDP has just gone through.

4.3 As can be seen, the new LDF process is complex in its terminology and in its implementation. In addition, its timescales are challenging and its resource needs in terms of staff and possible public inquiries are potentially very demanding.

5. **Relevance to Corporate Priorities**

5.1 The Harrow UDP (and the succeeding Local Development Framework) is the statutory development plan for the borough for the purposes of town planning and development, and as such it supports and facilitates the achievement of several aspects of all the Council's strategic corporate priorities but in particular that of enhancing the environment of Harrow.

6. **Background Information and options considered**

6.1 The development plan is the prime town planning policy document for any local planning authority. It is used to guide and promote development in a local authority and to provide the policy framework for assessing planning applications. Although produced locally, it has to be prepared in accordance with national planning guidance issued by the Office of the Deputy Prime Minister (ODPM). In addition, for London Boroughs, a new requirement just coming into force is that London Boroughs' development plans have to be "in general conformity" to the London Plan, which was prepared by the Mayor for London and published on 10 February 2004. The agreement of the GLA is now, therefore, a pre-condition of the Council adopting the UDP.

6.2 The new development plan regime will have a broader, more inclusive approach, which will go beyond the narrow land use planning basis of the old development plan system. It is an integrated approach which informs, and takes greater account of, many other strategies – such as the Community Strategy. It enables social, economic and environmental issues to be addressed holistically and to relate them to the most efficient use of land and buildings.

7. **Consultation**

7.1 The process of reviewing Harrow's UDP is governed by statutory regulations. The key stage of the process involved placing the draft replacement UDP on deposit for a six week objection period, publicised by statutory advertisement and by contacting all relevant groups and organisations, both local and national. Any objections which could not be negotiated out were heard at a public inquiry in February April 2003 chaired by an

Inspector who later submitted a report to the Council. The Council considered all the Inspector's recommendations and decided how it wished to amend the plan (the Inspector's report is not binding). A further 6 week deposit is required for these amendments ("proposed modifications") – we are at this stage in Harrow at present. The draft replacement UDP and relevant documents (Statement of Decisions, Proposed Modifications and forms for objecting or supporting) are posted on the Council's web site under Consultations and the deposit period ends on 11 March. After this, and depending on the nature of the objections received, the Council should expect to be in a position to proceed to adopt the new UDP, which it is timetabled to do at Full Council on 29 April.

7.2 Consultation under the new development plan system (see 4.2 above) will be of a very different nature. A Statement of Community Involvement (SCI) will need to be drawn up at the outset, setting the standards the Council will meet in involving the community. It will explain who will be involved and how those involved are representative of the wider community and stakeholders, and how the approaches to consultation and community involvement will vary for different topics or different types of planning documents or even for the different stages of the process. The emphasis will be on engagement and involvement, rather than consultation and comment/objection as with the current system. The Council will need to engage with the local community and stakeholders while drawing up the SCI, and the SCI itself will be examined in public like a planning document.

8. **Finance Observations**

8.1 The costs of reviewing the UDP are met by a specific budget set up for that purpose and by salaries generally. The cost implications of the Local Development Framework are not yet fully known but additional resources will need to be identified for this work. These will be addressed as part of the medium term budget strategy.

9. **Legal Observations**

9.1 Included in report.

10. **Conclusion**

10.1 As a local planning authority, the Council is required to have an up to date development plan for its town planning functions. At the same time as the Council is completing a review of the Harrow UDP, legislation is being finalised that will bring in a new regime for development plans. This will require the Council to replace its UDP over a three year period. The new regime places strong emphasis on engagement with the community and stakeholders. Performance in meeting the three year timescale will be closely monitored by ODPM and will be a factor in determining the allocation of Planning Delivery Grant to the Council.

11. **Background Papers**

- Harrow Unitary Development Plan, Revised Deposit Draft, 21 March 2002.
- Inspector's Report on replacement Harrow UDP, The Planning Inspectorate, 13 August 2003.
- UDP Advisory Panel (Special) 12 November 2003 - report on consideration of the Inspector's Report on the public local inquiry, and Minutes.

- UDP Advisory Panel (Special) 5 January 2004 – reports on major revisions to policies and reasoned justifications, draft proposed modifications, and statement of decisions on the Inspector’s Report, and Minutes.
- Cabinet 13 January 2004 – report on recommendations from the UDP Advisory Panels of 12 November 2003 and 5 January 2004, and Minutes.
- Replacement Harrow UDP – Statement of Decisions, January 2004.
- Replacement Harrow UDP – List of Proposed Modifications, January 2004.
- Creating Local Development Frameworks – consultation draft on the process of preparing Local Development Frameworks, Office of the Deputy Prime Minister, November 2003.

12. **Author**

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