

UPDATE TO HILLINGDON'S LOCAL DEVELOPMENT SCHEME (LDS)

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	James Gleave: Residents Services
Papers with report	Appendix 1: London Borough of Hillingdon Local Development Scheme: June 2018

HEADLINES

Summary	This report seeks approval for a revision to the Council's Local Development Scheme which sets out timescales for the production of forthcoming Local Plan documents.
Putting our Residents First	The Local Development Scheme is a statutory document that sets out the timetable for the production of future Local Plan documents. As such, it will assist in delivering the objectives of the Sustainable Community Strategy and its objectives, including maintaining the borough's local heritage and ensuring that the natural environment is protected and enhanced. It will also contribute to delivering key plans and strategies, in particular the Transport Strategy, Economic Development Strategy and Housing Strategy.
Financial Cost	The cost of preparing the Local Development Scheme can be met from the existing revenue budget for 2018/19.
Relevant Policy Overview Committee	Residents, Education and Environmental Services Policy Overview Committee.
Relevant Ward(s)	All

RECOMMENDATIONS

That the Cabinet:

- 1. Endorses and recommends that the Local Development Scheme is referred to Full Council in September 2018 for adoption.**
- 2. Grants delegated authority to the Deputy Chief Executive and Corporate Director of Residents Services to agree, in conjunction with the Cabinet Member for Planning, Transportation and Recycling, any editing and textual changes to the Local Development Scheme prior to submission to Council.**

Reasons for recommendation

The Council's current Local Development Scheme (LDS) was published in January 2016 and is considered to be out of date. Under the provisions of the Planning and Compulsory Purchase Act 2004 (As amended) the Council is required to publish an up to date LDS setting out the timetable for the production of Local Plan documents. In the absence of evidence that the necessary steps are being taken to prepare an up to date version, there is a risk that the Local Plan Part 2, will not be found to be 'legally compliant' at examination. This could result in a suspension of the examination process and a delay in the adoption of the Plan.

Legal advice confirms that the decision for the LDS to take effect must be taken by Full Council. As such, Cabinet is asked to recommend that the document be referred to the next meeting of the Full Council in September 2018.

Alternative options considered / risk management

Cabinet may decline to recommend that the updated LDS at Appendix 1 is referred to Full Council. This option could result in the legal compliance of the Local Plan Part 2 being challenged and a delay in its adoption.

A further option would be to instruct officers to make amendments to the LDS, before it is referred to Full Council. Depending on the nature of the changes this option could delay the publication of the LDS and affect the examination process for the Local Plan Part 2.

Policy Overview Committee comments

Relevant Policy Overview Committees have previously be consulted on key aspects in developing the Local Plan.

SUPPORTING INFORMATION

Background

1. The Local Development Scheme (LDS) is a project plan for the production of the Local Plan and other planning policy documents. It sets out the documents that the Council intends to produce and the timescale for their production. In order to be considered legally compliant in accordance with the Planning and Compulsory Purchase Act 2004, the Council's Local Plan documents should be in general conformity with the LDS. This means they should be listed in the LDS and prepared in accordance with the timescales set out in the document.

2. The current LDS was prepared in 2016 and whilst the Local Plan Part 2 documents approved by Cabinet for Public Consultation on 24th September 2015 are listed, the timescales for document production are now out of date. A new, up to date LDS is therefore required to ensure the Local Plan is found to be legally compliant with the necessary regulations at Examination.

Content of the Local Development Scheme

3. The proposed LDS is attached at Appendix 1 of this report. Table A below summarises the documents and timescales that are identified in the document.

Table A: Timescale for Key Documents identified in the Local Development Scheme

Document	Proposed timescale for:		
	Submission	Examination	Adoption
Local Plan Part 2: Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes.	May 2018	July 2018 - March 2019	April -June 2019
Review of the Local Plan Part 1: Strategic Policies	July - Sept 2020	October 2020 - June 2021	July - Sept 2021
Community Infrastructure Levy Charging Schedule	To be confirmed		

4. The following paragraphs provide further commentary on the documents identified in Table A.

Local Plan Part 2: Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes

5. Cabinet approved a recommendation to undertake further consultation on these documents in September 2015. The documents were submitted for examination in May 2018 and the public examination hearings have been set for August 2018. Adoption of the Local Plan Part 2 is expected in early 2019.

Local Plan Part 1: Strategic Policies

6. Following the Adoption of the Local Plan Part 2, officers propose to commence a review of the Local Plan Part 1 to ensure the document reflects up to date evidence and Council policy, as well as maintaining general conformity with recently proposed changes to the National Planning Policy Framework (NPPF) and London Plan. The timetable for this review has been prepared to broadly mirror the production of the new London Plan and is expected to commence in the latter part of 2018.

Community Infrastructure Levy Charging Schedule

7. The Council's current Community Infrastructure Levy (CIL) Charging Schedule was adopted by the Council in April 2014. The timing of a further review of the CIL charging schedule will be considered in the light of updated viability evidence and any additional charges proposed by the Mayor of London.

West London Waste Plan

8. The West London Waste Plan was adopted in July 2015. During the examination, it was agreed to carry out an early review of the document to take account of changes to waste apportionment targets. Whilst the timetable has yet to be agreed, identifying this item allows this work to commence, subject to Cabinet approval and the agreement of the other boroughs in the West London waste planning area.

Heathrow Opportunity Area Planning Framework

9. The Heathrow Opportunity Area is identified in the London Plan as one of 38 Opportunity Areas with the capacity to accommodate 9,000 new homes and 12,000 new jobs. Revised figures are put forward in the Mayor of London's draft London Plan, published in December 2017. Whilst the boundary of the area has not yet been defined, it is described in the London Plan as covering much of the southern part of Hillingdon, Heathrow Airport and western Hounslow.

10. Paragraph 5.32 of the Local Plan Part 1 notes that the Council will work with key partners to prepare and implement a spatial planning framework for the Heathrow Opportunity Area. It is noted that further capacity testing is required by Hillingdon and Hounslow to establish what proportion of jobs and new homes in the Opportunity Area will be provided by each Borough. The details of this work will be subject to Cabinet approval, however, the LDS notes that the production of the Opportunity Area Planning Framework will likely commence in mid 2019.

Next Steps

11. Subject to Cabinet approval, the LDS will go forward to Full Council in September 2018. The document will then be made available on the Council's website.

Financial Implications

12. The cost of preparing the LDS will be contained within existing revenue budgets.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

The preparation of the LDS will ensure that the Council's Local Plan can be kept up to date and that the objectives of the Sustainable Community Strategy will continue to be met.

Consultation carried out or required

The LDS is a project plan for the production of the Council's own Local Plan and as such no consultation is required beyond the statutory internal consultees below.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and confirms that there are no direct financial implications arising from the publication of an updated Local Development Scheme. The timescales contained within the Local Development Scheme indicate that Local Part Plan 2 is scheduled for adoption by Spring 2019.

Legal

The Council is required to prepare a Local Development Scheme (LDS) in accordance with the requirements of section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The Planning and Compulsory Purchase Act 2004 (as amended) requires the LDS to be revised at such times as the Local Planning Authority considers appropriate.

Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Development Plan Documents to be prepared in accordance with the LDS. As such it is vital that the LDS is updated to ensure the Council's Local Plan can be found legally compliant in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and relevant supporting legislation.

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a resolution of the Council, which must specify the date from which the LDS is to have effect.

Infrastructure / Asset Management

There are no Corporate Property and Construction implications arising from the recommendations in this report.

BACKGROUND PAPERS

Report to Cabinet - Local Plan Part 2: Draft Development Management Policies, Site Allocations and Designations and Policies Map. September 2015