

Subject: Review of the Local Plan – Publication stage draft Local Plan
Meeting date: 25 September 2018
Report to: Planning Decisions Committee
Report of: Anthony Hollingsworth, Director of Planning Policy and Decisions

FOR COMMENTING

This report will be considered in public

1. SUMMARY

- 1.1. A review of the Legacy Corporation Local Plan was initiated in the autumn of 2017 to ensure that the Plan remains up to date and relevant, following the agreement of the Legacy Corporation Board in September 2017.
- 1.2. Public consultation, including community engagement and consultation with statutory and other stakeholders, businesses, landowners and developers has been undertaken on the potential scope for changes to the Local Plan and later on the potential directions for changes. The four boroughs have been frequently engaged and continue to input into this process including through the regular meetings of the 'Planning Policy Forum'. The refresh of the Infrastructure Delivery Plan, a key element of evidence for both the review of the Local Plan and the Infrastructure Delivery Plan (IDP) has also involved specific engagement with the four boroughs and other relevant infrastructure providers. A full consultation report is included at Appendix 6.
- 1.3. As a result of the review process, a number of potential changes to the adopted Local Plan are proposed which draw on the outcome of the consultation undertaken and also the requirements of the new National Planning Policy Framework (NPPF) and the draft new London Plan. These are summarised in the body of this report and set out in detail in Appendix 1.
- 1.4. A revised CIL Charging Schedule is also proposed, updating existing charging rates to reflect the amount actually now charged as a result of indexation. It is also proposed to include a charge for new office floorspace within the Stratford Retail Area, a new charge for 'Shared Living/Co-living' housing products and an "All other uses" category of charge is proposed that would include other uses not specifically charged but with an exclusion of education and healthcare use and affordable workspace. The Preliminary Draft Charging Schedule is included at Appendix 7 and the accompanying draft Infrastructure Project List and Draft Infrastructure (Regulation 123) List is included at Appendices 8 and 9. The evidence from the draft revised Infrastructure Delivery Plan has identified an infrastructure funding gap of approximately £290 million. The proposed charges in the Preliminary Draft Charging Schedule would make a contribution towards meeting this funding gap. It is estimated that the proposed revised charges could raise up to £16 million in the ten-year period subsequent to its adoption.

- 1.5. The proposed revisions to the Local Plan have, and continue to be, prepared alongside a process of Integrated Impact Assessment (IIA) and a Habitat Regulations Assessment. A report from the latest stage of this process is included at Appendices 4 and 5. The IIA incorporates a Sustainability Appraisal/Strategic Environmental Assessment, an Equalities Impact Assessment, a Health Impact Assessment and a Crime and Safety Impact Assessment.
- 1.6. This report provides the Planning Decisions Committee an opportunity to comment formally on changes proposed to the Local Plan and the CIL Charging Schedule. The comments and views expressed by the Committee will be reported to the Board when it considers a report seeking approval of the changes for the purpose of formal consultation and subsequent submission of the revised Local Plan and CIL Charging Schedule for Examination. The Examination is likely to take place during 2019 and adoption is therefore anticipated towards the end of next year.

2. RECOMMENDATIONS

2.1 The Planning Decisions Committee is asked to:

- 2.1.1. **Provide comment on the draft revised Local Plan with those comments being made available to the Board when it's approval of the revised draft Local Plan is sought prior to Publication stage consultation and submission for Examination.**
- 2.1.2. **Provide comment on the draft CIL Preliminary Draft Charging Schedule.**
- 2.1.3. **Note the contents of the supporting documents attached to this report and, in particular, the contents of the Integrated Impact Assessment**

3. BACKGROUND

- 3.1. Local Planning Authorities are required to have an up to date Local Plan in place. The Legacy Corporation adopted its current Local Plan in July 2015. With changes to national planning policy through the introduction of a new National Planning Policy Framework (NPPF) and the publication of the Mayor of London's new London Plan, there is a need to ensure that the Local Plan and its policies remain in general conformity with these. This has also presented the opportunity identify those parts of the adopted Plan that it might be appropriate to update based on the most recent evidence gathered from monitoring of Local Plan Key Performance Indicators, updating specific areas of evidence through research and through consultation with the community and other stakeholders. This presents the opportunity to ensure that the Local Plan reflects the Mayor of London's priorities and the Legacy Corporation's plans and programmes as they currently stand.
- 3.2. Alongside the review of the Local Plan, the opportunity has also been taken to review the Community Infrastructure Levy (CIL) charging schedule to ensure the charging rates and the types of development against which the levy is charged remain appropriate. A viability review has been undertaken to inform this review and revisions have been proposed as a result of this. The proposed Preliminary Draft Charging Schedule has been included with this report for comment before approval for public consultation on this draft is sought from the Board.

Community and stakeholder engagement

- 3.3. As agreed by the Board in September 2017, a period of consultation and engagement has been undertaken to identify the scope of any changes that might be required to the Local Plan to ensure it remains up to date. A consultation report has been prepared to provide the detail of what has been undertaken and the outcomes of that process. The report also sets out how this has been undertaken in accordance with the Legacy Corporations Statement of Community involvement. Appendix 6 to this report is the draft consultation report that will include a full table of representations made and responses to these, identifying how these have influenced the proposed changes to the Local Plan where relevant. Specifically, views were sought on what aspects of the Local Plan it was felt required review and consequent updating.
- 3.4. A period of formal consultation was undertaken between 6th November 2017 and 29th January 2018. During this period the focus for the consultation was:
- A series of topic based community workshops;
 - Meetings with individual groups and stakeholders;
 - A series of topic based workshops with the Planning Policy Forum, including the four boroughs;
 - The use of an online consultation portal to a provide convenient and accessible web-based option viewing information and responding;
 - Distribution of a consultation booklet and response form to local locations and contacts; and
 - Publication of consultation material and response forms on the Legacy Corporation website.

The consultation report sets out in detail how the consultation process was undertaken and opportunities for different parts of the community were provided to take part in this part of the review process

- 3.5. From the end of January to the end of June 2018 consultation channels were kept open, including the online consultation portal, to enable further comments to be made. During April and May 2018, a second series of topic based community workshops were held which focused on updated evidence and the potential directions of change to Local Plan policy. The outcomes for this are also reflected in the consultation report.
- 3.6. The Planning Decisions Committee has been updated on progress of the Local Plan review over time. In particular, specific briefings for committee members were held in June and August 2018 where the proposed changes to policy in the Local Plan and changes to the CIL charging schedule were discussed. The following key matters were raised during those briefings:
- Housing need and how the Local Plan revisions were approaching this, including the proposed continuation of a 60/40 affordable (inc social) rent/intermediate balance and confidence levels in meeting this;
 - The impacts of the higher housing target on achieving the employment ambitions in the Local Plan;
 - The approach to protecting industrial uses;
 - The robustness of the retail floorspace projections;
 - The basis for the significant increase in the numbers for the new population projections and also how this might impact on infrastructure requirements;

- How the need for a progressive approach to transport infrastructure is being taken into account and emphasising walking and cycling;
- The approach to revised design policies and the involvement of the Quality Review Panel in the process; and
- For the proposed revisions to the CIL Charging Schedule, wanting to understand the approach to and justification of the emerging changes that included introduction of a separate rate for Shared Living accommodation and the approach to a general low level charge for all other uses outside of the Stratford Retail Area.

Evidence base review

- 3.7. To ensure that the Local Plan evidence base remains up to date, a series of studies and reports have been commissioned and completed. Completed reports have been made available on the Legacy Corporation website. These are listed below:
- Residents survey and population projections for the Legacy Corporation area;
 - Housing Requirements Study;
 - Combined Economy Study (including a Business Survey, Employment Land Review, Creative and Cultural Opportunities Assessment, and Retail and Town Centre Needs Assessment);
 - Flood Risk Study;
 - Open Space and Playspace Assessment;
 - Transport Study; and
 - Schools Study.

In addition to the above, a draft Characterisation Study has been produced and will be available for comment alongside the draft revised Local Plan. With the parallel review of the Legacy Corporation Infrastructure Delivery Plan (IDP), a draft IDP Report and draft new Infrastructure List will also be published alongside the drafted revised Local Plan. This provides background and evidence both for the Local Plan and the CIL review CIL Preliminary Draft Charging Schedule.

Technical Assessments of the draft revised Local Plan

- 3.8. The following technical assessments of the draft revised Local Plan are required and have been undertaken:
- An Integrated Impact Assessment (IIA) (incorporating a Sustainability Assessment (SA)/Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA), Health Impact Assessment (HIA) and Crime and Safety Impact Assessment (CSIA);
 - A Habitat Regulations Assessment (HRA); and
 - A viability assessment of the proposed Local Plan changes (including and affordable housing viability assessment).

These assessments provide both an assessment of the potential impacts and effects of the proposed changes to the Local Plan and evidence that has helped to inform the final scope of those changes at this stage of the review process.

4. Changes proposed to the Local Plan

- 4.1. The proposed changes to the Local Plan are set out in detail at Appendix 1 to this report. Appendix 2 shows the changes integrated into the Local Plan to show what the changes look like within the context of the whole Plan. This also shows the amended relevant drawings and illustrations, including site allocation diagrams. The latter document is intended to provide context to the changes, while the Schedule of draft Changes will become the formal document on which comment can be made.
- 4.2. It should be noted that the overall strategy for the LLDC area, mainly set out in Section 3 of the Local Plan, while being brought up to date in its detail has not changed and that specific changes to policies within the Plan as a whole are considered to bring these individually into general conformity with the new London Plan and meet the requirements of national planning policy. Changes have also been proposed in response to consultation during the Regulation 18 consultation stage and in response to revised or new evidence.
- 4.3. The key potential changes that are recommended are as follows:
 - 4.3.1. **Housing policies**, including reflecting the new London Plan regarding the housing target for the Legacy Corporation area of 2,161 per annum and changes to the approach to affordable housing. It is anticipated that this target can be achieved without adversely impacting upon other Local Plan aspirations, such as for employment, as the relevant densities have already often been realised in schemes within the area. The changes integrate the Mayor of London's affordable housing threshold approach so that schemes of more than 10 units are required to deliver affordable Housing based on a threshold of 35%, or 50% if on publicly owned land. These changes particularly affect Policies SP.2, H.1 Housing Mix and Policy H.2 Affordable Housing. Evidence within the Housing Requirements Study (HRS) confirmed the need to maintain the affordable housing tenure split of 60 low cost (affordable or social rented)/ 40 intermediate products. The HRS and the London Strategic Housing Market Assessment evidence also confirms the need to maintain the policy for a 'balanced mix' (33/33/33) of one, two and three bedroom properties.
 - 4.3.2. New policies, Policy H7 (Shared Living Accommodation) and H8 (Innovative Housing Models), are introduced to set approaches to newer forms of housing that are not defined within Use Class C3. These policies set out approaches to suitable locations, to design standards and suitability in achieving mixed and inclusive neighbourhoods and to achieving affordable housing.
 - 4.3.3. To ensure that the approach to be taken to delivery of housing and affordable housing by the Legacy Corporation on its own land is clear, the Local Plan includes an insert that makes reference to its housing portfolio approach through which it aims to deliver a total of 50% affordable housing across its sites that are not already subject to detailed planning consent or have a development partner appointed under the framework of the Legacy Communities Scheme. These being the sites at Stratford Waterfront, Pudding Mill, Bridgewater Road and Rick Roberts Way.
 - 4.3.4. **Business and employment policies**, in particular Policy B.1, have been updated to align with the approach in the new London Plan, including recognition that the LLDC area is within the new London Plan 'retain capacity' category for industrial floorspace capacity. To achieve this and comply with the new NPPF, changes to Policy B.1 remove the previous requirement for an impacts assessment for Use Class B.1a office accommodation but applying a sequential approach to ensure that large scale office use is directed towards the Metropolitan Centre to reinforce its

function. The other changes to this section also specifically support the introduction of a Cultural Enterprise Zone in Hackney Wick and Fish Island. The retail floorspace requirements within Policy B.2 have increased in line with new evidence, which reflects the growing population of the area and the new and enhanced centres as Bromley-by-Bow, Pudding Mill and Hackney Wick. A Night Time Economy SPD is being prepared to provide further guidance on the development of these uses, particularly within and around the existing and new centres and how these can successfully interface with the existing and emerging new residential communities in these locations. The Planning Decisions Committee will be asked to provide comment on this SPD once an initial draft has been prepared.

- 4.3.5. **Design policies**, within the Built and Natural Environment Section have a number of draft minor changes proposed as a result of specific consultation responses. However, while not representing a significant change in policy approach, the design policies BN.4 and BN.10 have been significantly amended reflecting for example the outcome of a review undertaken with the Quality Review Panel. Policy BN.4 has been redrafted to contain policy addressing the design of both residential and non-residential development, including mixed-use schemes. Policy BN.10, Tall Buildings, has been redrafted and moved next to Policy BN.4, so that is more specific, about the locations for tall buildings and clearer about the specific policy tests for tall buildings. Rather than seeking that schemes 'exhibit outstanding architecture' it now requires 'exceptionally good design', to be demonstrated through independent design review. This definition has been selected as it aligns with that within the CABE guidance (Guidance on tall buildings, English Heritage/CABE, 2007).
- 4.3.6. **Transport Policies**. Whilst in general the policies remain as previously drafted, they have been updated to reflect the changing context of projects such as Crossrail and have been expanded to include reference to the Healthy Streets approach as set out in the Draft New London Plan. Whilst Local Plan transport policies have always supported the transport hierarchy as set out in the London Plan, these continue to put active travel at the top and private vehicle last in terms of importance. The approach in supporting active travel and public transport usage has been further enhanced to support the Mayor's target of 80% of journeys taking place using these modes by 2041. There is also continued focus on the importance of development and enhancement of local connectivity, which is further supported by the Transport Study undertaken as part of the evidence base for this Local Plan Review.
- 4.3.7. **Population projections and infrastructure provision**. The revised plan takes account of the revised population projections that have been prepared for the LLDC as a part of the Local Plan background evidence. On the assumption of the delivery of all projected development capacity within the LLDC area, this suggest that the area population could rise from a current 27,000 up to 109,000 by 2036. This has used a bespoke methodology that takes the known development mix into account along with the outcome of a detailed residents survey undertaken in the summer of 2017. The study report is available publicly on the LLDC Local Plan Review website.
- 4.3.8. This data has also been used as part of the review of the LLDC Infrastructure Delivery Plan. Appendix 9 to this report, (draft Infrastructure Projects List), is the primary outcome from this review, setting out an updated list of identified projects for which LLDC and its partners will seek to find funding and resources, including CIL funding and delivery as part

of relevant development schemes. These are also reflected in the Local Plan, particularly within specific relevant site allocations.

4.3.9. As part of the review of the Infrastructure Delivery Plan, the current Local Plan position on planning for schools within the LLDC area has been reviewed. This has included a school's study undertaken by consultants to examine this position in the context of the schools that have now been delivered or are planned within the LLDC area and also the wider area around it. This has involved specific engagement with each borough schools place planning team. While no specific need for change to the Local Plan Schools policy has been identified through this process, this has confirmed the need to continue to allocate sites or locations already identified in the Local Plan and to continue an approach which would pursue school expansion in the longer term where and when that need begins to arise as a result of population change and growth, working within the context of wider borough school and schools place planning at the time. Updated existing and planned school's tables are included at Appendix 1 (Section 5).

4.3.10. **Amended site allocations**

- SA1.5 East Wick and Here East: reflecting completion of the East Wick Primary School and the implementation of the Here East planning permission, minor changes to the site allocation wording have been introduced.
- SA1.6 Sweetwater: a minor change to exclude the area of the now completed primary school buildings and playfield of the new Bobby Moore Academy.
- SA3.1 Stratford Town Centre West: amendments to the areas shown as development sites to recognise where development has now been completed in some places and where the 'Call for Sites' consultation has identified additional areas for future development.
- SA3.2 Stratford Waterfront East: a reshaping of the site allocation and an adjustment to the area it covers, to make more explicit reference to the proposed cultural and education institutions that form part of East Bank.
- SA3.3 Stratford Waterfront West: a reshaping of the site allocation to recognise the outline permission and project for the new UCL East university campus.

4.3.11. **Deleted site allocations**

- SA1.4 Bream Street: deleted as entire scheme has detailed planning permission and is currently under construction.
- SA1.5 Wick Lane: deleted as entire scheme also has detailed planning permission and is currently under construction.

4.3.12. **New site allocations**

- SA4.4 Three Mills: recognising the opportunity to accommodate an element of new mixed-use development that would enable the long-term investment in the heritage assets that form the major part of this location and ensure their long-term active cultural and associated use.
- SA4.5 Bow Goods Yards: recognising the long-term potential for the reconfiguration of the railhead sites to provide consolidated, high quality strategic industrial uses which may, in the context of a secured long-term masterplan, lead to potential for other more mixed-use

development, in accord with the approach to planning for Strategic Industrial Land within the draft new London Plan.

- SA2.4 Chobham Farm North: has been introduced as a result of the 'Call for Sites' consultation identifying the land as available for future development, with agreement expressed by the three landowners. The site is seen as primarily appropriate for residential development, complementing the completed phase 1 of the Chobham Farm development scheme immediately to the south and providing an opportunity to further improve the street and other public realm along Leyton Road.
- 4.3.13. For all site allocations that include housing as a use, these now identify a minimum housing number and also the applicable affordable housing threshold, of either 35% or 50%, depending on whether the site is defined as privately or publicly owned. In the case of SA3.4 Greater Carpenters District, the inclusion of a minimum housing number will be relevant to the current preparations of a Neighbourhood Plan, with the new NPPF requiring that where it is relevant to do so that Local Plans set a housing target for that neighbourhood plan.
- 4.3.14. **Policies Map.** Several changes are proposed to the Policies Map in addition to the inclusion of new and removal of the deleted site allocations. These are primarily minor corrections to areas identified as Metropolitan Open Land and to areas of Local Open Space. Five new Local Open Space areas have also been added where the 2018 Open Space and Playspace Assessment had identified specific exist spaces that had not been included in the adopted Local Plan but were considered to merit inclusion based on this updated assessment work. Each change is identified in a schedule at the end of Appendix 1 and on the revised draft Policies Map (Appendix 3).
- 4.3.15. **Lee Valley Hock and Tennis Centre.** Representations were received during the formal consultation period from the Lee Valley Regional Park Authority (LVRPA) and have been taken into account as set out in the consultation Report at Appendix 6. However, subsequent discussions with the LVRPA have resulted in a request for wording within the Local Plan that highlights the importance of the implementation of future plans for the Hockey and Tennis Centre to secure a viable future for the venue. The LVRPA have not as yet determined what those future plans might be but consider that the long-standing designation of the site as Metropolitan Open Land might become an obstacle. As a result of these discussions an insert into the Sub Area 2 section of the Local Plan has been included, set out at Appendix 1, that highlights the importance of the Hockey and Tennis Centre and the underlying support of the LLDC for future plans as a partner organisation. However, the LVRPA have requested that this include a statement that would allow future proposals to be excepted from the policy requirements within the Local Plan, including those that apply to metropolitan open land. Officers consider that such a statement would not meet the requirements of sound plan making as this would represent a general exemption from policy requirements for an individual prospective applicant for planning permission. It remains the view of officers that, once the LVRPA have defined the future form of any proposals for the Hockey and Tennis Centre, these proposals should be discussed and tested in the usual way through the planning application process. This would enable the specific circumstances of that proposal to be considered and for example, if any proposed development in the MOL was considered to be inappropriate, for the 'very special circumstances' test, as required by the

National Planning Policy Framework and London Plan, to be considered at that stage and in the context of the specific proposal.

- 4.4. While the underlying structure of the Local Plan remains unchanged, some policies have been moved. In particular, Section 7 (Securing the Infrastructure to Support Growth) has been amended to focus exclusively on transport related policies, while other infrastructure policies are now moved to Section 8 (Creating a sustainable place to live and work). With the relocation of the tall buildings policy within Section 6 (Creating a high quality built and natural environment) this now follows on from Policy BN.4 resulting in a general renumbering of policies from this point onward in that section.

Changes proposed to the CIL Charging Schedule

- 4.5. The current CIL Charging Schedule came into effect in April 2015. A review has been undertaken to determine whether there is scope for increasing the CIL rates charged and the range of uses that could be capable of paying CIL.
- 4.6. A report has been prepared by PPDT's consultants BNP Paribas that examines the economic viability case for any potential change. This has concluded that it would be possible and viable to make the following changes:
- Increase all existing rates by the amount equivalent to the current indexation that is applied. For example, the current rate for residential would rise from £60 per sqm to £73.90 per sqm.
 - Include a charge for new Shared-Living/Co-Living development at £123.17 per sqm.
 - Include a charge for new B1a office floorspace development within the currently defined 'Stratford retail area' at £123.17 per sqm.
 - Include a charge for all other uses (not already defined within the charging schedule) across the LLDC area at £20 per sqm, with the exception of education, healthcare and affordable workspace which would remain zero rated.
- 4.7. The proposed changes are set out in detail in the proposed Preliminary Draft Charging Schedule at Appendix 7 to this report.
- 4.8. To justify the charges proposed two sets of evidence are required. The first is evidence of an infrastructure need in support of the planned development for the area and also evidence of a funding gap for delivery of that infrastructure which the CIL charges would then help to fill. The second is evidence of viability testing to show that the development types that would then be required to pay the identified level of CIL can viably pay this charge. Regulation 14 of the CIL Regulations (2010) (as amended) requires that:

“(1) In setting rates (including differential rates) in a charging schedule, a charging authority must strike an appropriate balance between—

- (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
- (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.”

- 4.9. Regulation 14(5) states that “a charging authority’s draft infrastructure list is appropriate evidence to inform the preparation of their charging schedule”. A review of the 2014 Infrastructure Delivery Plan has been undertaken in consultation with the four boroughs and other relevant infrastructure providers and a revised draft Infrastructure Projects List has been prepared to identify an up to date list of infrastructure needed to support the delivery of the development proposed within the draft revised Local Plan.
- 4.10. Alongside this a revised draft Infrastructure List has been prepared in accordance with Regulation 123 of the Regulations and this draws on this wider list. This identifies the specific projects that have been identified as those which will be wholly or partly funded by CIL and by requirements of the Regulations would not be able to be funded through any contribution secured through a s.106 Planning Obligation. Projects that are not on this list but are on the wider Infrastructure Projects List would potentially be able to secure CIL funding, provided that the relevant requirements of the CIL Regulations were complied with in each case.
- 4.11. The drafts of the Infrastructure (Regulation 123) List and the Draft Infrastructure Delivery Plan Projects List are included at Appendix 8 and Appendix 9 respectively. These will be refined and finalised at the point that the revised CIL Charging Schedule is adopted, ensuring that they remain up to date. As has been the case with the current lists, these will then be reviewed in consultation with the boroughs and other infrastructure providers and updated where necessary.
- 4.12. The Preliminary Draft Charging Schedule, if agreed by the Board, will be the subject of public consultation alongside the Local Plan. It is intended that the required second stage of consultation will also be undertaken soon afterward to enable the submission of this and the Preliminary Draft Charging Schedule and the Local Plan to the Secretary of State for the purpose of an Examination to take place at the same time and therefore be examined concurrently. In the event that the first round of public consultation results in the need for a significant change to the revised charging schedule (e.g. a more than minor change to a proposed charging rate) the further approval of the Board will be sought before being submitted for Examination.
- 4.13. The draft revised Infrastructure Delivery Plan shows that, for those infrastructure requirements where a predicted cost is known, that this amounts to a potential infrastructure cost of £290 million. In total, existing financial commitments towards those projects amount to approximately £35 million, leaving a substantial infrastructure funding gap. The Preliminary Draft Charging Schedule is considered, based on the development projections within the draft revised Local Plan evidence, to be capable of raising up to £16 million during the next ten-year period. It is, as a result, considered necessary and justifiable to expand the scope of the existing CIL charging schedule to the uses identified in order to help meet the identified infrastructure funding gap and as a result enable the delivery of the type and level of development planned for within the draft revised Local Plan.

Programme and process – what happens next?

- 4.14. The comments of the Planning Decisions Committee will be taken into account and also reported to the Legacy Corporation Board when it is asked to consider approval of the revised Local Plan and CIL Preliminary Draft Charging Schedule for the purpose of their relevant stages of public consultation.
- 4.15. For the draft revised Local Plan, if approved by the Board, a six-week period of formal public consultation will take place during November and December 2018. The Local Planning Regulations require that this consultation provide the opportunity for formal comments to be made to the proposed draft Plan, or specifically in this instance, to the changes proposed to the adopted Plan. Any

comments made in writing at this stage will be recorded and made available as part of the Examination of the Local Plan.

- 4.16. It is intended that the proposed changes to the Local Plan will be submitted to the Secretary of State in February 2019, who will appoint an independent examiner to undertake the examination of the Plan. Once an examiner has been appointed, they will begin the Examination and, where considered necessary, set dates for public hearings as part of that process. Anyone who has made a representation during the Publication stage consultation will be able to request to appear and speak in support of their case at any hearings that are held.
- 4.17. It is anticipated that any public hearings would be held in mid-2019. After this, any proposed modifications to the Local Plan are likely to require further public consultation before the examiner concludes the Examination and provides their report into the changes to the Plan. If the examiner concludes that the Plan is sound and legally compliant, the Legacy Corporation will then be able to proceed to adopting the revised Local Plan. It is anticipated that, in this event, it would be possible to adopt the revised Plan by the end of 2019.
- 4.18. For the revised CIL Charging Schedule, this has to be subject to two stages of formal public consultation. The first stage is consultation on the Preliminary Draft Charging Schedule (PDCS) which will set out the revised CIL rates per square metre for those types of development it is proposed to make a charge against. It is proposed that this consultation take place alongside that for the revised draft Local Plan. The results of this consultation will be taken into account when finalising the CIL Draft Charging Schedule (DCS) which will then be subject to a further four-week period of public consultation. Following this the CIL DCS and the comments made at that stage of consultation will be submitted for Examination. It is intended that this takes place at the same time as the submission of the draft revised Local Plan and that the examinations take place concurrently. Should the revisions to the CIL Charging Schedule be found to be sound at Examination it is proposed that this be adopted by the LLDC Board and a date set for it coming into effect set. As with the Local Plan, it is anticipated that this process would be concluded by the end of 2019.

5. LEGAL IMPLICATIONS

- 5.1. When the Legacy Corporation became the local planning authority for its area in October 2012, it also became the first development corporation to be given plan making powers. As a consequence it undertook the preparation of its own Local Plan in accordance with the powers and responsibilities conferred on it as a local planning authority by the London Legacy Development Corporation, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) (the "Act"), the Town and Country Planning (Local Planning)(England) Regulations 2012 (the "Regulations") and the requirements set out in the National Planning Policy Framework. Amendments to the Regulations were made in December 2017 and the subsequent work in reviewing the Local Plan has taken these amendments into account. Where the Regulations are referred to below, these are the regulations as amended.
- 5.2. In July 2018 a revised NPPF was published and it is required that any Local Plans that are to be submitted for examination six months from this date are required to have been prepared in accordance with the provisions within the new NPPF. The revised LLDC Local Plan will be caught by this requirement and has been prepared taking the provisions of the new NPPF into account.
- 5.3. National planning policy requires that Local Plans are kept up to date and that local planning authorities review the relevance of their plans at regular intervals to assess whether update is required. This review of the Local Plan is being

undertaken within the same legislative framework as applied to its original production.

- 5.4. The review of the Local Plan is being undertaken in compliance with the details set out in the Local Development Scheme and Statement of Community Involvement (both February 2017), as required by the Act. The consultation on the scope of changes and continuous engagement process detailed in this Report, and in more detail in the consultation report at Appendix 6, has been undertaken in accordance with Regulation 18 of the Local Planning Regulations.
- 5.5. The draft revised Local Plan, set out in Appendix 1 and 2, has been prepared in accordance with Regulation 18, while the proposed public consultation on the draft revised Local Plan will be undertaken in accordance with Regulation 19. Following that consultation, the draft revised Local Plan will be submitted to the Secretary of State for the purpose of examination by an independent examiner in accordance with Regulation 22 of the Local Planning Regulations.
- 5.6. The review of the Community Infrastructure Levy Charging Schedule (2015) is being undertaken in accordance with the provisions of the Localism Act 2011 and the Community Infrastructure Levy Regulations (2010) (as amended). The Preliminary Draft Charging Schedule at Appendix 7, if approved by the Legacy Corporation Board, will be subject to a period of public consultation in accordance with Regulation 15. A second consultation will then be undertaken in accordance with Regulation 16 incorporating any changes made as a result of the first consultation. Submission of the Draft Charging Schedule following this stage will be undertaken in accordance with Regulation 19.

6. PRIORITY THEMES

- 6.1. The Legacy Corporations priority themes are: Promoting convergence and community participation; Championing equalities and inclusion; Ensuring high quality design; Ensuring environmental sustainability.
- 6.2. These themes are specifically addressed within the strategy and policies contained in the adopted Legacy Corporation Local Plan and will continue to be taken forward as the Local Plan is reviewed and revised. They are also reflected within the approach to the Community Infrastructure Levy and the management of the established associated collecting and spending arrangements, with the revision of the CIL Charging Schedule continuing to fit within this approach. The Statement of Community Involvement specifically addresses the approach to community participation in respect of the Legacy Corporations planning authority functions and will be taken into account in undertaking engagement with communities and other stakeholders on the review of the Local Plan and CIL Charging Schedule. The review and recommended changes to the Local Plan have also been developed alongside an Integrated Impact Assessment which incorporates an Equalities Impact Assessment, Health Impact Assessment, Crime and Safety Impact Assessment, alongside a Sustainability Appraisal.

7. APPENDICES

- 7.1. The following appendices form part of this report:
 - Appendix 1 – Draft revised Local Plan schedule of changes
 - Appendix 2 - Draft revised Local Plan, illustrative document (weblink only)
 - Appendix 3 – Draft revised Policies Map (weblink only)
 - Appendix 4 – Integrated Impact Assessment Non-technical summary
 - Appendix 5 - Integrated Impact Assessment & Habitats Regulations Assessment Report (weblink only)
 - Appendix 6 – Local Plan Early Engagement Consultation Report (weblink only)

- Appendix 7– CIL Preliminary Draft Charging Schedule
- Appendix 8 – Draft Infrastructure (Regulation 123) List
- Appendix 9 – Draft Infrastructure Delivery Plan Projects List

Appendices available via weblink can be accessed at:

<https://www.london.gov.uk/moderngov/ldc/ieListDocuments.aspx?CId=273&MId=6103&Ver=4>

List of Background Papers:

Legacy Corporation Local Plan, July 2015
Legacy Corporation CIL Charging Schedule 2015
Infrastructure (Regulation 123) List 2015
Infrastructure Projects List 2017
Local Development Scheme, February 2017
Statement of Community Involvement, February 2017