

Brief Outline of Procedural and Legal Compliance

LOCAL PLAN SUBMISSION DOCUMENT

October 2018



Old Oak and Park Royal Development Corporation Submission Local Plan: Brief Outline of Procedural and Legal Compliance

1.0 Statutory Procedures and Regulations

- 1.1 The Old Oak and Park Royal Development Corporation's (OPDC) Local Plan has been prepared fully in accordance with the statutory procedures and Regulations as set out by the Planning and Compulsory Purchase Act 2004 (as amended), the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 and in accordance with the National Planning Policy Framework.
- 1.2 The full details of compliance are set out within the Legal Compliance Self-Assessment (Document KD8) and Soundness Self-Assessment Checklist (Document KD9) submitted with the Local Plan. These documents demonstrate how OPDC has met the key legal and procedural obligations set out in the Regulations during the policy formulation stages, through to the plan preparation and submission stages.

2.0 Duty to Co-operate

- 2.1 The Local Plan has been prepared in accordance with the Duty to Cooperate. In preparing the plan, OPDC has engaged constructively, actively and on an ongoing basis with neighbouring local planning authorities and other prescribed bodies to develop effective planning policy documents on strategic planning policy issues such as housing, jobs and waste.
- 2.2 The Duty to Co-operate Statement (Document SD1) identifies key matters and the strategic partners that OPDC have been engaging with in the development of planning policy and sets out actions and outcomes based on this engagement activity.

3.0 Local Development Scheme

- 3.1 The progression of the Local Plan is defined in the Local Development Scheme (LDS) (Document KD11). The LDS has been prepared in accordance with the requirements of section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The Act requires the LDS to be revised at such times as the Local Planning Authority considers appropriate. The Local Plan has been drafted in accordance with the timetable below.



4.0 Community engagement

- 4.1 OPDC has set up and implemented robust engagement activities as required by the Statement of Community Involvement (Document SD4). This includes ground rules for public engagement in planning and how this interfaces with the preparation of the Local Plan. The Statement of Consultation (Document KD5) sets out these engagement activities in relation to the preparation of the Local Plan.

- 4.2 Regulation 18 consultation took place from February to March 2016 and the first Regulation 19 consultation from June to September 2017. Normally, a local planning authority would then submit the Local Plan for public examination by an independent inspector. However, because of the representations made to the first Regulation 19 consultation, publication of the Draft New London Plan, new and updated supporting studies and changes to national and regional infrastructure priorities, OPDC made significant changes to the text and evidence base supporting the draft Local Plan and therefore undertook a second Regulation 19 public consultation from 14 June to 30 July 2018. This allowed stakeholders to comment on the changes that have been made to the draft Local Plan, in advance of the Independent Examination.
- 4.4 All stages of consultation have been undertaken in accordance with Statement of Community Involvement (Document SD4) and the Local Planning Regulations (2012). The Statement of Consultation (Document KD5) summarises the issues that were raised through representations during each round of consultation and provides responses to each summary. These include whether changes have been proposed to the Local Plan and where they have not the reasons for this.

5.0 Sustainable development

- 5.1 When preparing the Local Plan, it is a legal requirement to undertake a Sustainability Appraisal (SA) to ensure that it is developed within the principles of sustainable development. OPDC has taken an integrated approach to assessing the impacts of the Local Plan by developing an Integrated Impact Assessment (IIA) which includes a Sustainability Assessment (SA).
- 5.2 The IIA and Habitats Regulation Assessment (HRA) (Document SD2) demonstrates that OPDC has met the following European and national statutory requirements:
- Sustainability Appraisal and Strategic Environmental Assessment (SEA): Process for assessing the social, economic, and environmental impacts of the Local Plan and aims to ensure that sustainable development is at the heart of the plan-making process.
 - Health Impact Assessment (HIA): high-level assessment of the possible health impacts of the Local Plan.
 - Equalities Impact Assessment (EqIA): high-level assessment of the possible equalities impacts of the Local Plan in relation to the Equalities Act 2010 and the public-sector equality duty.
 - Habitats Regulation Assessment (HRA): to determine if the Local Plan would generate an adverse impact upon a European protected site, in accordance with European Council Directive 92/43/EEC on the Conservation of natural habitats.
- 5.3 This document (Document SD2) also includes a HRA screening exercise to determine if the Local Plan would generate an adverse impact upon the integrity of a Natura 2000 site (for the OPDC area, these are Richmond Park and Wimbledon Common).
- 5.4 In accordance with Regulation 12(5) of the SEA Regulations, the Scoping Report was consulted upon for a five-week period, commencing in September 2015. The statutory SEA bodies consulted were: Natural England; Historic England; and the Environment Agency. A draft IIA Report was provided alongside each version of the Local Plan. Comments received have been integrated into the IIA Report

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6.0 National Planning Policy Framework (2012), National Planning Practice Guidance and legislation

- 6.1 The content of the Local Plan is consistent with the National Planning Policy Framework (NPPF), with the National Planning Practice Guidance, with the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. The Local Plan has been positively prepared using up to date and relevant evidence and is consistent with the objectives set out in the NPPF.
- 6.2 As set out in Appendix 1 of the Revised NPPF 2018, the policies in the previous (2012) Framework will apply for examining plans, where those plans are submitted to the Secretary of State on or before 24 January 2019.
- 6.3 The Local Plan has been prepared to be in general conformity with the current London Plan (2016) and the Draft New London Plan (2017). The Mayor of London/Greater London Authority have confirmed in their consultation representation on the Regulation 19 (2) Local Plan that the plan is in general conformity with the London Plan (Document KD7).
- 6.4 Every Local Plan policy has a Policy Formulation Report (Document KD12 to Document KD21). Each report demonstrates how the policy has been prepared with due regard to national policies and guidance and are consistent with national policy and in general conformity with the London Plan policy and guidance. They also list the key supporting evidence base behind each policy and highlight where changes have been made following consultation.
- 6.5 The Summary of Supporting Studies (Document KD22) provides summary details of the key outputs and recommendations from the supporting studies and where these have been revised through the process of plan making.