

LONDON BOROUGH OF CAMDEN	WARDS: St Pancras and Somers Town
REPORT TITLE Camley Street Neighbourhood Plan - Adoption (SC/2021/21)	
REPORT OF Cabinet Member for Investing in Communities and an Inclusive Economy	
FOR SUBMISSION TO Cabinet Council	DATE 2 September 2021 13 September 2021
STRATEGIC CONTEXT <p>Camden 2025 is our communities' vision for Camden. The Camley Street Neighbourhood Plan supports the objectives of the calls to action to create 'Safe strong and open communities' so everyone can contribute to their community and make Camley Street a 'clean, vibrant and sustainable place through shaping the local shared environment'.</p> <p>Our Camden Plan is the Council's response to Camden 2025. A key strand is the focus on collaborative working to: "Open up the Council so all citizens have a say" and "Bring people and agencies together to get things done". Neighbourhood plans allow communities to respond to planning issues affecting their locality.</p>	
SUMMARY OF REPORT <p>Following a successful local referendum, the Camley Street Neighbourhood Plan prepared by the Camley Street Neighbourhood Forum is to be 'made' (that is, adopted) by the Council in line with statutory requirements.</p> <p>Neighbourhood plans can shape, direct and help to deliver sustainable development by influencing local planning decisions and give communities the power to develop a shared vision for their area. The Neighbourhood Plan will be used alongside the Council's own documents to decide planning applications in the neighbourhood planning area.</p> <p>The report is being taken to Cabinet because the Council's Constitution requires all of the Council's development plan documents to be agreed by Cabinet. The Local Government Act 2000 requires these documents to be adopted by full Council.</p> <p>Local Government Act 1972 – Access to Information There are no documents used in the preparation of this report that are required to be listed.</p>	

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RECOMMENDATIONS

The Cabinet is asked to recommend the Council to make the Camley Street Neighbourhood Plan, set out in Appendix 2 to this report.

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Signed:



David Burns
Director of Economy, Regeneration and Investment

Date: 17th August 2021

1. CONTEXT AND BACKGROUND

- 1.1 This report seeks authority to make (adopt) the Camley Street Neighbourhood Plan following a local referendum.
- 1.2 Communities can prepare neighbourhood plans to influence the future of their areas. These are statutory planning documents which can establish general planning policies for the development and use of land in a neighbourhood. National planning policy expects neighbourhood planning to be a positive process, supporting the wider strategic growth and planning policies of the area (in Camden this context is provided by the adopted Camden Local Plan 2017). Neighbourhood plans must be prepared by the community through designated neighbourhood forums, and once prepared, are subject to public consultation, independent examination and a local referendum.
- 1.3 The Camley Street Neighbourhood Plan relates to the employment uses to the east of Camley Street, along with Elm Village, a residential area to the west. A map of the Camley Street Neighbourhood Area is set out in Appendix 1 to this report. The Camley Street Neighbourhood Forum and Camley Street Neighbourhood Area were approved by the Council in February 2014 and the Forum was renewed for a further five years in May 2019.
- 1.4 The community and Forum have developed the following Vision for the area which informs the Plan's subsequent policies:

“Adjoining the Regent’s Canal and located between Camden Town and King’s Cross, the Neighbourhood Plan area will be transformed into a mixed community providing a range of industrial and commercial spaces, new dwellings, and social and community infrastructure.”

“New development over the Plan period will cumulatively help to deliver a number of objectives including: helping the existing and well established business community to flourish and grow, creating opportunities to deliver additional space, which is capable of meeting the needs of a diverse range of new businesses, delivering new homes, the majority of which will be truly affordable, ensuring the delivery of community facilities and services that will support and meet the needs of existing and new communities and securing the delivery of eco-friendly building design and technologies, with green infrastructure integrated throughout.”

- 1.5 The Plan's policies are structured around six main topics: Employment; Local Community and Social Needs; Housing; Sustainable Transport; Green Infrastructure; and Design Quality.

- 1.6 In summary, the key elements of the Camley Street Neighbourhood Plan proposed by the Neighbourhood Forum are:
- For major proposals involving redevelopment and/or intensification of employment sites: a significant proportion of new employment space should meet the varied operational requirements of light/general industry, storage/distribution, hybrid operations involving industrial/storage uses and micro space for Small and Medium-sized Enterprises;
 - A proportion of space to be suitable for use by start-ups or provided as 'move-on' space' and a proportion made available at affordable rents;
 - Existing business uses to be retained as far as possible;
 - Existing businesses that both offer employment opportunity for local residents and support Central London should be offered alternative space with efforts made to integrate them in a redevelopment scheme;
 - Floorspace should be offered first to comparable business and industrial operators;
 - Developments should deliver the maximum viable quantum of affordable housing on-site, with an aspiration of achieving 100%;
 - On major schemes, at least 50% of floorspace uplift should be provided as housing (extending the operation of Local Plan Policy H2 which applies this approach to Central London and identified town centres);
 - Limitations on the provision of additional student housing, including the restriction of "mono-use" student blocks;
 - Identification of contextual design priorities/principles which all developments would be expected to meet;
 - Identification of criteria to be applied to proposals featuring tall buildings.
- 1.7 Two stages of public consultation were undertaken on the draft Camley Street Neighbourhood Plan (see Section 5) prepared by the Camley Street Neighbourhood Forum. During the second consultation, the Council appointed an independent Examiner, to assess the Plan against statutory requirements. It is the Examiner's role to consider the content of the Forum's draft Plan and whether it meets the statutory requirements. The Examiner will make recommendations for the Plan to be amended to ensure that these requirements are met (or can recommend that the Plan does not proceed to referendum where such changes would fundamentally alter the content and nature of a plan).
- 1.8 The Council submitted representations on the 'submission draft' Neighbourhood Plan in its role as the local planning authority and as a significant landowner in the area.

1.9 Key comments made by the Council in its representations and associated recommendations made by the Examiner are set out in the table below.

Council representation	Examiner's recommended change
<p><u>Planning service comments:</u></p> <ul style="list-style-type: none"> • The Plan needed to allow greater flexibility at individual site level to take account of other/alternative employment uses that had been identified as appropriate in the Local Plan. • The practicality and economic impacts of requiring re-provision of existing uses needs to be considered as part of the assessment process for planning applications. • The Plan's policy on controlling rental arrangements went beyond what the planning system can control. • The Plan's approach to student housing conflicts with housing targets, including targets for meeting student housing need (and is identified as an issue in the Council's EqIA on the Camley Street draft Plan). The size of scheme/mix of uses will be a factor in development viability. <p><u>Asset Strategy and Valuation service comments:</u></p> <ul style="list-style-type: none"> • The Plan risks not optimising the potential of development sites and reduces flexibilities set out in the Local Plan on protecting employment sites/land. 	<ul style="list-style-type: none"> • The Examiner found that some additional flexibility should be provided to enable the decision-maker to consider the wider benefits of specific proposals. The policy should also acknowledge circumstances where the continuing use of an employment site is no longer suitable or viable (which Camden's Local Plan allows). • The Examiner considered that existing business premises/sites should be retained as far as possible with efforts made to integrate them in a redevelopment scheme. • References to average Greater London rental levels should be removed (control of rents is not provided by national planning policy). A proportion of floorspace should be provided at affordable rents, where viable. • The approach to student accommodation while "fairly restrictive", was not overly restrictive and therefore, limits on additional student accommodation in this area were reasonable. • The Examiner recommended that a significant proportion of the floorspace in major schemes should meet the varied operational requirements of a range of employment uses (including

<ul style="list-style-type: none"> • Protection given by the Plan to specific, named businesses is not a planning matter 	<p>light/general industry).</p> <ul style="list-style-type: none"> • Planning policies cannot give guarantees to individual businesses that alternative replacement accommodation will be provided, however efforts should be made to integrate them in (major) development schemes.
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1.10 The Examiner (Ms Jill Kingaby) issued her report to the Council and Forum in February 2020, having considered the 75 representations made by local residents, statutory bodies and other interested parties. Minor changes were recommended to other policies in the Forum’s draft Plan (not listed in the table above).

1.11 The Examiner’s Report found that, subject to modifications being made, the Plan met the ‘Basic Conditions’ - the statutory tests which neighbourhood plans are expected to meet - and could proceed to a local referendum.

1.12 The Council published its statutory [‘Decision Statement’](#), setting out a formal response to the Examiner’s recommended changes to the Plan and confirming that the Council would take the Plan forward to a referendum in the Neighbourhood Area. The holding of the referendum was postponed due to the pandemic.

1.13 The referendum was held on 6 May 2021, asking those who live in the area if they would support the Council using the Neighbourhood Plan when making decisions on planning applications in their area. 90% of those who voted supported the use of the Plan.

1.14 This will be Camden’s sixth adopted Neighbourhood Plan, which is the most for any London Borough. Neighbourhood Planners London¹ have published a map showing neighbourhood planning activity in the capital. As of May 2021, there were 19 adopted plans, of which 5 were in Camden.

2. PROPOSALS AND REASONS

2.1 Under section 38 (3A) of the Planning and Compulsory Purchase Act 2004 a neighbourhood plan forms part of the Council’s statutory development plan from the point the neighbourhood plan has been approved at local referendum. This means that, even though the Council is yet to formally “make” the plan, it has acquired full weight in planning decisions within the relevant neighbourhood area. The Camley Street Neighbourhood Plan is, therefore, already being treated

¹ <https://www.neighbourhoodplanners.london/map>

by the Council as part of its development plan when making planning decisions in the Camley Street Neighbourhood Area. Nevertheless, there is a statutory requirement for the Council to ‘make’ (i.e. adopt) a neighbourhood plan that has been approved at referendum.

- 2.2 Neighbourhood plans are required to be in general conformity with strategic planning policies of the wider local area, and should be aligned with strategic needs and priorities. In accordance with the National Planning Policy Framework (paragraph 30), when decisions are made on individual planning applications, policies in a neighbourhood plan should be given precedence over non-strategic policies in the Local Plan, where they are in conflict.
- 2.3 31% of electors in the neighbourhood area voted in the referendum on 6 May 2021, with a majority in favour of the Camley Street Neighbourhood Plan being used to help decide planning applications in the Plan area. The results of the referendum were:

Response	Votes	Percent of total
Yes	272	90%
No	24	7%

- 2.4 The Council's Constitution requires all of the Council's development plan documents to be agreed by Cabinet. The Local Government Act 2000 requires these documents to be adopted by full Council.

3. OPTIONS APPRAISAL

- 3.1 The Council has a statutory duty to ‘make’, or adopt, the Neighbourhood Plan. This is to confirm that the Council is satisfied that a neighbourhood plan meets all the statutory requirements. The Council can decide to not make (‘adopt’) the Plan if it is considered to be incompatible with any EU obligation translated into English law or any of the rights in the European Convention on Human Rights (within the meaning of Human Rights Act 1998). This would mean that the Neighbourhood Plan ceases to be part of the development plan for the area (the status it acquired on being approved at the local referendum).
- 3.2 Officers are satisfied that the making of the Camley Street Neighbourhood Plan would not breach, nor would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

4. WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1 The key impact is that the Camley Street Neighbourhood Plan will be used alongside the Council’s own adopted planning policies to make decisions on planning applications in the area. The ‘making’ of the

Neighbourhood Plan confirms the Council's agreement that the Plan meets all statutory obligations.

- 4.2 The Neighbourhood Plan was prepared by the Camley Street Neighbourhood Forum, with the support and advice of Council officers. Draft versions of the Neighbourhood Plan were reviewed by relevant Council services to ensure that any issues relating to the Plan's impact on Council strategies (such as transport, green spaces etc.) could be identified and addressed. The Council commented separately in its role as landowner.
- 4.3 The Examination into the Neighbourhood Plan found it to be in general conformity with the Council's adopted strategic planning policies set out in the Camden Local Plan. The key changes recommended by the Examiner were set out in the ["draft Decision Statement" report](#). These have been incorporated into the Plan to be adopted.
- 4.4 The Council undertook an Equality Impact Assessment (EqIA) to assess the Plan's impact on 'protected groups' and how the policies might impact on equality.
- 4.5 The assessment found that as a whole, the Plan had taken into account the needs of people with protected characteristics. Concerns were raised in the EqIA about the potential impacts of limiting additional student housing on young people. The Council considered that this would reduce overall access to such accommodation or lead to its displacement to locations further away from the place of study. The Examiner considered that the approach was reasonable based on the recent numbers of completions of student homes in the area and emphasised the need for future monitoring of the situation.
- 4.6 The EqIA is attached as Appendix 3 to this report and Members are referred to it and asked to give due consideration when coming to their decision.

5. CONSULTATION / ENGAGEMENT

- 5.1 Consultation has taken place throughout the preparation of the Camley Street Neighbourhood Plan. The Neighbourhood Forum implemented a comprehensive community engagement strategy up to the Plan's submission for independent examination. Details of the consultation methods used and how the community was engaged, including hard to reach groups, are set out in the Neighbourhood Forum's 'Consultation Statement' – one of the supporting documents submitted at examination. The Neighbourhood Forum undertook consultation on a full draft Plan commencing in November 2018 (Regulation 14).
- 5.2 Council-led consultation on the 'Submission draft' version of the Plan took place during September to November 2019 in accordance with statutory requirements. The Plan was publicised for six weeks and

representations invited. A local referendum seeking resident support for the Plan followed the independent examination, as described above.

6. LEGAL IMPLICATIONS (comments from the Borough Solicitor)

6.1 Legal comments are incorporated into this report.

7. RESOURCE IMPLICATIONS (Finance comments of the Executive Director Corporate Services)

7.1 Finance have been consulted and there are no significant implications to report.

8. ENVIRONMENTAL IMPLICATIONS

8.1 The Neighbourhood Plan promotes the retention and enhancement of the area's environmental assets such as the designated open spaces and sets out potential measures/interventions to deliver additional green infrastructure and net gains for biodiversity. 'Landscape & ecology' and 'sustainable design' are also identified in the Neighbourhood Plan's design policy as principles necessary for ensuring a development responds appropriately to its context.

8.2 Neighbourhood plans are intended to help support and deliver strategic planning policies in an area. In Camden these are set out in the Camden Local Plan 2017. This document already contains a range of environmental policies that apply to the whole of the Borough, e.g. on climate change, energy use and waste/resource management.

8.3 The emerging Camley Street Neighbourhood Plan was subject to a screening assessment of the potential environmental effects of the draft policies. No significant effects were identified by the Council and therefore a Strategic Environmental Assessment of the Plan was not required.

9. TIMETABLE FOR IMPLEMENTATION

9.1 As set out in paragraph 2.1 of this report, the Camley Street Neighbourhood Plan has acquired full statutory weight having been approved at the local referendum. It is used by the Council to determine planning applications in the Neighbourhood Area.

9.2 As soon as reasonably practicable after a neighbourhood plan is made, the Council must publish the Plan together with an 'Adoption Statement', setting out where, and at what times, the Plan can be viewed, and a copy of the document must also be sent to the Secretary

for State for Housing, Communities and Local Government. A draft 'Adoption Statement' is set out in Appendix 4 of this report.

- 9.3 Adoption of the Neighbourhood Plan concludes the plan-making process and confirms that the Council is satisfied that all of the relevant statutory requirements have been met. Following adoption, the Council will continue using the Plan in planning decisions.
- 9.4 It will be for the Forum to decide whether it wishes to update its neighbourhood plan policies or prepare a replacement plan in the future.

10. APPENDICES

Appendix 1 Designated Neighbourhood Area

Appendix 2 Camley Street Neighbourhood Plan – Made version

Appendix 3 Equalities Impact Assessment

Appendix 4 Adoption Statement

REPORT ENDS