



Cabinet

16 DECEMBER 2015

Subject Heading:

Havering Local Plan Update

Cabinet Member:

Councillor Osman Dervish

CMT Lead:

Andrew Blake-Herbert

Report Author and contact details:

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Policy context:

National Planning Policy Framework 2012
London Plan 2015 (consolidated with
Alterations since 2011) Havering Local
Development Framework 2008
House of Commons: Written Statement
(HCWS42) (Wind Energy)

Financial summary:

There are no direct financial implications
resulting from this report.

Is this a Key Decision?

No

When should this matter be reviewed?

December 2016

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

SUMMARY

In December 2014 Cabinet approved the preparation of a new Local Plan for Havering to replace the current Local Development Framework and agreed the consultation questionnaire for the first stage of statutory consultation.

This report provides an update on the progress of the Local Plan to date, particularly the considerable work that has been done to build a robust evidence

base. It also seeks Cabinet approval to publish an updated Local Development Scheme (LDS) which is a statutory document setting out the plans and policy documents that will be prepared and a timetable for their delivery.

The report also provides an update on recent changes to national policy for wind turbines and informs Cabinet members on how this will be dealt with in the emerging Local Plan.

RECOMMENDATIONS

That Cabinet:

- (1) **note** the progress to date on the Havering Local Plan
- (2) **approve** the Local Development Scheme for publication (attached as Annex 1)
- (3) **note** the changes to national policy with regards to wind energy.

REPORT DETAIL

The report detail is set out in three parts:

Part A – Local Plan Update

Part B – Revised Local Development Scheme

Part C – Wind Energy

Part A – Local Plan Update

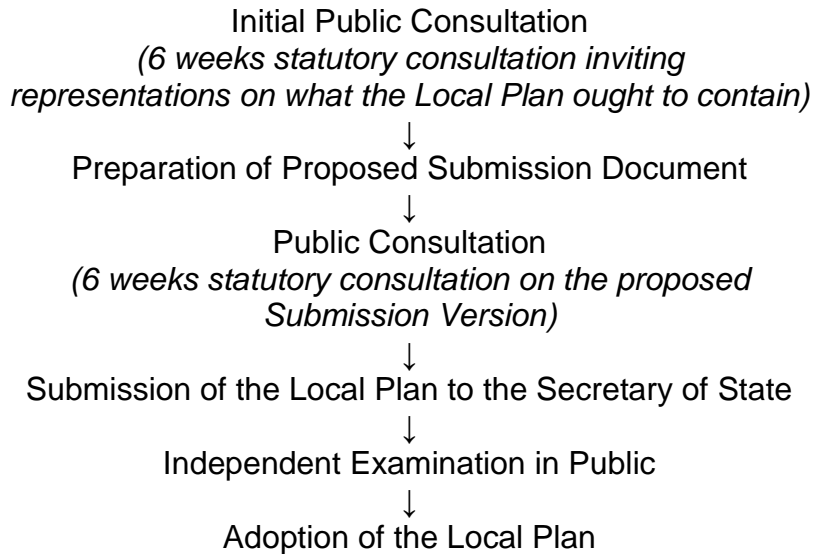
1. In December 2014 Cabinet approved the preparation of a new Local Plan for Havering to replace the current Local Development Framework and agreed the consultation questionnaire for the first stage of statutory consultation.

Local Plan Preparation Process

2. The new Havering Local Plan must be prepared in line with the statutory process set out in Town and Country Planning (Local Planning) (England) Regulations 2012/767.
3. The key stages for preparing a new Local Plan process are:

Gathering of Robust Evidence Base





Initial Consultation

4. The initial statutory consultation on the new Plan took place in February/ March 2015. It aimed to identify the issues the borough will face over the next 15 years and the priorities for the Local Plan.
5. 69 responses were received from local residents, neighbouring authorities, the Greater London Authority and national organisations such as the Historic England.
6. All the responses are documented in an overall consultation response report which is now available to view on the Council's website (see link below).
<https://www.havering.gov.uk/Pages/Services/Current-consultations.aspx?I1=200252&I2=200128>
7. The responses must be taken into account as the Local Plan is progressed. The Council's formal response to all the consultation responses will be published as part of the next stage of consultation on the Local Plan.

Other Local Plan work undertaken to date

8. A key requirement is for credible and robust evidence to support and justify the Local Plan's draft policies. An extensive range of work has been initiated to achieve this including:
 - Strategic Flood Risk Assessment 2015*
 - Retail and Commercial Leisure Needs Assessment 2015*
 - Employment Land Review 2015*
 - GLA London-wide Strategic Housing Land Availability Assessment (SHLAA)*
 - GLA London-wide Strategic Housing Market Assessment (SHMA)*

Cabinet 16 December 2015

- North East London Strategic Housing Market Assessment (SHMA) - underway
 - Open space, sport and recreation needs assessment – underway
 - Infrastructure Delivery Plan – underway
**completed*
9. Progress on the local plan is being assisted by strong cross-council officer support.
10. Work on the Local Plan is closely linked to other current work-streams such as the Romford / Rainham Frameworks, Housing Zone, school places and the Havering Community Infrastructure Levy and will fully reflect corporate priorities.

The role of the GLA and the London Plan

11. The London Plan 2015 (consolidated with alterations since 2011) forms part of the Development Plan for Havering alongside local planning policies. The Local Plan must be in general conformity with the London Plan.
12. The GLA are a key stakeholder in the local plan process and engagement with GLA officers has already commenced through the formal consultation and on specific evidence base documents. Further engagement with the GLA (and other key stakeholders) will take place as the plan progresses.
13. It is expected that the new London Mayor will initiate review / replacement of the London Plan in 2016. It will be required to be consistent with the national planning policy framework but the exact policy content and its impact on London boroughs cannot be known at this time.
14. The London Plan includes maximum parking standards which should be used by boroughs in order to set parking standards in their Local Plans. The London Plan recognises the opportunity to adopt a more flexible approach in outer London where Public Transport Accessibility Levels are low. Minor Alterations to the London Plan which further support this approach in outer London have recently been subject to public examination. The Alterations are expected to be adopted in spring 2016.

The Duty to Co-operate

15. The duty to cooperate was established in the Localism Act 2011 and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
16. The Duty to Cooperate will be assessed at start of the Local Plan examination in public and we will be required to evidence that we have met the requirement. Addressing our Duty to Cooperate responsibilities is demanding on staff resources but is essential.

Cabinet 16 December 2015

17. The following duty-to-cooperate activities have been undertaken to date:
- Duty to Co-operate workshop held with eight neighbouring authorities in February 2015
 - Joint working on the Outer North East London SHMA
 - Engaging with neighbouring authorities on the progression of their own Local Plans and policies by attending meetings and providing formal representations where appropriate
 - Consulting with neighbouring authorities on the initial Local Plan consultation

Further work to progress the local plan

18. In summary, the key tasks to be progressed are:
- Finalise the evidence base for the Local Plan including:
 - o North East London Strategic Housing Market Assessment (SHMA) - underway
 - o Open space, sport and recreation needs assessment – underway
 - o Infrastructure Delivery Plan – underway
 - o Review of potential housing sites
 - o Viability Assessment
 - o Initiate gypsy and traveller survey
 - o Sustainability work
 - Engage with key stakeholders such as the GLA, Essex County Council and the Environment Agency.
 - Continue cross council officer working and engagement to ensure that the local plan reflects other priorities and projects such as the frameworks for Romford and Rainham, reflecting that as far as possible, timetables for these will have to be matched with the Local Plan.
 - Preparation of the draft submission version of the Local Plan, taking into account the responses to the public consultation.
 - Six week consultation on the submission version of the Local Plan before it is submitted to the secretary of state for its Examination in Public.

Member Involvement in the Local Plan Process

19. Following consultation and in line with the Leader's commitment at Cabinet in 2014, a cross party member presentation and briefing was held in June. The meeting was well supported and there was positive and constructive discussion about many aspects of the local plan work.
20. All Members are advised as further elements of the local plan work are uploaded onto the relevant section of the Council website. The website is being kept up to date as far as is reasonably possible as this is an effective and efficient way of communicating progress to Members and the wider community.

Cabinet 16 December 2015

21. The submission version of the plan will be subject to approval from Cabinet and Council.
22. At the request of the Leader a Member Green Belt Topic Group is being established to enable members to have a greater understanding of the process by which green belt sites which are put forward to the Council and assessed for release.

Part B- Revised Local Development Scheme

1. The adopted Local Development Scheme (LDS) sets out the programme for preparing the local plan and envisages that the draft submission local plan will be published for consultation in Winter 2015/16.
2. The LDS needs to be updated to reflect that the Local Plan timetable requires adjusting to take account several factors. These factors include on-going staffing issues, the implications of the Further Alterations to the London Plan published earlier this year, other priority tasks for the Council being supported by officers involved in the local plan work including the Romford and Rainham Development Frameworks and the recent 'push' from Government for local plan progress.
3. The Local Plan is being prepared by the Development Planning Team. Recruitment is currently underway to fill the vacant Planner/Senior Planner post. The vacant Heritage Officer post is being refocused on a temporary basis to more effectively contribute to local plan progress. The recommended LDS programme is a challenging timetable given the work needed to prepare a new local plan and these posts will make a significant contribution to its delivery.
4. External consultants have been and will be commissioned to produce some of the evidence base documents that are needed to support the Local Plan. The use of external consultants reflects the need for expertise which is not held in house in addition to the small size of the development planning team. Funds are available from longstanding Planning Delivery Grant towards the cost of securing external assistance.
5. Recent announcements have stated that the Government will publish league tables on plan-making progress, intervene to accelerate plan-making where no local plan has been produced by early 2017 and look to significantly streamline the length and process of local plans. It wants Local Development Schemes (which set out an authority's timetable for local plan work) to be up to date and published.
6. A recommended revised LDS, taking account of these matters, is set out in Annex 1 for Cabinet Approval.

Part C – Wind Energy

1. The Council is investigating developing renewable energy infrastructure such as wind and solar as part of the Council's budget proposals for

Cabinet 16 December 2015

2016/17. Preparation of the new local plan will provide the opportunity to ensure that these initiatives are supported and promoted through the new statutory land- use plan for Havering.

2. Since the report to Cabinet in December 2014 the Secretary of State for Communities and Local Government has published a ministerial statement that requires areas suitable for wind energy to be allocated within a Local or Neighbourhood Plan.
3. Local Planning authorities can only grant planning permission for wind turbines if the development site is within a designated area and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
4. Work is currently underway to identify areas within the borough that may be suitable for wind turbines. This work is part of the evidence base for the Local Plan and will inform the allocation of such areas within the Local Plan which will be included in the consultation on the submission version of the Plan.

REASONS AND OPTIONS

Reasons for the decision:

The decision to publish an up to date Local Development Scheme has been taken for the following reasons:

- An up to date Local Development Scheme is a statutory requirement under Section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA) as amended
- The current Local Development Scheme does not reflect the latest timeframe for the preparation of the Local Plan
- The publication of an up-to-date LDS on the website reduces the number of telephone and email queries.

Other options considered:

The option of not publishing an up to date LDS has been rejected as the current version is out of date and does not reflect the latest time table for the preparation of the Local Plan.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications relating to this report. The evidence base and human resources needed to progress the Local Plan will be funded within existing budgets.

It can be seen from paragraph 4 of Part B that the production of this plan has had a cost.

There will clearly be knock on economic and financial consequences of planning policy, such as policy on wind energy, as referred to in the report.

Legal implications and risks:

The Local Plan is being progressed through the correct procedures and shall continue to follow the set processes in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. In addition the work being carried out on wind energy is following the correct processes in order for the outcomes of the work to be included in the Local Plan.

As has been indicated the updating of the Local Development Scheme is a statutory requirement and it is essential that this document is kept up to date by the Council.

Human Resources implications and risks:

Funding for vacant Heritage Officer post has been refocused (on a short term basis) to enable recruitment of a temporary planning policy officer to more effectively contribute to local plan progress.

Equalities implications and risks:

There are no equalities implications relating to this Cabinet Report.

The Local Plan will be accompanied by an Equalities Analysis which will examine the effect of the Plan on any person or groups of people who are protected from discrimination under the Equalities Act 2010.

Work on the Equalities Analysis is underway as it is important that the possible equalities implications begin to be considered at the earliest opportunity to ensure that any possible effects on individuals or groups of people are considered as the proposals and policies are being developed.

The final Equalities Analysis will be published alongside the Submission Version of the Local Plan.

BACKGROUND PAPERS

None