

CABINET

19 JULY 2017

Subject Heading:

Havering Local Plan

Cabinet Member:

Councillor Damian White Deputy Leader of the Council and Cabinet Member for Housing

SLT Lead:

Steve Moore, Director of Neighbourhoods

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Policy context:

National Planning Policy Framework (2012)
 London Plan 2015 (consolidated with Alterations since 2011)
 A City for all Londoners: London Mayor (2016)
 Havering Vision – Havering - Making a Greater London (2017)
 Havering Local Development Framework (2008)

Financial summary:

The total estimated cost of delivering the Local Plan is £536,800. Of this sum, £263,550 has been incurred between 2014 and June 2017. The remaining £273,250 will be incurred during 2017/18 and 2018/19 in relation to public consultation and examination, associated technical evidence and professional advice. The costs will be met from a combination of Planning Delivery Grant, and existing Neighbourhoods budgets. A funding gap of £166,200 currently exists, which will be met by a combination of reprioritisation of Neighbourhoods budgets and a one off contribution from the Business Risk Reserve. Further detail is set out in section 19 of the report.

Is this a Key Decision?

Yes - Significant effect on two or more Wards

When should this matter be reviewed? July 2019 (One year after likely adoption)

Reviewing OSC: Towns and Communities

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

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

SUMMARY

1. Havering must have an up to date Local Plan for the Borough. A Local Plan is part of the statutory Development Plan for an area. It sets out the long term strategic planning priorities and objectives, opportunities for development and clear planning policies on what will or will not be permitted and where.
2. The report explains that a Havering Local Plan is being prepared and will, in due course once adopted, replace key elements of the Havering Local Development Framework (LDF) which has been in place since 2008.
3. Since the LDF was adopted, the Government has published the National Planning Policy Framework (NPPF) and the London Mayor has revised his London Plan. Both provide an important planning context for the preparation and delivery of Havering's Local Plan.
4. Importantly, the new Local Plan will be a very important tool in enabling the Council to deliver its vision: Havering - Making a Greater London. The Plan has been prepared alongside the preparation of the vision and is fully consistent with it.
5. The Local Plan will also enable important planning and regeneration initiatives such as the Council's two Housing Zones, its estates renewal programme and the opportunities arising from Crossrail to be reflected.
6. The Proposed Submission Local Plan includes a spatial strategy setting out the key elements of the proposed approach to planning in Havering over the plan period of 15 years including: the main growth in homes and jobs being focussed on Romford and Rainham and Beam Park, continued protection of the Green Belt, maintaining a prosperous economy in the borough, a focus on high quality development and creating good places for people to live, work and visit and for businesses to invest in, promotion of some key infrastructure improvements linked to transport and places and making sure there are enough schools and community facilities.
7. The preparation of the Proposed Submission Local Plan has already encompassed extensive engagement with external stakeholders and public consultation as legally required. Key stakeholders such as the Mayor of London have been involved throughout the work on the Local Plan and the views of the wider community have been canvassed.
8. The preparation of the Local Plan requires the Council to engage with local authorities that adjoin Havering as well as those further afield so that Havering can discharge its Duty to Co-operate responsibilities.

9. The opportunity has been taken to review and update the Local Development Scheme (LDS). This sets out the programme for further work on the Local Plan and linked documents and Member approval is sought for this.
10. The report seeks Member approval for public consultation on the Proposed Submission version of the Local Plan and formal submission to the Secretary of State for public examination. In the event that this consultation requires amendments to the Local Plan before its formal submission delegated authority is sought to enable the appropriate adjustments to be made.

RECOMMENDATIONS

1. That Cabinet:
 - (i) Approve the Council's responses to the representations received during consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the Regulations") and additional representations received during the preparation of the Proposed Submission Havering Local Plan as set out in the Havering Local Plan Consultation Response Statement (as included in Annex 5);
 - (ii) Approve the Local Development Scheme for publication (as included in Annex 3)

2. That Cabinet endorse and make the following recommendations to Council.

That Council:

- (i) Approve the proposed Submission Havering Local Plan (as included as Annex 1) and changes to the 2008 adopted Proposals Map (as included as Annex 2) and procedural and evidence documents (listed below) for publication and public consultation under Regulation 19 of the Regulations prior to submission to the Secretary of State;
 - Consultation Statement 2017 (Annex 5);
 - Duty to Co-operate Statement 2017 (Annex 6);
 - Health Impact Assessment (Annex 7);
 - Equalities Impact Assessment 2017 (Annex 8)
 - Sustainability Appraisal 2017 (Annex 9)
 - Habitats Regulation Assessment 2017 (Annex 10);
 - Outer North East London Strategic Housing Market Assessment 2016 (Annex 11)

- Outer North East London Strategic Housing Market Assessment: Update for Havering 2016 (Annex 12)
 - Housing Position Statement (Annex 13)
 - Retail and Commercial Leisure Needs Assessment 2015 (Annex 14)
 - Employment Land Review 2015 (Annex 15)
 - Open Space, Allotments and Sport and Recreation Needs Assessment 2016 (Annexes 16-21) comprising of:
 - Open Space Assessment Report
 - Open Space Standards Paper 2016
 - Indoor Sport and Leisure Facilities Assessment Report 2016
 - Indoor Sport and Leisure Facility Strategy 2016
 - Playing Pitch Strategy Assessment Report 2016
 - Playing Pitch Strategy and Action Plan 2016
 - Infrastructure Delivery Plan 2017 (Annex 22)
 - Gypsy and Traveller Accommodation Assessment 2017 (Annex 23)
 - Gypsy and Traveller Position Statement 2017 (Annex 24)
 - Town Centre Position Statement 2017 (Annex 25)
 - Wind Resource Evidence Base 2016 (Annex 26)
 - Green Belt Study 2016 (Annex 27)
 - Residential Car Parking Standards 2017 (Annex 28)
 - Viability Assessment 2017 (Annex 29)
 - Strategic Flood Risk Assessment 2016 (Annex 30)
 - Transport Position Statement 2016 (Annex 31)
 - Havering Strategic Modelling Technical Note 2016 (Annex 32)
 - Havering SINC Review 2017 (Annex 33)
- (ii) Approve the Proposed Submission Documents, as set out in 2(i) above and relevant supporting documentation as the final documents for submission to the Secretary of State under Regulation 22 of the Regulations, subsequent to public consultation provided that only non-material and minor amendments are required.
- (iii) Delegate authority to the Director of Neighbourhoods, following consultation with the Cabinet Member for Housing, to finalise and approve the proposed Submission Documents, as set out in 2(i) above for submission to the Secretary of State, including to:
- make non material/minor amendments to the proposed submission documents;
 - undertake any further consultation required arising as a result of the Regulation 19 consultation;

- make modifications to the Submission Documentation during and as a result of the Examination process; and
- make submissions to the Planning Inspectorate in support of the Submission Local Plan during the Examination process.

REPORT DETAIL

1. Purpose and content of this report

1.1 This report is to:

- outline progress on the Havering Local Plan; and
- secure Member approval for the Proposed Submission Havering Local Plan to be the subject of public consultation and formally submitted to the Planning Inspectorate (Secretary of State).

1.2 The report:

- outlines the reasons why the Havering Local Plan has been prepared (Section 2)
- identifies the structure and key contents of the Proposed Submission Local Plan including the Spatial Strategy (Section 3)
- explains how the Proposed Submission Local Plan has been prepared (Sections 4-9)
- updates the Local Development Scheme (Section 10)
- sets out the next steps including the forthcoming public consultation and the Examination in Public (Sections 11-15)

2. Why the Havering Local Plan has been prepared

2.1 There are several reasons why the Council is bringing forward a Local Plan for Havering and these are summarised below:

The existing planning framework for Havering needs to be updated

2.2 The Havering Local Development Framework has served the borough well since it was adopted in 2008. However, it is essential that Havering has an up to date planning framework in place to ensure the borough is able to respond positively to change over the next 15 years.

- 2.3 The Council must also be in a position to influence that change to ensure the borough remains a place where people want to live, work, visit and where businesses can prosper and invest.
- 2.4 Once adopted, the Local Plan will replace the Core Strategy and Development Control Policies Development Plan Document 2008 and the policies within the Romford Area Action Plan 2008.

Planning changes and challenges

- 2.5 Since the Local Development Framework was adopted, a number of significant changes and challenges have taken place with implications for planning and regeneration in Havering that include:
- new planning policies from the Government and the London Mayor (2012 and 2015, respectively);
 - the preparation of Havering's new vision: Havering - Making a Greater London;
 - a growing and changing population;
 - the delivery of two Housing Zones in Havering to accelerate the delivery of new homes in Romford and Rainham and Beam Park;
 - the Council's commitment to regeneration across twelve housing estates;
 - making sure that Havering provides new homes;
 - making sure that Havering optimises the benefits from Crossrail;
 - the need to secure improved transport infrastructure particularly north-south connections;
 - the need to secure the provision of early years and school places, health care and other key community facilities required to support a growing and changing population;
 - the need to address increasing health inequalities and the wider determinants of health and well-being;
 - making sure that Havering provides the right numbers and types of jobs;
 - the need to create the right conditions to attract investors to the borough;
 - the need to strengthen our town centres and improve their vitality and viability;
 - providing a formal (statutory) framework to support further work by the Council and its partners to support the regeneration of Havering (such as the emerging Romford Masterplan); and
 - pressure for the release of land in Havering's Green Belt.
- 2.6 The Havering Local Plan will provide the opportunity to put in place a new planning framework to address these challenges and opportunities up until 2031.

A tool to deliver the Council's vision and its other strategies

- 2.7 It is particularly important that Havering in its primary tool for land-use planning is able to inform how it intends to take forward the delivery of its new vision (adopted by the Council earlier this year).
- 2.8 Preparing a Local Plan also provides the scope to give emphasis to the importance of the new homes coming forward through its established Housing Zones and the regeneration of twelve Council housing estates.
- 2.9 The Local Plan will help the Council to securing major infrastructure investment needed to complement and support change and growth in Havering.

Responding to change in Havering

- 2.10 An up to date Local Plan will mean that Havering will be best placed to respond to proposals for change in the borough as planning legislation requires that planning decisions be taken in the context of the Development Plan for an area.
- 2.11 It follows that it is essential that a Council have an up to date Plan if it is to effectively control and guide development to secure the best outcomes for its borough including making better places. A Local Plan with up to date policies and evidential documents, influences significantly the Council's ability to respond to proposals for housing and protect the green belt.
- 2.12 Without an up to date Local Plan that has properly addressed housing supply issues, the Council is at a disadvantageous position to deal with housing proposals that may not meet Havering's priorities and objectives.

Making sure that Havering has the key role in planning decisions

- 2.13 Without an up to date Local Plan, there is a significant risk that the Council's ability as the Local Planning Authority to influence and control development will be eroded.
- 2.14 The risk is that schemes would proceed that the Council consider have an adverse impact on Havering. More decisions on planning in Havering would pass to the Secretary of State and Planning Inspectorate for determination and the Council will be less likely to be able to defend their own decisions.
- 2.15 It is likely that the extent of the influence and control of the London Mayor on planning decisions in Havering would also increase without an up to date Local Plan, through Mayoral 'Call-in' of planning applications pursuant to Section 2A of the Town and Country Planning Act 1990 and criteria in the Mayor of London Order 2008.

Co-ordinating with other schemes and strategies

- 2.16 Without an up to date Local Plan, the Council would also lose its ability to influence the co-ordination of development and ensure that individual schemes are consistent with other schemes and that sufficient infrastructure is provided across the borough (including schools, medical facilities and transport).
- 2.17 The Council will be in much stronger position to push for the improved infrastructure needed to support growth if it can show that it is identified through the Local Plan process, with a sound evidence base and thorough consultation.

Being ahead of other strategies changing

- 2.18 The Government is expected to review the National Planning Policy Framework in due course and this may adjust the national planning policy context against which local plans are prepared.
- 2.19 Additionally, it is understood that the Mayor of London is in the early stages of reviewing and updating several strategies for London that include planning and transport. Bringing forward a Local Plan for Havering now provides the opportunity to progress the preparation of the Local Plan against the current known Mayoral strategies which are broadly well suited to Havering.

Helping with Havering's responses to other strategies and supporting its bids for funding

- 2.20 An up to date Local Plan will help the Council to:
- respond to policy strategies prepared by other parties including the Government, the London Mayor and nearby authorities; and
 - prepare and submit bids for funding to support its planning and regeneration ambitions (such as its annual submission to Transport for London for funding for transport projects and programmes).

Reputational advantage

- 2.21 Havering is more likely to be considered, by investors, central government, residents and businesses as a borough that 'has a plan' and 'knows where it's going' if it has an up to date Local Plan. It will show that Havering is positive, and pro-active and keen to engage with developers and their partners to deliver a better borough.
- 2.22 Over time, it will assist the Council in developing relationships with developers who have an established record of working with partners (such as local authorities) to bring forward schemes of high quality. It will assist developers by providing a climate of greater certainty in which they will make their investment decisions.

3. The Proposed Submission Havering Local Plan

Overview

- 3.1 The Proposed Submission Local Plan responds to the key planning challenges (as set out in Section 2), has considered representations received to previous consultations (as set out in Section 5), and incorporates the findings from the evidence base (as described in Section 7).

The structure and format of the proposed Submission Local Plan

- 3.2 The Plan has been structured to reflect the themes in the Council's vision: 'Havering – Making a Greater London'. Several policies are cross-cutting and will help secure the objectives of the overall Local Plan. It includes:

- Section 1: Overview;
- Section 2: Vision for Havering;
- Section 3: Strategic objectives;
- Section 4: Havering in the wider sub-region;
- Section 5: Borough-wide strategy for growth;
- Section 6: Strategic Development Areas;
- Section 7: Successful Places to Live;
- Section 8: Thriving Communities;
- Section 9: Opportunities to Prosper;
- Section 10: Connections;
- Section 11: High Quality Places;
- Section 12: Green Places;
- Section 13: Minerals;
- Section 14: Delivery and Implementation;
- Annexes – covering various technical and supporting topics

The Local Plan Strategy

- 3.3 In general terms, the approach in the Proposed Submission Local Plan has been to deliver a realistic, flexible and positive strategy for land use planning for the period to 2031 and ensuring that Havering remains a place where people want to live, work and visit and businesses can invest and prosper.

- 3.4 The proposed strategy:

- broadly reflects the approach to planning and regeneration that has underpinned the Council's previous statutory and non-statutory planning policies and frameworks as well as more recent important initiatives such as

the delivery of two Housing Zones in Romford and Rainham and Beam Park

- takes account of current planning priorities particularly the importance of ensuring that Havering has the necessary infrastructure to support planned change and growth and the need for new homes that will arise over the period of the plan.
- 3.5 The proposed spatial approach is to direct the major growth to two strategic development areas in Romford and Rainham and Beam Park as these areas have the capacity to accommodate new homes, jobs and infrastructure. By doing this, and optimising opportunities for new homes in the rest of the built up area, this will provide the most sustainable means of providing the necessary new homes needed in Havering. It will also enable robust commitment to be provided to maintaining Havering's established Green Belt.
- 3.6 There is a clear recognition of the importance of securing new infrastructure to support growth and tackle existing issues and to make sure that the community in Havering is well served by the schools and health facilities it requires.
- 3.7 The Local Plan recognises that parking provision needs to reflect local circumstances.
- 3.8 Provision for gypsy and traveller households will be made for those who meet the statutory definition with robust criteria for new sites.
- 3.9 The Local Plan identifies the key elements of its underlying Spatial Strategy as:

Housing Growth:

- Delivery of at least 17,550 high quality homes over the 15 year Plan period;
- Delivery of over 5,300 new homes in the Romford Strategic Development Area;
- Transformation of Rainham and Beam Park Strategic Development Area providing a new, well connected residential community of a least 3,000 homes served by Beam Park Station;
- Residential intensification of the borough's district centres, with proposed development compatible with their character, function and scale;
- Intensification and renewal of existing Council housing estates providing an improved housing stock; and
- At least 700 additional homes across the borough, outside of the Strategic Development Areas.

Economic Growth:

- Regeneration of Romford Town Centre, providing a more diverse and higher quality retail, leisure, cultural and employment offer;
- Directing an appropriate scale of retail, culture, service industries and office development to the boroughs network of town centres comprising of: Romford Metropolitan Centre, District Centres at Collier Row, Elm Park, Harold Hill, Hornchurch, Rainham and Upminster and 75 Local Centres including a new centre at Beam Park.
- Protection of the borough's Strategic Industrial Locations for continued industrial use;
- Protection of the borough's Locally Significant Industrial Sites for continued industrial and employment use;
- Intensification of the borough's industrial areas to optimise the use of the land and support transformational new developments to maximise the economic benefits for Havering;

Transport infrastructure:

- Improved public transport access to central London via Crossrail services at Romford, Gidea Park and Harold Wood and a new railway station at Beam Park on the Essex Thameside Line;
- Remodelling of Gallows Corner roundabout to increase safety, improve air quality and smooth motor vehicle traffic flows;
- Improved north-south links within the borough, connecting Rainham and Beam Park, Romford and Harold Hill;
- Increased capacity at Junction 28 of the M25;
- Remodelling of sections of the Romford Ring Road;
- Improvements to the A127 through the A127 Growth Corridor project;
- Working with Highways England to minimise the impact on Havering and its residents of the Governments preferred option for a Lower Thames Crossing.

Social infrastructure:

- Delivery of an early years and schools expansion programme to increase the number of early years and school places for new and existing residents;
- New early years and school provision in the growth areas of Romford and Rainham and Beam Park;
- New health facilities at the former St George's Hospital Site, Romford Town Centre, Rainham and Beam Park and in the north-west of the borough;
- Improvements to the borough's existing leisure facilities and new facilities in Romford Town Centre and Rainham and Beam Park.

Havering's most valued assets:

- Protecting and enhancing the Green Belt and the borough's open spaces;
- Preserving and enhancing the borough's rich heritage and historic environments;

The Proposals Map for the Havering Local Plan

- 3.10 Local Plans must include a Proposals Map to indicate land-use designations. The Map is required to illustrate geographically the policies in the Local Plan and it must be based on, or reproduced from, an Ordnance Survey map. The preparation of the Local Plan must show how a previously adopted Proposals Map (in this case, the one within the 2008 Havering LDF) will be changed by the new planning policies.
- 3.11 A Proposals Map Changes Booklet has been prepared to set out the changes to the Havering LDF Proposals Map (2008) (Annex 2). It reflects the policies in the Proposed Submission version of the Havering Local Plan.
- 3.12 A full version of the Proposals Map incorporating any changes resulting from the Examination will be prepared on adoption of the Havering Local Plan.

Taking the Havering Local Plan forward

- 3.13 It is envisaged that the Local Plan will be the first of a number of documents brought forward and will be the centrepiece of a 'suite' of planning documents.
- 3.14 The key document to be brought forward after this Local Plan will be a Site Specific Allocations Local Plan. This will identify individual sites for development and will set out the specific land uses, quantum and type of development. The Site Specific Allocations Local Plan has a critical role in delivering the priorities, objectives and strategy set out in this Local Plan.
- 3.15 Thereafter, it is expected that the opportunity will arise to bring forward new and updated Supplementary Planning Documents (SPDs) and other masterplans and frameworks. Some of these may be topic-specific or specific to particular areas of Havering depending on their purpose and content.
- 3.16 The opportunity has been taken in preparing the new Local Plan to 'signpost' these where possible. However, the Council will keep this under review and it is committed to bringing documents forward on a timely basis which will support and reinforce the Local Plan and assist the Council and / or prospective developers in its delivery.
- 3.17 As the Local Plan nears adoption a comprehensive review of the current SPDs will take place to help identify what existing/new Supplementary Planning Documents are necessary or appropriate.
- 3.18 The Council will be required to robustly monitor the Local Plan to make sure that it delivers the Council's objectives and priorities. If the need arises, then the Local Plan can be reviewed and revised (in part or wholly) if it is out of step with what the Council is seeking to achieve and or in the light of other circumstances such as changes in wider planning, transport and regeneration policies.

- 3.19 It is intended that the Local Plan will provide an opportunity for the Council to take steps to develop more positive engagement with prospective developers. This will encompass earlier discussions on the desired outcomes for sites and more clarity on the approach to matters such as urban design.
- 3.20 To reflect a growing priority on securing high quality schemes, it is expected that design review panels may be set up and key sites and schemes may be the subject of design / architectural competitions.
- 3.21 The Proposed Submission Local Plan recognises the importance of infrastructure improvements in Havering to support the growth identified in it. A key part of the delivery of the Local Plan will be for the Council to continue to engage with a wide range of stakeholders such as the London Mayor to secure the timely and effective delivery of this infrastructure if the ambition of the Local Plan is to be realised. It is recognised that the costs of securing this infrastructure may be very considerable and that the present funding for it is uncertain. The Council will work closely with stakeholders and partners to identify suitable funding and to encourage the future provision of appropriate funding streams. It is likely that the funding for some major elements of infrastructure will be determinant on several funding streams being identified to jointly combine for this. The Council will welcome the development of appropriate innovative funding mechanisms which may help secure infrastructure.
- 3.22 In parallel, the Council will review how it deals with planning applications and ensure that Members take full account of the strategic objectives behind proposals. It is intended that these several initiatives will help the Council and its partners deliver better places.

4. How the Havering Local Plan has been prepared

- 4.1 In December 2014, the Council agreed to prepare a Local Plan for Havering and approved initial consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 Local Plans should avoid repeating policy requirements set out elsewhere (such as the National Planning Policy Framework and the London Plan). The opportunity has therefore been taken to prepare a Local Plan which whilst 'fit for purpose', and well suited to taking Havering through to 2031, is as concise and focussed as possible.
- 4.3 The Council is keen to ensure that Havering benefits from an up to date Local Plan so that it has the best opportunity to control development and deliver the ideal programmes and projects it wants to. The preparation of the Local Plan has addressed this in the way that it has been prepared. In the interest of providing up to date planning policies as soon as possible, the preparation of the Plan has focussed on initial consultation under Regulation 18 of the

Regulations and the Regulation 19 consultation that will take place if the recommendations in this report are agreed.

- 4.4 Whilst formal consultation took place in spring 2015, the door has effectively been open with comments and proposals for individual sites (including those within the Green Belt) being welcomed throughout the preparation of the Proposed Submission Local Plan. Additionally, officers have engaged closely with staff of the London Mayor at all stages. The Duty to Co-operate responsibility has been reviewed and is considered to have been robustly discharged.

5. How consultation and engagement has been addressed in preparing the proposed Submission Havering Local Plan

- 5.1 The Proposed Submission Local Plan has been shaped through ongoing consultation and engagement with a wide range of stakeholders involving local people, businesses, community groups, external partners, and statutory Consultees. Regulation 18 of the Regulations sets out specific statutory requirements to consult and take into consideration the representations of appropriate business groups, bodies and residents.
- 5.2 Members have also had the opportunity to comment on the preparation of the Local Plan throughout the process and feedback has been incorporated. Topic specific briefings were provided to Cabinet Members and Members across the Council were recently afforded the opportunity to attend briefings to discuss the Local Plan. A briefing on the Local Plan for all Members took place before this Cabinet meeting and was attended by more than 30 Members from across the Council.
- 5.3 Additionally, the process of ensuring that the preparation of the Local Plan is in accordance with the statutory requirements including the Duty to Co-operate and whether it meets the tests of soundness contained in the NPPF, has been integral to the preparation of the Proposed Submission Local Plan.
- 5.4 The initial consultation under Regulation 18 took place in spring 2015 and invited representations on what the Local Plan ought to contain.
- 5.5 The Council has taken an open approach to the preparation of the Local Plan and has continued to accept comments and submissions throughout the process and outside of the statutory consultation period.
- 5.6 In autumn 2016, a Local Plan Direction of Travel Document was published to provide an update on the progress of the Local Plan and set out in further detail the emerging direction. It was also intended to facilitate on-going engagement and provided an opportunity for further comments. In line with its strong cross-Council working ethos, the opportunity has also been taken for work on the Local Plan to be informed by earlier work on regeneration initiatives such as the Masterplans and Frameworks prepared for Romford and Rainham.

- 5.7 A key consultee in the preparation of the Havering Local Plan is the London Mayor. The publication of the 'A City for all Londoners' document by the Mayor in late 2016 has informed the preparation of the Proposed Submission Local Plan particularly the approach to meeting and responding to 'good growth'. Officers consider that there is much to commend in the document and it will be beneficial to future wider discussions with the Mayor if it can be demonstrated that the new Local Plan has taken a positive stance to this as far as reflecting it in the Local Plan is concerned.
- 5.8 In the course of preparing the Proposed Submission Local Plan, officers have engaged on several occasions with officers from the Mayor's London Plan team and Transport for London to support, and inform, the preparation of the Local Plan.
- 5.9 Transport for London officers have also assisted Council staff in regard to addressing issues raised by adjoining authorities through the Duty to Co-operate meetings (see below).
- 5.10 It is envisaged that informal liaison with Mayoral staff will continue as the Local Plan progresses towards the Examination stage (see below). Notwithstanding this, it is very much hoped that the London Mayor will find much in the new Local Plan that he can support.
- 5.11 Members will note that later in this report reference is made to the Examination that will take place to assess the technical 'soundness' of the Local Plan. One of the issues that an Inspector will consider is the extent to which the Local Plan is in 'general conformity' with the London Plan as this is a statutory requirement.
- 5.12 All comments received from stakeholders during the preparation of the Proposed Submission Local Plan have been taken into consideration.
- 5.13 Initial consultation under Regulation 18 ran for a 6 week period in February – March 2015. The Council specifically sought views on the issues facing Havering and options for tackling these issues. The document was made available on-line and was sent to more than 700 stakeholders on the Local Plan Consultation Database which includes statutory bodies, local amenity and residents' groups, businesses and individual residents. There were 73 separate consultee responses raising almost 500 comments.
- 5.14 A key element of the consultation sought comments from residents and key stakeholders on preservation and/or development of the Havering Green Belt. Interested parties were invited to submit comments on the extent of the Green Belt and to identify any changes in the boundary that they considered would be appropriate. Almost 80 responses were submitted from parties suggesting that the Green Belt boundary should be changed. The consultation responses have been robustly considered in the light of the specific study that the Council has undertaken into the Green Belt.

5.15 A comprehensive Consultation Statement has been prepared to set out further details on the consultation process. It identifies each of the comments received throughout the preparation of the Local Plan and provides a detailed response to each of them including saying how the comments have been reflected in the Proposed Submission Local Plan.

5.16 This Consultation Statement is required to support the formal submission of the Local Plan. Members are recommended to approve this (Annex 5).

6. How the preparation of the proposed Submission Havering Local Plan has met the Duty to Co-operate

6.1 The Havering Local Plan is being prepared in accordance with the Duty to Co-operate, which places a legal duty on local authorities and other public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation on strategic cross-boundary matters.

6.2 Officers have held several meetings with their counterparts from adjoining and nearby authorities to address strategic cross boundary issues. To support this work, and to recognise the importance of a wider strategic perspective being reflected in the work on the Local Plan, officers secured attendance from GLA and Transport for London officers. This support has been very beneficial to the preparation of the Local Plan.

6.3 A key part of this work has been linked to wider transport issues and the impact of development on this across the wider Outer London and Essex region. Informal agreement has been reached with officers across several authorities to continue to work closely alongside the preparation of their respective planning strategies so that transport issues remain 'front and centre' of further planning work.

6.4 A comprehensive Duty to Co-operate Statement is a statutory requirement to support the submission of the Havering Local Plan. Members are recommended to approve this (Annex 6).

7. Ensuring the proposed Submission Havering Local Plan has a robust evidence base

7.1 The National Planning Policy Framework requires that the Local Plan should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the borough. There is unlikely to be much scope for the Local Plan to take an approach to planning issues that is out of step with the NPPF if there isn't a robust evidence base to support taking such a stance based on local circumstances.

7.2 A number of evidence base documents have been prepared to support the preparation of the Local Plan and to provide robust evidence on which to

base planning policies. All have been prepared to encompass appropriate 'good practice'.

7.3 A robust evidence base is important not only from the perspective of the preparation of the Local Plan but also to ensure that it can withstand external scrutiny by third parties (especially at the Examination stage – see below). A list of the evidence base and procedural documents that have been prepared is set out in Annex 4. Members are recommended to approve these documents.

7.4 Evidence base that has been prepared by other parties or by the Council but not for the primary purpose of supporting the Local Plan may also be referred to and used to support the Plan. These documents may be required to be submitted to the Secretary of State as part of the supporting evidence.

8. Assessments supporting the proposed Submission Havering Local Plan

8.1 Alongside the above, and in line with Planning Regulations, additional technical assessments have been prepared to inform and support the Local Plan during the Implementation process.

8.2 These include:

- Sustainability Appraisal
- Habitats Regulation Assessment
- Equalities Impact Assessment
- Health Impact Assessment

8.3 Members are recommended to approve these documents (Annexes 7-10)

9. Working across the Council and with other agencies

9.1 The draft Local Plan has been prepared with strong support from across the Council. It takes into account, as necessary, other Council plans and strategies that influence Havering and are also important in delivering the aspirations of the Council.

9.2 Many of the issues that are important to Members and the community, such as the provision of necessary health and community facilities, are outside of the Council's direct control and have required significant engagement with outside agencies.

9.3 As well as engagement with staff representing the London Mayor, there has been close working with external agencies such as the Havering Clinical Commissioning Group (CCG). Officers have been involved in the preparation of the CCG's document Havering Primary Care Infrastructure Capacity Plan (2017) to ensure that the Local Plan has a good fit with how that body is seeking to transform and deliver health services in the future.

10. The revised Local Development Scheme

- 10.1 It is a statutory requirement (and good practice) that local planning authorities set out their programme for preparing Local Plans and their linked and supporting documents in a Local Development Scheme. In short, this is a project timetable that evidences how and when documents that are in the suite of documents encompassing the Local Plan will be prepared.
- 10.2 The opportunity has been taken to review and revise the LDS to bring it into line with the current approach to the Local Plan. It will be submitted with the Local Plan.
- 10.3 A copy of the latest proposed LDS is attached as Annex 3. Members are recommended to approve this.

11. What will happen after Cabinet and Council approval

- 11.1 Subject to Member approval at Cabinet and Council, the Local Plan must be subject to a period of statutory public consultation with a wide range of stakeholders including parties such as the London Mayor (including the Greater London Authority and Transport for London). Key stakeholders will be able to submit comments about the Local Plan.
- 11.2 This consultation has to be in accordance with planning legislation and the Council's Statement of Community Involvement 2015.
- 11.3 The consultation will differ from the earlier consultation. The Council will be asking whether the Local Plan has been prepared in accordance with legislative requirements and if it is 'sound' (see Section 12 below).
- 11.4 A statutory public notice must be published to mark the start of the consultation.
- 11.5 The consultation must be a minimum of 6 weeks but it may be extended to recognise the summer holiday period may impact on the ability of some stakeholders to submit representations.
- 11.6 If the Council amends the draft Local Plan to address the issues raised in the consultation, then dependent upon the 'material significance' of such amendments, the Local Plan may be subject to further consultation prior to submission and hence consideration by an Inspector at Examination.
- 11.7 There is a further opportunity for members of the public and key stakeholders to request amendments to the Local Plan if such amendments are not incorporated by the Council, at the Examination.
- 11.8 Submission to the Secretary of State will involve the Council sending copies of the Submission Local Plan and all other documentation to the Planning

Inspectorate. This will include the Submission documentation referred to in Recommendation 2(i) as well as other documents that the Inspector may wish to review such as those associated with the Regulation 18 consultation, evidence documents produced by other stakeholders and other procedural documentation.

12. At the Examination

12.1 The Council has engaged Counsel to assist in taking the Local Plan forward to the Examination. This is because of the importance of the Local Plan to securing the Council's vision and because of the context it will provide for a range of other strategies to be taken forward by the Council.

12.2 The key test for the Inspector at the Examination, is set out in paragraph 182 of the NPPF in regard to the Local Plan being 'sound', such considerations include:

- Is the Local Plan **positively prepared**? Is it based on a strategy that meets the borough's housing, employment and infrastructure requirements?
- Is the Local Plan **justified**? Are the proposed policies founded on a robust and credible evidence base? Do they represent the most appropriate strategy when considered against reasonable alternatives?
- Is the Local Plan **effective**? Are the proposed policies deliverable and flexible? Can the Council demonstrate how they will be monitored?
- Is the Local Plan **consistent with national policy**?

12.3 Exceptionally, the Inspector will recommend to the Council that the draft Local Plan be withdrawn if it is considered not to have been prepared in accordance with the Duty to Co-operate or be unsound.

12.4 The Council will need to appoint a Programme Officer to support the Planning Inspector appointed for the Examination and manage the day to day running of the Examination. Further details are set out in the Human Resources section of this report.

13. The outcome of the Examination

13.1 The Inspector's recommendation and, therefore, the outcome of the Examination are unable to be determined at this stage.

13.2 At the end of the Examination, the Inspector will prepare a report for the Council, which will either:

- Set out the modifications considered necessary to the Local Plan for it to be 'sound'. These modifications will be 'binding' on the Council meaning that

the Council must implement them if it wishes to take the Local Plan forward;
or

- Reject the Local Plan as ‘unsound’ meaning that the Council will have to start the work on all [or some of] the Local Plan again and pending the adoption of the ‘re-worked’ Local Plan, the Council will be in a far more vulnerable position regarding how it deals with development proposals that come forward.

13.3 Provided that the Local Plan is not rejected, the Council will be able to formally adopt it with the changes required by the Inspector (at a Council meeting) and will then be able to use the Local Plan to ‘steer’ development in Havering which is best suited to meeting its objectives and priorities.

14. What happens after adoption of the Local Plan

14.1 The Local Plan document is the first of a ‘suite’ of documents that the Council will bring forward to guide and support planning in Havering over the next 15 years.

14.2 The Local Plan will form a context for other planning and regeneration strategies that the Council wishes to bring forward.

14.3 Work is already in hand to bring these forward. The initial document will be a Site Specific Allocations Local Plan.

14.4 The Council will need to consider how it will keep the Local Plan under review as it is essential that it remains up to date. In particular, given the importance of housing delivery to the Local Plan and the implementation of the Housing Zones and estates regeneration programme it is envisaged that developing enhanced mechanisms for assessing progress on housing will be a key area of future work.

15. An indicative timetable for the adoption of Local Plan

15.1 Subject to Member approval, it is envisaged that consultation on the draft Local Plan will take place in late summer. This must be for a minimum period of 6 weeks but may be scheduled for a little longer to reflect that the holiday period may constrain third parties preparing and submitting any representations.

15.2 Officers maintain a dialogue with the Planning Inspectorate to ensure that the Inspectorate is fully aware of the progress with the Local Plan and to try and ensure that an early ‘slot’ for an Examination can be secured.

15.3 However, it must be recognised that this is largely outside of the control of the Council and will be dependent on the availability of an Inspector. Additionally, once an Inspector is allocated to a Local Plan, there is a period in which they will have to prepare for the Examination.

15.4 The duration of the Examination cannot be known at this stage and will be dependent upon the issues raised in the next round of consultation. Typically, Local Plan Examinations last 1-2 weeks.

15.5 Following the Examination there will be a period in which the Inspector will consider the matters raised and prepare their report before sending it to the Council for a 'fact check'.

15.6 Under these circumstances, the most reasonable, and optimistic assumption is that the Council may secure an Examination in late 2017 / early 2018 and be in a position to adopt the draft Local Plan in mid-2018.

16. Conclusions and next steps

16.1 The report has identified the importance of the Council having an up to date Local Plan to help ensure that the Havering vision is delivered. An up to date Local Plan will also better enable the Council to influence the changes that Havering will have to address in the next 15 years. The key features of the planning strategy have been set out. A programme for taking this work forward which should result in the Local Plan being in place in mid-2018 has been explained.

16.2 In terms of next steps and subject to the outcome from Council:

- The Proposed Submission version of the Havering Local Plan will be the subject of public consultation; and
- Provided that there are no comments requiring amendments to the Local Plan which require further consultation, the Local Plan will be submitted to the Secretary of State for independent examination which is anticipated to be later this year / early next year.

REASONS AND OPTIONS

17. Reasons for the decision:

17.1 The Local Plan has been prepared to comply with legislation and to ensure that Havering has an up to date development plan.

17.2 This will better enable the Council to ensure it is able to control and influence growth and change in the borough and to deliver its vision: Havering: Making a Greater London.

18. Other options considered:

18.1 The option of not taking forward a Local Plan and continuing to rely on the Local Development Framework has been considered and rejected for the following reasons:

- It is a statutory requirement for every local planning authority to have a Local Plan; and
- Over time, the current Development Plan (the LDF 2008) will become increasingly out of date and eventually will not provide sufficient policy support for refusing inappropriate development within the Borough.

18.2 The option of preparing a joint Local Plan with neighbouring boroughs has been rejected because it is essential that Havering has a draft Local Plan adopted in a reasonable timescale.

IMPLICATIONS AND RISKS

19. Financial implications and risks:

19.1 The two areas of cost in relation to the progression of the Havering Local Plan are those associated with the public consultation process and the examination in public. The table below summarises the funding and estimated expenditure in relation to delivery of the Local Plan totalling £536,810.

Description	Budget £	Costs £
Evidence base and Plan preparation		263,550
Planning Delivery Grant	160,500	
Directorate budgets	76,050	
External funding	27,000	
2014/15 to June 2017	263,550	263,550
Public Consultation		1,500
Programme Officer		30,000
Planning Counsel		70,000
Technical specialists		20,000
Technical evidence		101,750
Directorates existing budgets	95,000	
Planning Delivery grant	12,050	
Business Risk Reserve - up to the value of £166,204	116,200	
2017/18 (remaining periods)	223,250	223,250
Examination / Inspectors fees		50,000
Business Risk Reserve - up to the value of £166,204	50,000	
2018/19	50,000	50,000
Total	536,800	536,800

19.2 From 2014 to June 2017 the total expenditure incurred on the Local Plan was £263,550. This covers evidence base and plan preparation and has been funded through Planning Delivery Grant, Directorate budgets and external funding.

19.3 The estimated cost of completing the Local Plan over 2017/18 and 2018/19 is £273,250. The Neighbourhoods Directorate has identified £95,000 of existing base budget which currently leaves a budget gap of £166,200. The Directorate will endeavour to meet this sum from within its approved budget. However, any shortfall up to the value of £166,200 will be met from the Business Risk Reserve.

20. Legal implications and risks:

- 20.1 It is a statutory requirement for the Council to have a Local Plan in place and ensure it is relevant. The statutory provisions under which a Local Plan is made are within the Planning and Compulsory Purchase Act 2004 (as amended) and regulations made under the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Environment Assessment of Plans and Programme Regulations 2004. To not prepare a Local Plan runs the risk that the Secretary of State will 'step in' and prepare a Local Plan for the borough.
- 20.2 The Cabinet and consequently the Council is being asked to approve the draft Local Plan to be published for representations for a minimum of 6 weeks and consequential submission, with appropriate amendments from such consultation, to the Secretary of State, in accordance with Regulations 17,19 and 21 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Local Plan should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Consultation must be based on these statutory requirements and the Council's Statement of Community Involvement (2015).
- 20.3 Section 19 of the Planning and Compulsory Purchase Act 2004 sets out specific matters to which the local planning authority must have regard when preparing a Local Plan. Regulations 8 and 9 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe the general form and content of Local Plans and adopted policies map, while Regulation 10 states what additional matters local planning authorities must have regard to when drafting their plans.
- 20.4 The Local Plan is then submitted to the Secretary of State for examination, along with the Sustainability Appraisal, evidence base and a statement of representations and main issues in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals. Whilst the National Planning Policy Framework does not compile a prescriptive list; the evidence should be focused tightly on supporting and justifying the particular policies in the Local Plan. Evidence of co-operation and considering different options for meeting development needs is key for this process.
- 20.5 Following submission of the Local Plan to the Secretary of State an Independent Inspector will assess the plan to determine whether it has been prepared in line with section 20 of the Planning and Compulsory Purchase Act 2004 and Regulations 23 – 24 of the Local Plan Regulations 2012.
- 20.6 The Inspector can recommend 'main modifications' (changes that materially affect the policies) to make a submission Local Plan sound and legally compliant only if asked to do so by the local planning authority under section

20(7C) of the 2004 Planning and Compulsory Purchase Act as amended) The Council can also put forward 'additional modifications' of its own to deal with more minor matters.

20.7 Where the changes recommended by the Inspector would be so extensive as to require a virtual re-writing of the Local Plan, the Inspector is likely to suggest that the local planning authority withdraws the plan. Exceptionally, under Section 21(9)(a) of the Planning and Compulsory Purchase Act 2004 the Secretary of State has the power to direct a local planning authority to withdraw its submitted plan.

20.8 Inspectors will require the local planning authority to consult upon all proposed main modifications. The Inspector's report on the plan will only be issued once the local planning authority has consulted on the main modifications and the Inspector has had the opportunity to consider the representations.

20.9 The risk of legal challenge will be avoided if Havering's Local Plan meets the objectively assessed needs of the Borough and the evidence is consistent with and has regard to the statutory framework and the requirements of the National Planning Policy Framework that include the Duty to Co-operate, s33A of the Planning and Compulsory Purchase Act 2004 (Local Development). The Duty to Co-operate is a legal test that requires co-operation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from but related to the Local Plan test of soundness. The test of soundness, is set out in full in the National Planning Policy Framework (paragraph 182), assesses whether the Local Plan is:

- positively prepared;
- justified;
- effective; and
- consistent with national policy.

20.10 The draft Local Plan and process undertaken to date, has been reviewed by Counsel and is considered to meet the statutory requirements as set out in these tests for consultation.

21. Human Resources implications and risks:

21.1 Appointment of a Programme Officer is required prior to submission of the Local Plan. As mentioned above, this role has previously been filled internally to minimise costs and to provide a development opportunity for staff. This option will be explored but if this is not feasible then it will be necessary to recruit externally. The Planning Inspectorate publicises a list of trained programme officers, which will assist with this process.

21.2 Most of the other aspects of the Local Plan publication and Submission can be delivered within existing staff resources. It may be necessary to engage

specialist technical assistance to address some representations if they cannot be dealt with by staff because of their nature.

- 21.3 Any recruitment activity and/or the engagement of temporary specialist resources will be undertaken in accordance with the Council's relevant Human Resources and/or Procurement policies.

22. Equalities implications and risks:

- 22.1 The Proposed Submission Havering Local Plan will provide the Council with a strategic framework to help deliver a range of outcomes including new homes, jobs, local economic growth and improved social infrastructure for residents across Havering including those who share the characteristics protected by the Equality Act 2010. As such, ensuring the Local Plan has addressed these has been a priority in its preparation. Because the Local Plan has a key role in influencing the built environment and how people use that, a key aspect of the EIA will be to ensure that access issues for people with disabilities is considered.
- 22.2 The Proposed Submission version of the Local Plan has been the subject of an Equality Impact Assessment. The Equality Impact Assessment is also to be published alongside this consultation.

BACKGROUND PAPERS

None

