



CABINET

Subject Heading:

Approval for preparation of the Site Specific Allocations Development Plan Document

Cabinet Member:

Councillor Damian White

SLT Lead:

Sue Harper,
(Interim) Director of Neighbourhoods

Report Author and contact details:

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Policy context:

National Planning Policy Framework (NPPF) (2019)
London Plan 2016 (consolidated with Alterations since 2011)
Havering Corporate Plan (2019)
Havering Vision – ‘Cleaner, Safer, Prouder Together’ (2019)
Havering Local Plan Draft Submission Version (2019)
Havering Local Development Framework (2008)

Financial summary:

The Site Specific Allocations Development Plan Document must be underpinned by a robust evidence base and consultation process.

£600,000 has been identified from the Business Risk Reserve for 2019/20 for the policy planning work programme, of which the Site Specific Allocations Development Plan Document is a key component. Approval is being sought Corporately for the funding of future years. No work beyond this finance year will be commissioned unless and until additional funding has been agreed.

Is this a Key Decision?

Yes – Expenditure will be above £500,000 and there will be a significant effect on two or more Wards

When should this matter be reviewed? Summer/ Autumn 2020

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 should have an up to date Site Specific Allocations Development Plan Document (DPD) to form part of the local development plan documents for the borough, alongside the Havering Local Plan (once adopted), any early review of the Local Plan, the Joint Waste Development Plan, and the London Plan. A Site Specific Allocations DPD plays a critical role in giving effect to the spatial strategy outlined in Havering's Local Plan and delivering the Council's vision: Cleaner, Safer, Prouder *Together*.
2. This report seeks Cabinet approval to begin the preparation of a draft Site Specific Allocations DPD, including the initial statutory stage of public consultation.

RECOMMENDATIONS

That Cabinet:

- (1) **Approve** the preparation of a new draft Site Specific Allocations DPD for Havering, which will support the Havering Local Plan and replace the Romford Area Action Plan 2008 and Site Specific Allocations 2008 within the Local Development Framework.
- (2) **Delegate** authority to the Assistant-Director of Planning, following consultation with the Lead Member for Planning to finalise and approve the

documents to be released for initial community and stakeholder consultation.

- (3) **Note** that a 'Preferred Options' document will be brought back to Cabinet following the initial community and stakeholder consultation.

REPORT DETAIL

1. Why should Havering prepare a Site Specific Allocations DPD?

- 1.1. The Proposed Submission Havering Local Plan 2016-2031, currently at examination, seeks to replace the current Core Strategy (and Proposals Map) 2008, Development Control Policies 2008 and the policies within the Romford Area Action Plan 2008. It sets out the Council's ambitious vision and strategy for future growth and sustainable development over the next 15 years up to 2031. The Local Plan will have a key role in the delivery of the Council's 'place-making' role and responsibilities and help to ensure that Havering is a place where people want to live and visit, and where businesses will choose to invest. An early review of the Local Plan is likely to be required to ensure it is in line with the NPPF 2019 and in general conformity with the draft London Plan, once adopted.
- 1.2. The preparation of a Site Specific Allocations DPD is outlined in the Havering's current Local Development Scheme. This DPD will;
- A) Update the Site Specific Allocations Document 2008 and Romford Area Action Plan 2008 allocations; and
 - B) Support the proposed Local Plan (or any early review of the Local Plan) by allocating sites to deliver the strategic priorities of the area and/or setting out more detailed non-strategic policies for specific areas, neighbourhoods or types of development.

2. Purpose of the Site Allocations DPD

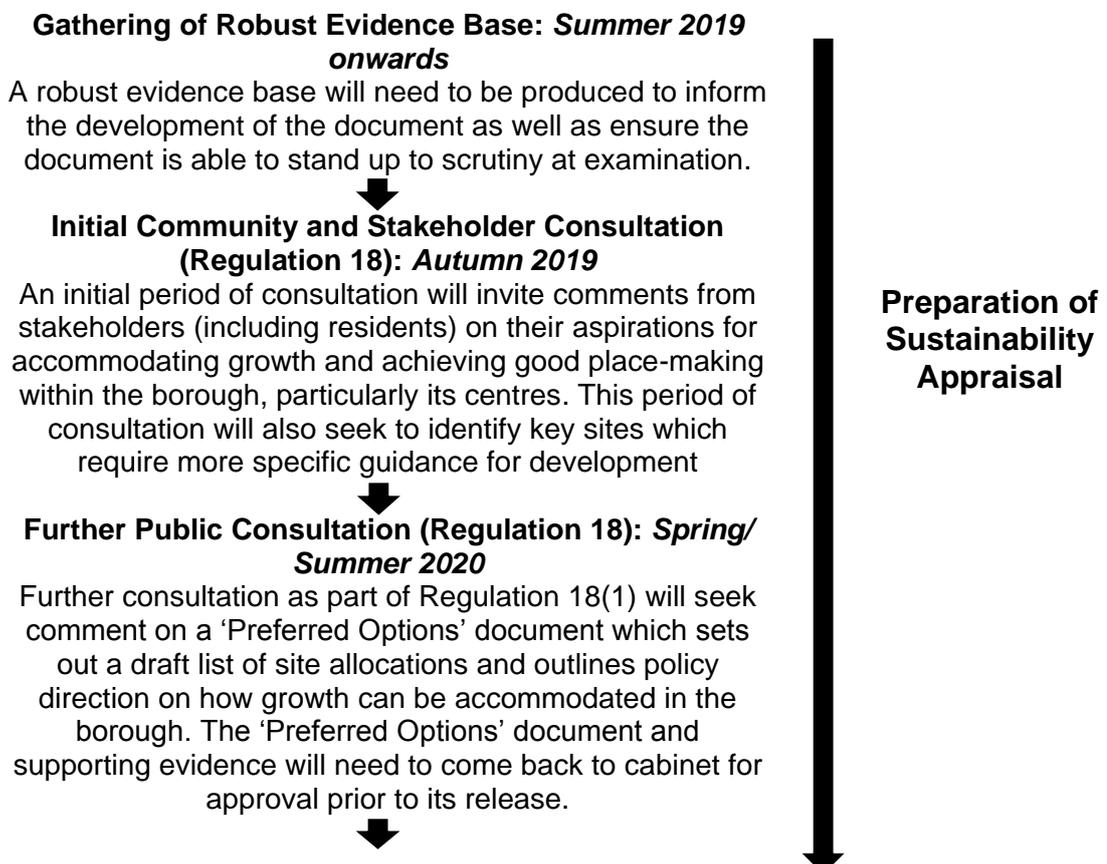
- 2.1. The Havering Local Plan sets out the Council's long term vision for Havering. It contains strategic policies and a spatial strategy for achieving the vision.

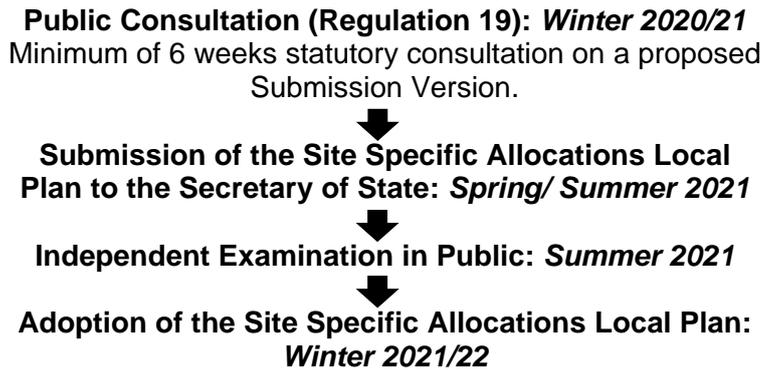
- 2.2. The Site Specific Allocations DPD is intended to give effect to the spatial strategy by:
- A) Allocating appropriate sites that can help to accommodate the development and infrastructure needs of the borough, including housing, jobs, schools, healthcare, leisure facilities, and open space.
 - B) Providing direction and guidance on how these sites can be developed in a way that supports good place making.
 - C) Providing direction on how growth can be accommodated in the borough's centres in a way that enhances their character and creates places that support people's health, happiness and wellbeing.
- 2.3. It will assist the Council in ensuring that it can secure high quality development that will enhance Havering and maintain its established Outer-Borough suburban character.
- 2.4. The Site Specific Allocations DPD is unable to include every site to be developed over the plan period as a number of these sites will come forward on an ad hoc basis over the plan period. The Local Plan policies are considered able to satisfactorily manage the bringing forward of sites not included in the document. The Site Specific Allocations DPD focuses on sites that the Council is aware of or is made aware of through the development of the plan and where more specific direction and guidance is warranted. It is anticipated that such direction and guidance to be provided will be at a strategic level. The document will not look to masterplan areas providing detailed guidance; however, it may provide guidance on whether a masterplan or other more detailed plans, such as planning briefs, are required.
- 2.5. Importantly, the production of a new Site Specific Allocations DPD provides an opportunity to deliver the themes in the Council's Corporate Vision (Communities, Places, Opportunities and Connections) by:
- A) Enabling place-making by identifying the characteristics of Havering's neighbourhoods that contribute to a sense of identity and place and providing direction on how anticipated growth can preserve and/or enhance these characteristics.
 - B) Guiding and managing development and growth to enable the creation of a safe environment, with high-quality homes and development opportunities that support a thriving local economy.
 - C) Making sure that fewer sites come forward as windfall, thereby allowing for more effective planning for a range of infrastructure needs.

- D) Identifying where the development of sites can contribute to the provision of current and future infrastructure needs.
- E) Providing greater certainty to landowners, developers and the public about the type of development and infrastructure provision that is expected on individual sites.
- F) Providing an opportunity for stakeholders (including residents) to be involved in decisions on how growth is accommodated in Havering.

3. The process for preparing the Site Specific Allocations DPD

- 3.1. The Site Specific Allocations DPD will be prepared in accordance with the statutory process set out in Local Planning Regulations 2012.
- 3.2. Development plan documents are subject to two stages of public consultation (Regulation 18 and Regulation 19) and an examination in public before an independent inspector. Development plan documents have to be supported by a sustainability appraisal, the role of which is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The key stages of the Local Plan process are set out below:





4. The relationship between the Site Specific Allocations Document and other documents

- 4.1. The Site Specific Allocations Document will form part of a suite of plans and strategies which will support implementation of the Local Plan and help achieve the Council's Corporate Vision. These documents are identified in the Council's Local Development Scheme.
- 4.2. Work is already in progress on a Romford Masterplan which will feed into the Site Specific Allocations Document and support the Local Plan by setting out a detailed vision, framework, and planning and design guidance for one of Havering's Strategic Development Areas. Future planning could involve further masterplans for other key growth and regeneration areas/ centres such as Rainham and Beam Park.
- 4.3. Close collaboration within the Council is occurring to ensure that these documents complement each other and their production avoids duplication of resources.

5. Initial community and stakeholder consultation for Regulation 18(1)

- 5.1. In line with the Local Planning Regulations 2012, the first stage of consultation must invite representations on what the Site Specific Allocations Local Plan ought to contain (Regulation 18(1)).
- 5.2. The National Planning Policy Framework places great importance on early, proportionate and effective engagement with communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees. A wide section of the community should be proactively engaged so that the Site Specific Allocations Local Plan, as far as possible, responds to the needs of Havering's diverse neighbourhoods and communities and sets out a collective vision.
- 5.3. This period of initial engagement is an important part of the development of the plan. The Council has committed to consultation occurring for a minimum of 6 weeks with further consultation occurring in Spring/ Summer 2020 subject to Cabinet approval.

- 5.4. Consultation for the Site Specific Allocations DPD will be in line with previous Local Plan consultation. It will reflect the statutory requirements, the Havering Public Consultation Policy and Havering Statement of Community Involvement.
- 5.5. The Council will need to ascertain what locations are available for allocation in the borough. This will involve asking landowners, developers and the wider public to identify sites for potential development and allocation. Not all sites will be suitable for allocation and will need to be assessed by the Council and be subject to public consultation.
- 5.6. The Council will likely focus on large sites that are at least 0.25ha, can accommodate at least 100 additional houses, or are of strategic importance. It will also look for smaller sites in areas with high public transport accessibility, close to stations and centres. In line with national policy the sites will be assessed as to whether they are suitable, available and achievable for development. They will also be assessed on the extent to which they accord with the Council's Spatial Strategy as set out in the Local Plan.

6. Further public consultation for Regulation 18(1)

- 6.1. Further public consultation as part of Regulation 18(1) is anticipated to occur in Spring/ Summer 2020. This will seek stakeholder and community views on a 'Preferred Options' document which sets out a draft list of site allocations and policy direction on how growth can be accommodated in the borough taking into account comments received during the initial period of community and stakeholder consultation. The 'Preferred Options' document and supporting evidence will be brought to Cabinet for approval prior to this period of public consultation.

7. Duty to Cooperate

- 7.1. The duty to cooperate was established in the Localism Act 2011 and places a legal duty on planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of plan preparation in the context of strategic cross boundary matters. Significant work has been undertaken to fulfil this duty in respect of the Local Plan's development. This work will continue through the development of the Site Specific Allocations DPD.
- 7.2. The Council will meet this test by producing, maintaining and/or updating statements of common ground throughout the plan-making process. The level of cooperation detailed in each statement will be proportionate to the matters being addressed.

8. Next Steps

- 8.1. In parallel and further to the initial stage of consultation, the Council will develop the robust evidence base to support the Site Specific Allocations DPD. The Site Specific Allocations DPD must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of Havering, its key centres and allocated sites. The Council will lead development of the evidence base using existing data, evidence and resources where appropriate and working with key stakeholders to produce any additional evidence that is required. Where resources are not available within the Council, external specialist input and advice will be sought as appropriate. This is to ensure that the Plan and its policies are robust enough to withstand challenges and public scrutiny during its preparation and examination. A robust evidence base will also support effective development control decision making and any subsequent planning appeals.
- 8.2. A Submission Version of the Plan will be prepared, informed by the evidence base and responses received as part of the initial community and stakeholder consultation described in section 5 and the further public consultation described in section 6. The Submission Version of the Plan will be subject to another minimum six weeks public consultation (under Regulation 19) before it is submitted to the Secretary of State. The Plan will then be subject to an examination in public by an independent planning inspector.
- 8.3. The development and eventual adoption of the Site Allocation DPD is anticipated to take 2-3 years in line with good practice across other local authorities.

REASONS AND OPTIONS

9. Reasons for the decision:

1. The Site Specific Allocations DPD is recommended to be prepared in order to comply with legislation and national policy and ensure that Havering has an up to date development plan.
2. This will enable the Council to control and influence growth and change in the borough to support good place making and meet its identified needs. The document will assist the Local Plan and deliver the Council's vision: Cleaner, Safer, Prouder *Together*.

Other options considered:

3. The option of not taking forward a Site Specific Allocations DPD 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 an up to date development plan; and
- A Site Specific Allocations DPD is considered to be a critical document to give effect to the Local Plan which forms one of the development documents.
- Over time the current Development Plan (the LDF 2008) will require updating as it becomes increasingly out of date and eventually will not provide sufficient policy support for refusing inappropriate development within the Borough.

IMPLICATIONS AND RISKS

10. Financial implications and risks:

10.1. Currently there is no budget allocation for work on the policy planning work programme, of which the Site Specific Allocations DPD is a key component. £0.600m has been identified from the Business Risk Reserve for 2019/20. Any costs associated with the work above £0.600m will be met from existing resources. Approval is being sought Corporately for the funding of future years. No work beyond this financial year will be commissioned unless and until additional funding has been agreed.

11. Legal implications and risks:

11.1. Section 17 of the Planning and Compulsory Purchase Act 2004 requires the Council to prepare development plan documents that will form part of the Council's Local Plan. The Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations"), Regulation 5(1) states that:

11.2. "documents which are to be prepared as local development documents are:

11.3. (a) any documents prepared by a Local Planning Authority which includes statements regarding:
(i) the allocation of sites for a particular type of development or use...
(ii) ...site allocation policies, which are intended to guide the determination of applications for planning permission."

- 11.4. The intent of the proposed draft Site Allocations document is that the investigation work and finalised document will inform the delivery of any future policies and objectives on the strategic direction for site allocations within the borough. Subsequently to form part of the development plan documents at a later date.
- 11.5. It is officers' intent to consult on the proposed draft Site Allocations Document in accordance with the statutory requirements of Regulation 18 of the 2012 Regulations, which is to include a consultation exercise with stakeholders as to which sites and what policies which should be included.
- 11.6. Regulation 2 of the 2012 Regulations states that any document referred to in Regulation 5, as set out above at paragraph 10.1, are prescribed as Development Plan Documents. The London Borough of Havering Constitution at Part 3: Responsibility for Functions states that all Development Plan Documents must be approved by Full Council.
- 11.7. This report requests approval to initiate the initial preparation on the draft Site Allocation Document subject to agreement for funding. Once a Site Allocation Document is prepared in draft form approval should be sought from Council to continue on further consultation and submission to the Secretary of State for confirmation.

12. Human Resources implications and risks:

- 12.1. There are no human resource implications. Officers consider that the consultation on the Site Specific Allocations DPD can be delivered within existing staff resources. Preparation of the evidence base will require the use of external consultants, reflecting the small size of the Development Planning team, existing and ongoing work commitments, and the need for specialist expertise not held in house. The external consultants will be engaged via an appropriate procurement route using the Council's existing procedures.

13. Equalities implications and risks:

- 13.1. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
 - (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

- 13.2. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.
- 13.3. A full Equalities Impact Assessment was undertaken of the Local Plan as set out in the Cabinet and Council reports for the Submission Havering Local Plan in March 2018. This concluded that there were no known negative equalities implications on protected persons listed in the Equality Act 2010.
- 13.4. The Submission 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 all residents across Havering including those who share the characteristics protected by the Equality Act 2010. Ensuring that the Local Plan has addressed these outcomes has been a priority in its preparation throughout the process since 2015. As the Local Plan has a key role in influencing the built environment and how people use it, a key aspect of the EIA is to ensure that access issues for people with disabilities is considered.
- 13.5. An updated equality impact assessment that supports the Submission Local Plan was formally submitted with the Local Plan and the suite of supporting documents to the Secretary of State in April 2018.
- 13.6. As work progresses on additional planning documents to support the Local Plan, the equality impact assessment will be reviewed and updated as required.

BACKGROUND PAPERS

None