

Havering Cabinet Meeting on August 5 2020

Item to be approved for Havering Local Plan Main Modifications Public Consultation

Statement from the Council on changes to the Use Classes

August 2020



Examination into the Havering Local Plan 2016 - 2031

**Document for Public Consultation alongside the
Proposed Main Modifications**

Statement from the Council on changes to the Use Classes

August 2020

Statement from the Council on changes to the Use Classes
August 2020

On 21 July, the Government published *The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020*. These come into force on 1 September 2020.

On the 27th July 2020 the Council received the following request from the Planning Inspector:

Can the Council please consider the implications of these changes for policies in the Local Plan and whether any further modifications would be required to address any potential soundness issues. If so, please consider whether it would be appropriate to include these in the forthcoming MMs consultation.

The Council's response is set out below:

Thank you for the information you have provided regarding the amendments to the Use Classes which come into effect in September 2020.

You will be aware that we are committed to commencing consultation on the main modifications on the 17th August, subject to Cabinet approval on Wednesday 5th August. The Cabinet report seeks approval to consult on the proposed main modifications and evidence base updates as agreed with you previously.

Whilst we understand the need to consider legislative changes that come into effect, we are extremely concerned that the inclusion of any further main modifications at this late stage in the Examination process would delay the approval process and subsequently the consultation and adoption of the Local Plan.

Should a further main modification be proposed, the Council may also need to make associated updates to supporting documentation such as the Sustainability Appraisal and Health Impact Assessment.

In light of the above the Council consider that this would best be dealt with as part of the immediate update of the Local Plan which we are committed to undertake on adoption of the Plan. The commitment to an immediate update is already included as a proposed main modification.

Our initial review of the amendments to the Use Classes suggests that some parts of the following policies can no longer be implemented and would need to be reconsidered as part of an immediate update:

- *Policy 13 Town centre development*
- *Policy 14 Eating and drinking*
- *Policy 17 Education*
- *Policy 19 Business growth*

These policies (and associated monitoring indicators) are affected by the changes as they seek to manage particular uses such as A1, A2, A3, D1, B1 all of which are now subsumed into the new broader use class E and therefore no longer require planning permission to enable changes between them.

On 3 August the Inspector responded as follows:

I note the Council's response to my question about the changes to the Use Classes Order (UCO).

I concur that it is important for the Council to progress to consultation on the Main Modifications without further delay. To that end, I suggest the following possible course of action:

- That a paragraph is added to the consultation letter setting out the changes to the UCO and the policies likely to be affected. The paragraph would also set out the Council's views about the likely delay in adopting the plan and that the matters will be dealt with through the review and update;

and:

- This exchange of correspondence is placed on the website and forms part of the consultation documents to be specifically referred to in the consultation letter.

Proceeding on this basis will enable those to be consulted to have a say on the Council's preferred approach and would enable me to find the plan sound, subject of course to taking on board any comments made during the consultation.