

London Borough of Havering Local Plan Examination

Email communication between London Borough of Havering and Susan Heywood, Inspector.

Between January 06 and 02 February 2021.

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From: Andrea Copsey
Sent: 06 January 2021 16:25
To: Lauren Miller
Subject: New London Plan

CAUTION - External email
Hi Lauren,

Please see below from the Inspector.

My understanding of the current situation regarding the London Plan is that the Publication London Plan was sent to the Secretary of State on 21 December 2020. The Secretary of State has 6 weeks to respond after which the Mayor can publish the final London Plan. It is therefore very possible that the new London Plan will be published prior to adoption of the Havering Local Plan. As you are aware, the Havering Local Plan must be in general conformity with the London Plan.

In order to ensure that the Havering Local Plan is legally compliant in this respect, I would ask the Council to undertake the following:

- Assess the Havering Local Plan to determine whether, in the Council's view, it is in general conformity with the new London Plan;
- Where there are areas of potential non-conformity the Council should consider whether further main modifications would be required to the plan;
- If further main modifications are required, the Council should consider whether further consultation would be required and the implications for the Sustainability Appraisal and Habitats Regulations Assessment;
- Seek the views of the GLA as to whether the Havering Local Plan is in general conformity with the New London Plan or can be made so with main modifications.

I would welcome the Council's comments in an initial response to this email by 15th January. The Council should at that time set out a timescale for any further work if necessary.

A copy of this email should be placed on the Examination website as soon as possible.

Many thanks

S Heywood
INSPECTOR

Andrea Copsey
Local Plans Programme Officer

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Sent: 18/01/2021 09:59
From: Andrea Copsey
To: London Borough of Havering

Re: New London Plan

The Inspector thanks the Council for this response regarding the New London Plan and for the consultation responses received on Friday. Clearly, it will take her some time to work through these responses and to finalise the report and / or come back to the Council with any queries on these documents. The Inspector would also advise the Council that she is on leave next week.

In the meantime, the Inspector would be grateful if the Council could let her have a timescale within which she can expect a response from the GLA on the request for a view on general conformity with the New London Plan please.

Can the Council also ensure that the latest documents are placed on the Examination website as soon as possible.

Thanks,

Andrea

Andrea Copsey
Local Plans Programme Officer

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On Tue, 2 Feb 2021 at 18:02, Lauren Miller wrote:
Hi Andrea

I hope you are well?

We have now heard back from the GLA, see email below.

I would be grateful if you could send this on to the Inspector and ask her to confirm how she would like to proceed.

Many thanks

Lauren
Development Planning, Team Leader.

From: Lucinda Turner
Sent: 02 February 2021 17:24
To: Lauren Miller
02 February 2021 17:24

Dear Lauren

Thank you for sharing with the GLA the Inspector's request for a view about the Council's assessment of the conformity of Havering's local Plan with the Publication London Plan. This is in the context that all Development Plan Documents in London including Havering's Local Plan, must be in general conformity with the London Plan under section 24(1)(b) of the Planning and Compulsory Purchase Act 2004 and we welcome the Inspector seeking clarity on this.

The development of Havering's Local Plan and the new London Plan has been ongoing for the last four years. As part of the regulation 19 process the GLA assessed the general conformity of Havering's Local Plan with the London Plan in the autumn of 2017. This view was based on an assessment against the adopted statutory development plan at that time, the 2016 London Plan. There were no conformity issues with the Main Modifications except for Parking, and that is why Transport for London responded on this issue.

No assessment of whether Havering's Local Plan is in general conformity with the Publication London Plan has been undertaken by the GLA to date. While we note that an initial assessment of general conformity has been undertaken by the Council, the duty to assess conformity set out within section 24 of the Planning and Compulsory Purchase Act 2004 ("the PCPA") rests with the Mayor.

Given the Inspector's request, we would suggest that the approach should be:

- GLA officers would be happy to undertake an initial assessment against the new London Plan of the latest version of Havering's draft Local Plan within six weeks, i.e. by 9 March 2021.
- It is impossible, at this stage, to anticipate if matters of non-conformity will arise - or how significant they may be - particularly given the differences between the two London Plans. Given this - if we do identify any non-conformity issues, we may then need some further time to consider these, especially if modifications are considered necessary to address those matters of non-conformity.
- Whilst the Mayor is mindful of the implications of any non-conformity issue raised as a result of section 24(7) of the PCPA, it may be that if fundamental matters of non-conformity are identified through this assessment, the Inspector may wish to consider addressing these by an immediate thorough review of the Local Plan, post adoption as an alternative to trying to make further modifications which may otherwise significantly delay the timescale.

Please let us know, if the Inspector would like us to progress as set out above.

Finally, and for the Inspector's information, the Mayor has now received confirmation from the Secretary of State that he can proceed to publish the version of his Publication London Plan as sent to the Secretary of State on 21st December. We will now proceed with the statutory steps necessary to effect publication.

Kind regards
Lucinda

Lucinda Turner

Assistant Director of Planning
GREATER LONDON AUTHORITY

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From: Jill Warren
Sent: 03 February 2021 15:08

To: Lucinda Turner
Subject: RE: Havering Local Plan - General Conformity Request

Dear Lucinda,

Please find attached the response received from the Inspector this morning.

In line with this letter, we would therefore like to ask the GLA to undertake an initial assessment of general conformity of the Havering Local Plan. (The most recent version being the “Local Plan with minor and major (tracked changes) (August 2020)” available online here:

<https://drive.google.com/file/d/1fuRHrFyNOb7IL1xnkEyHP-TdCJgBLFPQ/view>).

She has asked that we stress the desirability of providing this assessment sooner than the six weeks initially discussed as the end of the Examination is now approaching. Please note that she has requested that the letter is placed on the Havering Council website, “making this stage clear to all”.

We would be happy to discuss this further. Please let us know should you require any documents sent directly to you.

All the best

Jill

Jill Warren | Development Planning, Deputy Team Leader

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