## Annex 3 - Havering Local Plan Main Modification Representations and Council Responses

<table>
<thead>
<tr>
<th>Respondent ID</th>
<th>Name/Organisation</th>
<th>Main Modification Number</th>
<th>Representation</th>
<th>Council Response</th>
<th>Attachment included as part of the representation?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1132277</td>
<td>Highways England</td>
<td>N/A</td>
<td>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England will therefore be concerned with proposals and policies that have the potential to impact the safe and efficient operation of the SRN, in particular the M25. Highways England have reviewed the Schedule Proposed Main Modifications and the Changes to the Proposals Map and are satisfied that the consultation for Havering’s Local Plan Main Modifications will not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 &amp; 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109).</td>
<td>Noted</td>
<td>No</td>
</tr>
<tr>
<td>1117139</td>
<td>National Grid</td>
<td>N/A</td>
<td>We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation. Further Advice National Grid is happy to provide advice and guidance to the Council concerning their networks. Please see attached information outlining further guidance on development close to National Grid assets. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us. To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid’s assets.</td>
<td>Noted</td>
<td>Yes - Information outlining further guidance on development close to National Grid assets.</td>
</tr>
<tr>
<td>1132837</td>
<td>TFL Commercial Development</td>
<td>Broadly MM3 However, comment does not relate to a specific Main Modification</td>
<td>It is noted that Policy 1 and its supporting text appears to be the principle location for discussion on high density and/or tall buildings. TFL CD commented in their representation on the Havering Local Plan (2016 – 2031) Proposed Submission Version that criterion vii of Policy 26 does not accord sufficient flexibility to allow higher densities or for the potential for taller buildings in certain locations such as around public transport hubs. It was suggested that criterion vii should be reworded to This appears to be a repetition of comments previously made and considered by the Inspector during the hearings. This comment does not relate to a specific Main Modification. No Main Modifications have been proposed to Policy 26.</td>
<td>This appears to be a repetition of comments previously made and considered by the Inspector during the hearings. This comment does not relate to a specific Main Modification. No Main Modifications have been proposed to Policy 26.</td>
<td>Yes, their previous consultation response</td>
</tr>
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allow for such developments at the appropriate locations. It is noted that in the consultation statement the Council consider it would be inappropriate to adjust the policy to provide more flexibility for schemes of higher density and/or tall buildings outside of Romford town centre as they would be out of character with their surroundings.

The Council admit in section 7.1 that they may not be delivering housing in line with identified need and have a record of under delivery. As such, the Council’s response is not considered to be in the spirit of the NPPF paragraph 123 which states that:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport.

These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate; (underline added for emphasis)

The Council’s response in the consultation statement appears to be suggesting that there are no other locations appropriate for higher density and/or tall buildings than Romford town centre but it is not clear to what degree this has been tested and the necessary strong reasons demonstrated as required by paragraph 123a) of the NPPF set out above.

Also, we would suggest this in not in line with paragraph 127c) and 127e) of the NPPF, as well as paragraph 102: Paragraph 127: Planning policies and decisions should ensure that developments:

c) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;

e) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Paragraph 102: opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, [should be] realised – for example in relation to the scale, location or density of development that can be accommodated.

This response seems unduly dismissive of there being any scenario where high density and/or tall buildings of a high quality could be suitably incorporated outside of Romford town centre.

Given the above we consider the plan is not consistent with national policy or positively prepared and therefore is not sound. We reiterate our
| 1130037 | Transport for London | MM2 | We welcome the new criterion xxii added to paragraph 3.2.1 which supports greater use of the River Thames for freight and passenger transport | Noted | No |
| 1110076 | Port of London Authority | MM2 | The PLA support the insertion of the new strategic objective in Paragraph 3.2.1, to "Support greater use of the River Thames for freight and passenger transport" which helps to place a greater emphasis on the potential of the greater use of the River Thames here, in line with the Mayor of London’s strategies, including the current and emerging London Plan. | Noted | No |
| 1253308 | Havering Islamic Cultural Centre (Quod) | MM3 | These comments are submitted on behalf of the Havering Islamic Cultural Centre (the ‘HICC’) at Bridge Close (within the Romford Strategic Development Area). In principle, the HICC is supportive of plans to regenerate the Bridge Close area for the good of the community. As a key local cultural institution which primarily serves a significant and growing Muslim community in Havering, the HICC sees the plans for Bridge Close as an excellent opportunity to create an improved cultural centre not just for its congregation but members of the community more widely. The HICC has previously undertaken work with the Council to demonstrate the need for a mosque and community centre to be reprovided at Bridge Close (in accordance with draft Policy 16 (Social Infrastructure)) when the site is regenerated. There is a defined local need and no realistic proposals for re-provision elsewhere. Therefore, it is considered unjustified to amend Policy 1 (part xxv) to include explicit reference to the provision of a new school at Bridge Close without making reference to the provision of a new mosque and cultural centre also. In order to be positively prepared, Policy 1 should also explicitly include the need for a replacement mosque and community centre at Bridge Close and sufficient planning should be undertaken to ensure that both facilities can be accommodated together. The HICC considers that there may be the opportunity to share some facilities with the school, for example disabled car parking, drop off and servicing areas and open space. With regards to Design and Heritage, the requirement for tall buildings to be located in the vicinity of the station (part xxxiv) is considered to be unclear and inconsistent with the NPPF. While we would assume that the Bridge Close site is ‘within the vicinity of the station’ and therefore is appropriate for tall buildings and development at a greater density, for the avoidance of doubt the policy should be amended to reflect Section 11 of Policy 16 Social Infrastructure states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision will not be permitted. With regards to tall buildings, MM3 clearly sets out the role of the emerging Romford Masterplan in providing further guidance on appropriate locations for tall buildings within the Strategic Development Area. | LBH do not consider it necessary to explicitly refer to a replacement mosque and community centre at Bridge Close. The intention of the Main Modification as currently draft is to provide more detail and clarify the position with regards to education provision in Romford. This is in response to the discussions at the hearings. The Modification refers to Bridge Close specifically in the context of education. It is not LBH’s intention to refer to all elements of social infrastructure that may be required on specific sites such as a Mosque and Community Centre at Bridge Close. Policy 16 Social Infrastructure states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision will not be permitted. | No |
the NPPF which sets out the need to make effective use of land. Paragraph 123 states:

"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

Given the quantum of development necessary at Bridge Close (provision of 1,070 homes, a 3FE school and a replacement mosque and community space) it is very likely that tall buildings and relatively dense development will be necessary. It is vital that Policy 1 does not preclude this.

It is understood that further analysis will be set out in the emerging Romford Masterplan. However, there have been delays to the production of the masterplan. In order for Policy 1 to be consistent with the NPPF, part xxxiv. and paragraph 6.1.30 should be revised as follows:

"Tall buildings may be acceptable in the vicinity of the station and other sustainable locations subject to high quality design and strong public realm propositions at ground level."

| 1128705 | Romford Civic Society | MM3 | Access to a clear explanation of the justification for proposed density of housing development would be of benefit. | LBH note that this representation has been submitted by the Romford Civic Society which is an unconstituted group. Policy 3 Housing supply states that the housing target for Havering will be at least 11,701 new homes in the first ten years of the Plan, in accordance with the London Plan. The policy then provides further details on the minimum targets for Strategic Development Areas, council estates outside of Strategic Development Areas, major sites and small sites. For the whole Plan period, Havering aims to deliver at least 17,551 new homes. Paragraphs 7.1.1 to 7.1.23 set out the justification and reasoning for the policy which are based on the analysis provided in the Housing Position Statement | No |
Technical Update (October 2019), Paragraph 7.1.22 states that development densities should reflect the density matrix in the London Plan but should not be applied mechanistically. Quality and design, local context, and relationship with the surrounding area will be given high priority when determining planning applications.

The child yield to calculate demand for primary school places arising from new development is unrealistically high, particularly for town centre flats.

The averages yields of 0.3 primary and 0.2 secondary per unit are based on averages of 1, 2, 3, 4+ bed and tenures as taken from the GLA population calculator.

Once the Council is in receipt of a detailed breakdown of unit sizes and tenures we use the GLA population calculator in order to generate the child yield calculation. The child yield averages are only used in the absence of a breakdown by unit size and tenure being available.

The GLA population calculator is used to assess the likely child yield generated by housing, but can only be used once we are in receipt of a breakdown of the proposed housing units by size and tenure. This is usually only available once planning permission has been submitted, therefore prior to this the average yields are used to assess the potential impact of housing developments on school place demand.

The GLA population calculator has been produced by the GLA independent of the LA and is publicly available for download.

Rom Valley LLP hold several assets in Havering, including the Seedbed Centre/Rom Valley Retail Park (Rom Yard), Rom Valley Way, Romford, RM8 0AF. This site is located within the Rom Valley Strategic Development Area and is currently the subject of an outline planning application (P1226.20 validated 25/08/20) for the following development:

In Outline, incorporating details of access to the site and with all other matters reserved, for a comprehensive phased mixed-use development comprising demolition of existing buildings and structures, a maximum of 121,633 sqm (GEA) of floorspace for the following uses: Residential (Class C3), Business uses including light industrial (Class B1), Retail, Financial and professional services and restaurant and café uses (Class A1, A2 and A3), Community uses (Class D1), sustainable energy measures, public open space including the provision of a riverside walkway, inclusion of basement space, storage, car and cycle parking, alteration of existing pedestrian and vehicular access and means of access and circulation within the site together with new private and public open space and site preparation works.

As such our client holds a vested interest in the successful growth and function of the area in line with Havering’s recognition that the area offers significant development and regeneration opportunities and can accommodate significant levels of housing and economic growth.

Residential Development
Rom Valley LLP is strongly in support of the upward revision of unit numbers to 6,000 homes and further identification that this capacity is specific to the Romford Strategic Development Area as identified within the updated/amended first policy paragraph.

Social Infrastructure
With regards to social infrastructure, Rom Valley LLP is supportive of the approval of a 3-form entry primary school at Bridge Close and identification that this provision is sufficient to meet demand needed for the additional primary places over the first five years identified at point ‘xxv’ and supporting paragraph 6.1.22. The Rom Yard application site sits in close proximity to Bridge Close and is included within the first five years housing trajectory figures used to demonstrate housing supply by the London Borough of Havering (LBH). In this context primary school provision linked to the emerging development at Rom Yard should not be required beyond that being secured at the Bridge Close Site.

The identification of further 6FE need for primary school places beyond the first 5 years of the plan period identified in ‘xxv’ is disputed. It does not meet the soundness test as the supporting evidence base does not robustly justify the requirement, due to the following reasons: (a) the London Borough of Havering’s (LBH) method for identifying need overestimates demand for primary school places and (b) the latest

LBH do not agree with the changes being proposed for the following reasons:

LBH’s method double counts need arising from trend growth and new development

The Council make an annual statutory return to the Department for Education outlining the future need for places in the borough while also setting out the methodology used to generate the school forecasts. The Department for Education rigorously challenges any issues regarding the methodology or the robustness of forecasts produced prior to signing off the return.

The DIE cautions Local Authorities to be careful to avoid double counting the impact of housing on school place demand. The DIE must be satisfied with the robustness of our forecasts before they will accept our data.

The averages yields of 0.3 primary and 0.2 secondary per unit are based on averages of 1, 2, 3, 4+ bed and tenures as taken from the GLA population calculator.

Once the Council is in receipt of a detailed breakdown of unit sizes and tenures we use the GLA population calculator in order to generate the child yield calculation. The child yield averages are only used in the absence of a breakdown by unit size and tenure being available.

The GLA population calculator is used to assess the likely child yield generated by housing, but can only be used once we are in receipt of a breakdown of the proposed housing units by size and tenure. This is usually only available once planning permission has been submitted, therefore prior to this the average yields are used to assess the potential impact of housing developments on school place demand.

The GLA population calculator has been produced by the GLA independent of the LA and is publicly available for download.

1253321 Rom Valley LLP (Quod) MM3

Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP

Appendix 2 – Cabinet report dated 16th September 2020 entitled ‘Bridge Close Regeneration’ – Delivery Arrangements

Appendix 3 – Housing Position Statement Extract, Annex 2, Site 27

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available information from LBH suggests a need for 5FE by 2029/30 and therefore additional demand for 2 FE (in addition to the 3FE provided by the Bridge Close Site). These points are further detailed below:

(A) The Council’s method for identifying need overestimates demand for primary school places, since:

**LBH’s method double counts need arising from trend growth and new development.** The Council’s approach assumes that population growth as a result of new development is entirely additional to growth derived from historic trend growth. Our understanding is that the methodology for calculating trend growth (i.e. growth without additional housing demand) is based on the relationship between historic births and primary school uptake five years later. The historic relationship between births and uptake is then applied to either the actual live birth data (supplied by the ONS) or the GLA projected birth data where live births are not available. The GLA produces two population estimates – one based on trend growth and one linked to projected housing growth. It is not clear which projections are used, but in either case some housing growth is implicitly included within population growth. The trend based growth assumes recent trends in fertility, mortality and migration and therefore implicitly assumes that recent development trends continue in the future. The housing led projections explicitly include housing growth based on the GLA’s Strategic Housing Land Availability Assessment (SHLAA). Therefore, it is likely that there is double counting in the growth projections with additional housing demand as a result of including additional housing development on top of this projected growth.

The child yield to calculate demand for primary school places arising from new development is unrealistically high, particularly for town centre flats. LBH assumes that there is a child yield of 0.3 primary school children per unit; this is significantly higher than the child yields expected from the GLA Population Yield once the likely mix and tenure of new developments has been accounted for. For the Rom Yard Site, the LBH child yield is more than double the child yield that results from the GLA model (which accounts for unit size, tenure and location).

LBH’s latest available primary school forecasts (provided by the Council in May 2020) identify the need for 5 FE primary school places by 2029/30 (including the provision provided at the Bridge Close Site). It is therefore not clear how the need for 6 FE in addition to the 3FE provided by Bridge Close has been identified.

The policy states that ‘Development proposals that generate a primary school child yield equivalent to one additional form of entry will be expected to provide adequate space on site for the provision of a school.’ This requirement is not practical or deliverable. The Education and Skills Funding Agency does not support the delivery of 1FE schools. Therefore, it is not practical to link the requirement for one site provision to a trigger of 1FE. Instead financial contributions should be sought to enable delivery of primary school capacity at a larger scale at appropriate sites, and in line with need. The requirement for on-site provision should be increased to a trigger of 2FE or higher.

To make the Plan sound, Rom Valley LLP request the following changes to be made to MM3:

With regards to the comment that the yields are too high for a new development comprising of town centre flats: the GLA calculator does not distinguish between whether units are houses or flats. Additionally we would challenge the notion that flatted developments do not have any families with school-aged children living in them.

In addition, with regards to 6.1.23:

“Due to the particular challenges in Romford and in advance of the delivery of the Site Specific Allocations Local Plan, the Council will require all development proposals that generate a primary school child yield equivalent to one additional form of entry to provide adequate space on site for the provision of a school or robustly demonstrate how this need will be accommodated through other developments.”

LBH do not agree that the trigger for a development having to provide a space for a school should increase from 1FE to 2FE. The above policy safeguards the Council’s ability to secure adequate space to provide new schools needed as a result of housing. In areas where several closely located developments separately generate the need for 1FE or more, we would expect the developers to adopt a collaborative approach to delivering the education infrastructure required to meet the collective school place need of these developments, as has been the case with the Bridge Close school.

With regards to tall buildings, LBH does not agree that the proposed consultations are too restrictive on the proposed Romford Masterplan in providing further guidance on appropriate locations for tall buildings within the Strategic Development Area.

LBH do not consider that the requested change to xxxii is required. Paragraph 6.1.17 states that the Council will work with the Environment Agency, land owners and developers to open up the river course as they bring development forward adjacent to the river. The emerging Romford Masterplan will also provide further guidance on the River Rom.
xxv. Additional primary school provision equivalent to 3 forms of entry (FE) in the first 5 years of the Plan and a further 6FE 2FE need for primary school places beyond the first five years. A 3 form of entry primary school (630 places) has been approved on the Bridge Close development site and the new school should be sufficient to meet demand for the additional primary places needed over the next five years. A further 6FE 2FE need for primary school places beyond the first five years.

And

Development proposals that generate a primary school child yield equivalent to one two additional form of entry will be expected to provide adequate space on site for the provision of a school. The Council will only support proposals without this provision where it can be robustly demonstrated that existing or planned education provision can cater for the additional demand for school places.

In the context of the above supporting explanatory text paragraph 6.1.22 needs to be updated to reflect the above as follows:

Education provision is particularly challenging in Romford. Existing schools within the area are already at full capacity and whilst the Council's school expansion programme will assist in meeting future demand, this will not offer sufficient capacity over the Plan period. In order to meet the need for primary school places in the Romford area a 3 form of entry primary school (630 places) has been approved on the Bridge Close development site and the new school should be sufficient to meet demand for the additional primary places needed over the next five years. Over the next five years an additional 3FE will be needed. 1FE is likely to be delivered through expansion of an existing school and a new 2FE school will be needed. There is a further 6FE 2FE need for primary school places beyond the first five years. This will need to be delivered through new schools. This will be addressed via the Site Specific Allocation Plan that will identify specific sites for future schools. If further sites come forward for housing development the Council will need to assess whether further education provision will be needed. A 6/8FE secondary school is required in the second phase of the Plan period (5-10 years). The Council will seek to identify sites suitable for additional education provision through the Romford Masterplan and Site Specific Allocations Local Plan.

Rom Valley LLP are supportive of the provision of a Site Specific Allocation Plan identifying specific sites for future schools relative to any additional capacity required beyond the first 5 years of the plan but request that this is subject to up to date, robust assessment demonstrating further capacity is required aligned with the above.

Design and Heritage

Rom Valley LLP are supportive of the revised point at ‘xxvii’ which emphasises the importance of mixed uses being secured in the Romford Strategic Development Area and support the flexibility included in the wording relative to floor-to-floor height.

Rom Valley LLP are supportive of the revised wording at point ‘xxxii’ and the intention of major development sites to open up access to the River Rom and positively incorporate the river into development schemes. However, Rom Valley LLP request that policy wording is revised
to include flexibility where this may compromise wider residential delivery and be reviewed on a site by site basis (particularly in the context of historic housing under-delivery within the borough).

This is reflective of the consideration of viability identified within the NPPF and identifying land for homes. At Paragraph 67 it states: Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.

It should be recognised that there are potentially significant benefits of enabling sites which currently detract from the river corridor that could be jeopardised by over-burdening such sites with specific policy requirements. In this context Rom Valley LLP request the wording is revised as follows:

xxxii. On major development sites, where viability permits, open up access to the River Rom and positively incorporate the river into the development scheme(s).

Rom Valley LLP are supportive of ensuring the delivery of high-quality design and development which is responsive to both heritage and townscape context. At present however the proposed justification paragraph at 6.1.30 is too restrictive and has significant potential to preclude high density development in other suitable locations (not in the immediate vicinity of the station) as defined by the NPPF. Both the supporting justification and emerging Masterplan should encourage development at higher density and heights where this can be achieved in accordance with the wider development plan requirements.

At present this wording is not consistent with the NPPF, proposals including high density development and including tall buildings do not necessarily have to be located adjacent stations. Section 11 of the NPPF relates to making effective use of land. Paragraph 123 states:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this
Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Further to the above the current wording of paragraph 6.1.30 indicates that development (inclusive of height) needs to be determined by analysis set out within the emerging masterplan. In the context of policy delays to date, the significant historic undersupply of housing within the borough and the over-riding need to deliver housing within the Strategic Development Area, Rom Valley LLP request the wording of paragraph 6.1.30 is updated. This wording need to be revised to ensure that the effect of this policy approach does not unnecessarily withhold high density or tall buildings until this guidance comes forward where it can be demonstrated the proposal can be delivered in accordance with wider development plan requirements.

Rom Valley LLP suggest paragraph 6.1.30 is revised as follows: Tall buildings may be acceptable in the vicinity of the station and other sustainable locations subject to high quality design and strong public realm propositions at ground level. Proposals for tall buildings within the Conservation Area are inappropriate. The heights of proposed new buildings in this area will need to respond positively to the historic context. Elsewhere in the town centre the height of proposed buildings should respond to local character and context, and make a positive contribution to the skyline in Romford town centre.

A tall building is generally understood to be anything which is of significantly greater height than its context. As Historic England note in the Tall Building Advice Note 4: “In a successful plan-led system, the location and design of tall buildings will reflect the local vision for an area, and a positive, managed approach to development, rather than a reaction to speculative development applications”. To determine the appropriate scale, height and form of development with the Romford Strategic Development Area The Council have commissioned consultants to work with the Council to develop a masterplan for Romford Town Centre. This piece of work will involve analysis, characterisation and building height studies to provide evidence to support local height definition for tall buildings and guidance on the identification of appropriate locations with the Romford Strategic Development Area for such buildings beyond the definition within the Local Plan. The Romford Masterplan is envisaged to be adopted as a Supplementary Planning Document and will therefore provide clarity in due course in this area. The emerging masterplan remains guidance and in advance of its adoption policy will not preclude tall buildings of high density development coming forward in sustainable locations within the Strategic Development Area where it can be demonstrated it can be delivered in accordance with the wider development plan requirements.

| 1253267 | St William (Boyer Planning) | MM3 | The Modification relates to Policy 1 “Strategic Development Areas : 6.1 Romford Strategic Development Area”. | MM3 clearly sets out the role of the emerging Romford Masterplan in providing further guidance on appropriate | LBH do not agree with the suggested amendments relating to tall buildings throughout the Strategic Development Area. |

No
St William supports the increase in the minimum target for delivery of homes in the RSDA from 5,300 to 6,000. It is sensible to project a higher number of homes in the borough’s most urban and accessible areas, of which the RSDA is the most central.

This approach is consistent with the Good Growth objectives in the Intend to Publish London Plan, in particular objective GG2 (Making the best use of land) which states that development must enable the development of brownfield land, particularly in (inter alia) sites on the edge of town centres; prioritise sites that are well-connected by existing or planned public transport; actively explore the potential to intensify the use of land to support additional homes, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling; and apply a design-led approach to determine the optimum development capacity of sites. Accordingly it is sensible to seek to optimise the density of development within the RSDA, including the former gas works site.

MM3 proposes a new paragraph(s) 6.130 which states (emphasis added):

6.1.30 Tall buildings may be acceptable in the vicinity of the station subject to high quality design and strong public realm propositions at ground level. Proposals for tall buildings within the Conservation Area are inappropriate. The heights of proposed new buildings in this area will need to respond positively to the historic context. Elsewhere in the town centre the height of proposed buildings should respond to local character and context, and make a positive contribution to the skyline in Romford town centre.

The current MM3 wording prejudices against tall buildings in area apart from those “in the vicinity of Romford Station”. This “vicinity” is not defined.

St William objects to the inclusion of text relating to tall buildings for the RSDA and considers as a minimum that the text should be amended to state that taller buildings be acceptable throughout the RSDA to enable high quality and well-designed development to be delivered where it can be demonstrated through site and townscape analysis. This will ensure the Council will meet any future increased housing target within the RSDA and in the borough generally, whilst decreasing pressure for future green belt release.

As a former utilities site within the RSDA, Romford Gas Works is the type of site that should be used to deliver the needed homes for the Borough. Taller buildings as part of a wider masterplan, when designed well that forms part of high quality placemaking, are capable of delivering flatted development that can contribute greatly to a borough’s housing requirement and need; as such, the Policy should not preclude development of tall or taller buildings.

The inclusion of the text relating to tall buildings has not been considered fully as part of the Local Plan process, would not allow for adoption of an ‘effective’ policy and therefore is unsound. On this basis the proposed paragraph 6.130 in MM3 should be deleted. The approach to tall buildings in the RSDA should be taken forward through the future Site Allocations Plan to allow due process to be followed.
| 1251574 | Councillor Williamson and Councillor Morgan | MM3 | Policy 1 Sec. 6: Strategic Development Areas: 6.1 Romford Strategic Development Area  
**Design and Heritage**  
**Amend** the new paragraph 6.1.30 at the end of the first section: No buildings will be approved that go above 10 storeys  
*(It is important to prevent developers pushing for heights totally out of character with the area).* | The proposed modification seeks to ensure that the height of proposed buildings responds to local character and context, and makes a positive contribution to the skyline in Romford town centre. It is not appropriate to set a maximum number of storeys for development proposals in Romford as there is no submitted evidence to support the effectiveness of a notional height cap. The Local Plan and the emerging Romford Masterplan will provide adequate controls to be able to resist inappropriate development that does not respect local character or context. | No |
| 1253235 | RM (Brightside) Ltd & RM (Leeds) Ltd | MM3 | 4.29 Main Modification MM3 relates to Policy 1 and the Romford SDA. Royal Mail welcomes the amendment here which increases the overall proposed delivery within the SDA from 5,300 to 6,000 units within the Plan period. Of these 6,000 units, the Main Modifications propose that 5,000 of these units would be delivered within the first 10 years of the Plan period. Given the Plan started at 2016 and delivery has since then and now been low, we would question whether delivery of 5,000 units to 2026 is ambitious. Nevertheless, we would welcome accelerated delivery early in the Plan period as it is evident that need is now. The development of the Royal Mail Site presents the Authority with an ideal opportunity to assist in achieving this target.  
4.30 The Main Modifications introduce new text at xxvii relating to floor-to-ceiling heights. This sets out that to facilitate a mix of uses throughout the Romford SDA, ground floor floor-to-ceiling heights throughout the SDA should be 3.5m. Whilst we recognise and support the promotion of mixed uses throughout the SDA, we would suggest that the Policy wording allows greater flexibility in its terms. For instance, it may be that not all sites within the SDA would appropriately locate commercial or mixed-uses at the ground floor i.e. those located a greater distance from the Town Centre, or on side streets where there is limited to zero footfall. Further, as the Policy is drafted, it would expect the entire ground floor across a site to be a minimum 3.5m. To create active streets and communities, it may be on some sites that it would be appropriate to provide some active ground floor residential use.  
In such circumstances, it would not be appropriate for 3.5m height ground floor residential units. Therefore, whilst we support the principle of what this additional text is trying to achieve, we would suggest that the Policy wording is structured in such a way to allow flexibility depending on individual site circumstances.  
4.31 Royal Mail supports the additional text set out in the Main Modifications at 6.1.30 relating to tall buildings and acknowledges that further work is being commissioned which would identify areas within the SDA that would be appropriate for taller buildings outside of the local height definition for tall buildings. We would add that the Royal Mail Site, which sits within the SDA and close to the Town Centre, is not within the Conservation Area or in close proximity to heritage assets. Further, it is within an emerging residential area with very few existing residential neighbours. As such, the Site represents an opportunity for planned growth alongside the gas works site, with opportunity for some height and focal built form. | The minimum floor to ceiling height is intended to ensure that buildings can be adapted to meet future requirements and continue to contribute to place making. LBH consider that a minor modification could be made to the proposed wording of xxvii in recognition that there may be exceptional circumstances where a move away from a minimum of 3.5m could be justified.  
Suggested wording:  
xxviii. Incorporate generous floor to ceiling heights at ground floor level to provide for flexibility and adaptability over time and respond to the needs of different retailers. To achieve a vibrant and thriving Town Centre there will need to be a mix of uses throughout the Romford Strategic Development Area (RSDA). It is envisaged that this will include residential, retail, commercial, leisure and arts uses. It is intended that the preferred locations for these different uses within the Town Centre will be identified through the ongoing master planning process for Romford. To facilitate delivery of these uses, the design of the ground floor of a mixed use development within RSDA should have a minimum floor-to-ceiling height of 3.5m; unless exceptional circumstances can be demonstrated, to allow flexibility for future changes and adaptability over time. This is a recommended dimension for floor-to-floor height, as the floor-to-ceiling height in retail or commercial development will depend on individual occupier fit out requirements. Commercial buildings, given their likely increased service requirements will generally require a minimum floor-to-ceiling height of 3.5m to 4m.  
**Appendix 1** – Site location plan |
| 1253265 | Impact Capital Group (RPS) | MM3 | Impact Capital Group are progressing the development of a site at land at Rom Valley Way within the adopted Site Specific Allocations Development Plan Document - Policy SSA 7 Romford Ice Rink allocated for mixed use development comprising residential, leisure and retail facilities. The site was granted planning permission in August 2018 (ref: P1389.17) for 620 Residential units (use class C3) and 830sqm commercial floorspace (use class A1/A3/D1) in buildings extending to between 4 and 8 storeys in height. Overall Impact Capital Group welcomes the Council’s vision for the borough and the Romford Strategic Development Area. | LBH notes the comments on Policy 1 and Sub point xxvii. With regards to tall buildings, MM3 clearly sets out the role of the emerging Romford Masterplan in providing further guidance on appropriate locations for tall buildings within the Strategic Development Area. LBH does not agree that paragraph 6.1.30 is too restrictive the proposed modification clearly sets out the role of the emerging Romford Masterplan in providing further guidance on appropriate locations for tall buildings within the Strategic Development Area. LBH do not agree with the suggested amendments relating to tall buildings throughout the Strategic Development Area. | No |

|  | | MM3 | 4.32 Royal Mail is supportive of the preparation of a Masterplan for the Romford SDA which should be adopted as a Supplementary Planning Document (SPD). |  |  |

|  | |  | First Paragraph |  |  |

|  | |  | The first paragraph Policy 1 has been amended to confirm that the Council will support the delivery of 6,000 new high quality homes within the Romford Strategic Development Area (RSDA), an increase from 5,300. Paragraph 122 of the NPPF states that planning policies should support development that makes efficient use of land, whilst draft London Plan Policy D1 (London’s form, character and capacity for growth) states that development should take a design-led approach to optimise site capacities for site allocations. The RSDA is a highly accessible location with a number of underutilised brownfield sites. It is considered that this area can accommodate high density development in-line with the approach outlined in policy. The proposed modification to the first paragraph of Policy 1 is therefore considered to be in accordance with the NPPF and the draft London Plan. This proposed modification to the first paragraph of Policy 1 is therefore considered to be sound. Sub-Point XXVIII Paragraph XXVIII, within the Design and Heritage sub-section of Policy 1, has been amended to include additional text noting that there will need to be a mix of uses throughout the RSDA to include residential, retail, commercial, leisure and arts uses. Minimum floor to ceiling heights of between 3.5 and 4 metres will be required to allow flexibility for units. Preferred locations for the different uses within the Town Centre will be identified though the ongoing master planning process for Romford. Draft London Plan Policy SD6 part C (Town centres and high streets) outlines that the potential for new housing within and on the edges of town centres should be realised through mixed-use or residential development that makes best use of land, capitalising on the availability of services. |  |  |
within walking and cycling distance, and their current and future accessibility by public transport.

The provision of an appropriate mix of uses in development is supported and it is considered that it can bring vibrancy and support employment in suitable locations. The proposed modification to the Policy 1 to encourage a mix of uses within the RSDA is considered to be compliant with the draft London Plan, and therefore to be sound.

The Main Modification to the sub-point XXVIII of Policy 1 is therefore considered to be sound.

Paragraph 6.1.30

Paragraph 6.1.30 is a new addition to the supporting text to Policy 1 and provides further guidance on tall buildings. It outlines that tall buildings will need to respond to local context and character, and make a positive contribution to the skyline. It also notes that a local height definition and appropriate locations or tall buildings will be established in a masterplan for Romford Town Centre.

Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area’s prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.

Paragraph 123 part a) of the NPPF continues that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate.

Draft London Plan Policy D1 (London’s form, character and capacity for growth) states that development should take a design-led approach to optimise site capacities for site allocations, and boroughs are encouraged to set out acceptable building heights, scale, massing and indicative layouts for allocated sites.

It is clear that both national and regional policy strongly supports the optimisation of development sites, particular those that have been allocated for development. Whilst a master planning approach is supported, the Main Modifications to Paragraph 6.1.30 should also make clear that due regard will be given to specific site circumstances in determining the appropriate height of proposals, as established by the design-led approach within draft London Plan Policy D1. This should be undertaken in partnership with applicants.
The current wording of Paragraph 6.1.30 is therefore considered to not be sound as it is not in-line with the draft London Plan. Accordingly, the wording of this paragraph should be amended as follows:

"6.1.30 Tall buildings may be acceptable in the vicinity of the station subject to high quality design and strong public realm propositions at ground level. Proposals for tall buildings within the Conservation Area are inappropriate. The heights of proposed new buildings in this area will need to respond positively to the historic context. Elsewhere in the town centre the height of proposed buildings should respond to local character and context and make a positive contribution to the skyline in Romford town centre.

A tall building is generally understood to be anything which is of significantly greater height than its context. As Historic England note in the Tall Building Advice Note 4: “In a successful plan-led system, the location and design of tall buildings will reflect the local vision for an area, and a positive, managed approach to development, rather than a reaction to speculative development applications”. To determine the appropriate scale, height and form of development within the Romford Strategic Development Area the Council will adopt a design-led that takes into account the specific context and circumstances of each site. This will be informed by the work undertaken by have commissioned consultants to work working with the Council and landowners/developers to develop a masterplan for Romford Town Centre. This piece of work will involve analysis, characterisation and building height studies to provide evidence to support a local height definition for tall buildings and the identification of appropriate locations with the Romford Strategic Development Area.

1253309

Rainham and Beam Park Regeneration LLP (Tibbalds)

The vision of the LLP is to transform the A1306 corridor from a declining industrial area into a vibrant, sustainable new urban community alongside the programme of infrastructure upgrades planned for the local area. The LLP has currently identified 9 strategic sites within the Rainham and Beam Park Housing Zone, all along the A1306 (New Road) corridor.

The LLP therefore have an active interest in the emerging Local Plan and have the following comments on the Main Modifications consultation.

Proposed change MM5 to draft Policy 2 includes the following updated text which relates to commercial floor to ceiling heights:

‘New commercial development will be required to incorporate generous floor to ceiling heights of 3.5m to 4m at ground floors of buildings in Beam Park Centre, and 3m at ground floors of buildings along New Road to provide for flexibility for use as either retail or commercial spaces in the future.’

The LLP do not support this proposed change since it is inconsistent with the more flexible principles established in the Draft London Plan. Draft Policy SD7 D2 requires that commercial development in designated town centres ‘is fit for purpose, with at least basic fit-out and not compromised in terms of layout, street frontage, floor to ceiling heights and servicing.’

Whilst New Road is not a town centre, it may incorporate commercial and mixed-use development and therefore generous floor to ceiling heights will provide flexibility for changes between different commercial uses.

LBH consider that a minor modification could be made to the proposed wording in recognition that there may be exceptional circumstances where a move away from a minimum of 3.5m could be justified.

Suggested wording:

’New commercial development will be required to incorporate generous floor to ceiling heights of 3.5m to 4m at ground floors of buildings in Beam Park Centre, and 3m at ground floors of buildings along New Road, unless exceptional circumstances can be demonstrated, in order to provide for flexibility for use as either retail or commercial spaces in the future.’

The draft London Plan has not yet been adopted and the Havering Local Plan must be in general conformity with the current London Plan from 2016.
| 1132277 | Highways England | MM6 | Highways England notes that in line with the London Plan at least 11,701 new homes will be built in Havering over the first 10 years of the Plan period. This is a considerable amount over 10 years, and we are concerned about the impact this will have on the SRN, though we appreciate the SRN is outside the Borough. When considering proposals for growth, any impacts on the SRN will need to be identified and mitigated as far as reasonably possible. We will support a local authority proposal that considers sustainable measures, which manage down demand and reduce the need to travel. Infrastructure improvements on the SRN should only be considered as a last resort. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the M25. As stated in the latest MOU Highways England will continue to work with all of the involved Local Authorities’ to develop a robust combined Transport Assessment supporting each of the emerging Local Plans which identifies those parts of the Motorway and All Purpose Trunk Road network which will be adversely affected by the residual combined cumulative impacts of these local plans and develop agreed mitigation. In addition Highways England will work with the Local Authorities to ensure a robust managed approach to the funding and delivery of agreed highway mitigations is developed. | Noted | No |
| 1132837 | TFL commercial Development | MM6 | We welcome and support the modified inclusion of criterion ix of Policy 3, which states that the delivery of new homes will also be achieved by "supporting residential development proposals around stations where it is compatible with the character of the local area". However, TFL CD representations on the Havering Local Plan (2016 – 2031) Proposed Submission Version consultation, set out that development should be mixed-use developments around stations rather than solely residential development as per the current drafting. As set out in the consultation statement the Council does not consider blanket support for this to be appropriate, however, it is suggested that suitable wording could be included which promotes mixed use development around rail and tube stations where this is appropriate in the context of the area to make best use of the enhanced accessibility these locations can provide. This is not to say that all uses would be suitable in these locations and this is not promoting schemes which would compete with existing provision i.e. in town or local centres. Rather the intent would be to complement existing LBH agree that a minor modification would clarify that some complementary mixed-use development may be appropriate around some stations within the borough but may not be suitable around all. This would be in-line with national policy. LBH recommend Policy 3, Criterion ix is amended to: Supporting residential and mixed development proposals around stations where it is compatible with the character of the local area. Major development proposals around stations will be subject to design review. | Yes, their previous consultation response |
provision whilst creating vibrant new development which provide for, and support the integration of, the new and existing communities. This approach would be in line with NPPF paragraph 91 and paragraph 118 which state:
Paragraph 91: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
   a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
Paragraph 118: Planning policies and decisions should:
   a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains.…. In addition, mixed use development can also sometimes help create more financially viable development and it is suggested that flexibility in policy is key, particularly given the recent impacts from Covid-19 which have seen local community services and amenities being utilised more.

Given the above we consider the plan is not consistent with national policy or positively prepared and therefore is not sound.

1253442 Southern and Regional Developments (Claremont Planning Consultancy Ltd)

MM6 S&R is actively promoting a parcel of land that is located within the Borough of Havering, to the south-east of the town of Rainham. The site is located within the Green Belt at present, however S&R considers that it is suitably located to deliver future growth at Rainham, as it is apparent that the Council will need to consider sites beyond the urban area in the immediate review of the Plan, as set out below. A site location plan is provided with these representations, defining the extent of the land that S&R is promoting.

S&R generally supports the Main Modifications proposed, recognising the importance of adopting an up-to-date Local Plan for the Borough of Havering. This is particularly the case in light of the Council’s poor record for the delivery of housing in recent years, as evidenced by the results of the Housing Delivery Test in 2019, where the Council came second to last with delivery of only 33% of the requirement over the past three years. It is therefore imperative that the Council seeks to adopt the emerging Local Plan as soon as possible in order to ensure that emerging allocations can be delivered in the short-term. In addition, adoption of the Plan is required in order to kickstart the immediate review of the Plan needed to address longerterm issues of housing delivery expected to arise from year 10 of the plan period, or 2026-27.

S&R generally supports the contents of MM6, in regard to housing supply. The target of at least 11,701 dwellings in the first 10 years of the Plan period is ambitious, as highlighted by the phased targets set out in Table 1. Given the average figure for recent housing delivery across the Borough of less than 400 dwellings per annum, the Council will face a significant challenge if delivery is to increase to 1,640 by 2021/22.

The Housing Supply position set out in Table 2, suggests that the five-year requirement is achievable, the supply position is fairly limited with regards Noted No
to contingency. Although a 20% buffer has been applied in accordance with national guidance, and a surplus of 543 dwellings above the five-year minimum requirement is apparent, this position does not provide much comfort to the Council in the event of shocks to the market or issues in delivery of sites, particularly given the housing requirement should be viewed as a minimum to be delivered, with delivery above this level strongly supported by national policy. Given the difficulties experienced in the market in 2020, on both the demand and supply sides resulting from the impact of Covid-19, construction rates are expected to fall significantly nationwide. In addition to this, it is well documented that the demand for certain types of housing are likely to be more significantly affected, as larger dwellings are required to accommodate homeworking, and the value of private outdoor space has increased.

It will be essential for the Council to monitor closely housing delivery rates going forward, to ensure that should the forecast estimates that the housing trajectory is based on fail to be realised, appropriate action can be taken. It will be for the Council to identify what appropriate action can be taken to boost housing delivery rates; however it is considered that this is likely to be dependent to some degree on the review or update of the Local Plan required immediately following adoption of the Plan.

The Council’s commitment to an early update of the Plan that will begin immediately after adoption is strongly supported by S&R. This update is necessary to ensure that housing sites are identified to meet the Borough’s housing needs in later years of the plan period, as the Council has not identified sufficient sites through the Plan to meet the needs for the entire period. This is an unfortunate scenario, and one that the Council could have avoided, although this would have been challenging to achieve given the strategy pursued in the Plan. S&R recognise that the Council has sought to meet housing needs within the urban area, in accordance with the objectives set out in the National Planning Policy Framework. However, in order to meet the higher requirement emerging from the London Plan, the Council should recognise the need to review and release land from the Green Belt in order to diversify the sources of housing and types of housing to be delivered, which in turn will enable the boost to housing delivery that is required.

| 1251036 | Crest Nicholson | MM6 | Havering aims to deliver at least 17,551 new homes over the 15-year plan period. The Housing Position Statement 2019 – Technical Update (October 2019) outlines how the housing delivery target will be stepped to align with the 10-year housing target of the adopted London Plan and meet the 15-year target for the plan period. The statement acknowledges that the delivery of houses as set out in the Plan will result in targets for the first five years that are below both the OAN, and the London plan annualised target of 1170 units per annum. The 700 units per annum target proposed in the Plan falls short of providing necessary housing in the borough in the first five years and is less than the average annual net completion for the last 7 years (2012-2017) which is 715 units. The LBH has set a low target for housing growth that fails to meet up-to-date population/household projections and guidance set out in the sub-regional SHMA for Outer North East London. Its approach to housing delivery is contrary to government advice to boost supply and to address a past record of under-delivery and | The commitment to an immediate update of the Local Plan is set out in amended paragraph 14.0.29 (Refer to MM28) | No |
The proposed spatial approach set out in the Plan is to direct the major growth to two strategic development areas in the Borough’s main town centre at Romford, and a new neighbourhood on former industrial land at Rainham and Beam Park. The reliance on Havering’s housing supply to come through the development of major strategic sites within the Strategic Development Areas and through its 12 Estate Regeneration Programme, as described in the position statement, have long ‘lead in’ times as a result of a need for land assembly, engagement with residents, decanting of exiting residents and phased construction. As a result, even when set against its unrealistically low target for growth, the Council acknowledges that it cannot meet its five-year requirement for housing in the Borough. These factors are cause for concern as delays to commence development could prevent the majority of housing completions, expected to occur in years 6–15 of the plan period however, the majority of housing delivered could be delayed and not delivered until the latter half, or beyond the plan period.

The Romford Strategic Development Area allocation has increased from 5,300 new homes to 6,000, adding to further reliance on the Romford Strategic Development Area for housing supply in Havering. If the development was to be delayed in commencement or had lower than expected build out rates, the result would quickly impact housing delivery and pose a risk on the borough to not meet its housing target, the impact of which could accumulate throughout the Plan period.

Rainham and Beam Park forms the second major Strategic Development Area, this area falls within the London Riverside Opportunity Area, which encompasses a wider area than LBH. The majority of the development proposals coming forward are in the adjoining borough of Barking and Dagenham. For example, Countryside Properties and L and Q submitted a hybrid application on 24/07/2017 (References P1242.17 and 17/1307/OUT) for up to 2,900 new homes including 35% affordable housing on the former Ford Assembly Plant site. The development is to be spread over 8 phases. The first phase is the only one that lies within LB Havering and is to be offset against its housing target. The proposals include a new railway station and 536 units (estimated to be delivered 2017–2022). However, given the timing of this application including EIA, and the complexity of the proposals it seems unlikely that they will be delivered according to the estimated timescales.

Despite the shortage of housing land supply and the reliance on brownfield, highly constrained strategic sites, the Council remains committed to maintaining its Green Belt in full. It does not consider that unmet housing need constitutes very special circumstances justifying development in the Green Belt. This approach is at odds with neighbouring local authorities to Havering, who propose to release sites from the Green Belt to provide for sustainable development. Sites that fall within the Green Belt should be assessed and given merit based on their sustainable credentials, particularly in terms of location and sustainable transport connections, as well as deliverability, particularly in the short-term.
Havering’s emerging Local Plan is consistent with the adopted London Plan (2016) which will be out of date at the point of adoption of the emerging London Plan. Therefore, there should be a requirement for an early review embedded in the document to ensure that consistency with the new London Plan is made, including meeting the average annual minimum housing supply targets set out for each borough.

2.1 Rom Valley LLP are supportive of the identification that housing delivery will be achieved by (amongst other methods) supporting the re-use of brownfield sites at point ‘viii’.

2.2 Housing delivery figures in the proposed modifications reflect the evidence in the Housing position Statement Technical Update (October 2019). It is noted that an update to these figures has now been provided by MMC10 – Updated 24/09/2020 Housing Trajectory Document and the totals included remain consistent with revised figures in MM6. Rom Valley LLP have serious concerns that the numbers in the modification for years 0-5 have dropped significantly from 5,075 to 3,520 (-1,555 homes) and this shortfall has been shifted to the latter years of the plan period from the previous plan iteration.

2.3 At present the proposed wording relative to housing delivery over the plan period is too flexible and needs to be tightened up in the context of recent under delivery in the borough. Rom Valley LLP request that the following proposed policy wording is revised:

Over the course of the whole Plan period, Havering will aim to deliver a minimum of at least 17,551 new homes. Delivery will be phased over the 15 year plan period as follows:

2.4 Similarly, at 7.1.4 Rom Valley LLP request supporting justification text is revised as follows:

Havering will seek to deliver at least a minimum of 17,551 new homes

The identified figures are not consistent with the target to deliver a minimum of 17,551 units as demonstrated below:

<table>
<thead>
<tr>
<th></th>
<th>Identified Housing Supply</th>
<th>MM6 identified Housing Supply</th>
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</thead>
<tbody>
<tr>
<td>Actual/Expected Completions</td>
<td>3,500</td>
<td>3,520 (+20)</td>
</tr>
<tr>
<td>First 5 Years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expected Completions (5-10)</td>
<td>8,201</td>
<td>9,575 (+1,374)</td>
</tr>
<tr>
<td>Expected Completions (10-15)</td>
<td>5,850</td>
<td>3,343 (-2,507)</td>
</tr>
<tr>
<td>Total</td>
<td>17,551</td>
<td>16,438 (-1,113)</td>
</tr>
</tbody>
</table>

2.6 In the context of MMC10 – Updated 24/09/2020 Housing Trajectory Document it appears that LBH have already identified that they cannot meet the target for the plan period before it has even been adopted. This is irrespective of the fact that minimum housing targets included within the draft Local Plan are only intended to meet the adopted 2016 London Plan Housing numbers and therefore considerably out of step with minimum targets identified in the Intend to Publish version of draft London Plan 2019.

LBH do not consider in necessary to amend the wording at Policy 3 xi to include a minimum as it already states ‘at least’. This also applies to paragraph 7.1.4.

The Council’s Housing Position Statement identifies specific deliverable and developable sites for the first 10 years of the Plan. The Council is committed to ensuring that there is a sufficient supply of housing over the 15 year plan period and beyond and will therefore undertake an early update of the Plan.

The commitment to an immediate update of the Local Plan is set out in amended paragraph 14.0.29 (Refer to MM28).

The Havering Local Plan has been prepared and examined against the current London Plan (2016).
2.7 Paragraph 7.1.8 sets out the LBH’s stepped approach to housing delivery over the first ten years of the plan period. It is noted that this seeks to support the approach of increased delivery in years 6 to 10 of the plan (9,575 units), in the context of the significant shortfall in the first 5 years (3,520). Table 3 highlights that LBH identify 124 homes to be delivered within the Romford Strategic Development Area within the first 5 years of the plan. In the context that this area is identified as both a Housing Zone and Strategic Development Area and being ‘the most accessible and well connected in the borough’ this is a very low figure.

2.8 Further to the above, there is far greater uncertainty with regards to the later years of the plan period. As demonstrated above if LBH cannot meet housing targets over the plan period there is even greater emphasis on the fact that every attempt should be made to maximise housing provision on deliverable sites in accessible locations should they come forward in first 5 years of the plan.

2.9 This is particularly relevant in the context of sites such as Rom Yard (owned by Rom Valley LLP as detailed above) which is located within the Romford Strategic Development Area and is subject of a live outline application which seeks to deliver 1,072 units (as per the illustrative masterplan) on a site which is deliverable in the first five years of the plan. The stepped approach identified therefore should not be seen as a way to delay or stall development with every effort being made to deliver housing in excess of these figures where it comes forward and is in accordance with the provisions of the wider development plan.

2.10 As highlighted above minimum housing targets included within the draft Local Plan are only intended to meet the adopted 2016 London Plan Housing numbers and therefore considerably out of step with minimum targets identified in the Intend to Publish version of draft London Plan 2019. In the context of the revised NPPF and emerging Draft London Plan which have come forward since the preparation of the Havering Local Plan, Rom Valley LLP believe that it is essential that an early update of the plan commences immediately following adoption.

<table>
<thead>
<tr>
<th>1253321</th>
<th>Rom Valley LLP (Quod)</th>
<th>MM6</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Housing supply</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Main Modification 6 relates to proposed updates to Policy 3 (Housing Supply) and is supported by evidence provided within the Housing Trajectory October 2019 (Update for the Local Plan Inspector), which was prepared for review in examination during the examination in public sessions. The data provided within this table was scrutinised to a suitable degree during the examination, but is now necessary to update further in light of progress made with the listed housing sites, which we review in brief below.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Our representations focus on sites with which we have a detailed working understanding of and offer corrective comments upon which the Inspector should be aware of in being able to rely upon as a robust set of evidence upon which to base a judgement of soundness on in respect of the Local Plan. These focus on four specific sites, which relate as follows to the Housing Trajectory as follows:</td>
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</table>

The Housing Position Statement provides a robust evidence base for the stepped approach to housing delivery that is proposed in the Havering Local Plan and Main Modification 6.

The Housing Position Statement and Housing Trajectory were updated in October 2019 following the examination hearings in May 2019. LBH recognise that the Housing Trajectory reflects a point in time. Consultation on the Main Modifications was due to take place in early 2020, however, this was delayed due to the Covid19 Pandemic. LBH agreed with the Planning Inspector not to update the Housing Trajectory prior to consultation on the Main Modifications in August 2020 as this would lead to further delays to the main Modifications consultation and adoption of the Local Plan.

LBH welcomes this approach, as further extensive work to update the trajectory would create further delay to the

Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP
Appendix 2 – Cabinet report dated 16th September 2020 entitled ‘Bridge Close Regeneration’ – Delivery Arrangements
Appendix 3 – Housing Position Statement
The above represents a summary of the position in respect of these key sites that are incorrectly relied upon within the housing trajectory. Removing these sites from the trajectory results in a deficit versus the promoted position of 2,304 fewer homes in the second five years of the plan period (taking the starting point as 2016/7) and 404 fewer homes for years 11 to 16. The detailed justification for this table is set out in turn below.

2. Land at Rom Valley Way

As identified within the trajectory, this site benefits from planning permission, dated 23rd August 2018 (ref. P1389.17). However, the permission that was approved is demonstrably unviable. The applicant has made no progress on the delivery of the permission in the subsequent two years and three months and is currently engaged in pre-application discussions with the London Borough of Havering and the Greater London Authority to promote a larger development on the site. The content of those discussions is rightly confidential, but the applicant submitted an Environmental Impact Assessment Screening Request (ref. Z0001.20) for the following development in 2020:

- Up to 1,200 residential units across the site;
- Up to 2,800 sq.m (GEA) (Use Class D1/B1);
- 2,000 sq.m (GEA) Retail Unit;
- Other component elements of the development

adoption of the Local Plan. The matters raised in this submission will form the substance of the Local Plan review. LBH believe it is better to adopt this Plan and undertake a comprehensive review rather than make piecemeal changes to this Plan.

LBH are committed to undertaking an immediate update of the Local Plan. This commitment is set out in amended paragraph 14.0.29 (Refer to MM28).

The comments made specifically in relation to the Mothercare/Seedbed site appear to have misunderstood the purpose of the discount applied. Paragraph 6.68 of the Housing Trajectory states that an individual assessment on the application of a discount rate to other sites has been applied on the basis of the following considerations:

The level of evidence that the sites will come forward in the period anticipated:
- Whether the Council has control of the land and the ability to bring it forward for development.
- Whether the Council has undertaken any planning in relation to the site and whether political approval has been received to redevelop the land.
- Whether there is developer interest in the land
- Whether land assembly is required

The comments made specifically in relation to the Mothercare/Seedbed site appear to have misunderstood the purpose of the discount applied.
The timescale for the related planning application being submitted is unknown at this stage, but the extant consent was approved in the face of significant opposition at GLA level, meaning that the new, much larger scheme, would be unlikely to receive local support at the scale being promoted. The above cannot be relied upon within the housing numbers given the state of the proposals and the likelihood of achieving planning approval.

The site’s suitability as a housing site is questionable depending on one’s perspective, but what is not in question is that the extant consent for 630 dwellings is not viable or deliverable and cannot be relied upon. This is further emphasised when one considers the Council’s own narrative in supporting the view that the site can be considered to be ‘achievable’ as it is noted that:

“…the legal agreement states that substantial implementation of the affordable housing must be demonstrated within 2 years of the permission date or more affordable units will have to be provided.”

As no progress has been made in respect of the implementation of the affordable housing (or any other housing) on the site, the additional affordable housing units renders the scheme further more unviable at the scale proposed.

The London Borough of Havering are engaged with the applicant for this scheme on that basis and it is therefore necessary to remove this element of housing provision from the supporting housing trajectory.

Summary

This site should be removed from this section of the housing trajectory for the reasons set out above, namely that this site is demonstrably undeliverable.

3.Bridge Close Estate

Owner: London Borough of Havering (formerly Bridge Close Development LLP Joint Venture LLP between First Base and the London Borough of Havering)

The Bridge Close site was included within the Housing Trajectory figures on the basis of the pre-application discussions to date between the planning authority and the Joint Venture Partnership formed to promote the delivery of the development. As noted in the trajectory, the proposed development would include 926 units (net of 10% deduction, presumably given the pre-application status of the discussions relative to the site).

In September 2020 the London Borough of Havering Cabinet considered a report that noted several salient items in respect of the Bridge Close development, which undermine the deliverability of the project (paras 1.3 to 1.7 of the Cabinet Report dated 16th September 2020 entitled ‘Bridge Close Regeneration – Delivery Arrangements’):
“In February, 2019 Cabinet approved the revised Bridge Close Regeneration LLP Business Plan 2019-2020 (‘the Business Plan’), noting the significant regeneration opportunity for Romford town centre, the contribution towards Havering’s target for housing delivery, and the expected financial returns anticipated in the plan. At that time, the Joint Venture profit on costs was forecast at 8.5% across all phases, down from the 10.9% expected in 2018 on establishment which was due to a slowing of the housing market and increased forecast costs associated with design changes. Anticipating a profit on cost for phase one to accord with third party debt provider requirements on the back of improving housing market conditions over time, the Joint Venture partners agreed to continue investing in the regeneration of Bridge Close, progressing design proposals and the planning application whilst monitoring market conditions.

In light of continued stagnation in the housing market and increased costs, a number of strategies were proposed by the Development Manager, which were unable to overcome the challenges to viability or, without further intervention, to generate the returns necessary to meet the hurdle rates of the PSP as investor and the potential requirements of third party funders. Given this, the Private Sector Partner, led by Savills Investment Management, have advised that it was unwilling to raise further funds beyond the present funding commitment set out in the approved Business Plan until viability was resolved.

This has created some issues in advancing the regeneration scheme in the way that Cabinet had previously agreed.

The potential departure of the PSP would change current assumptions around how the regeneration scheme might best be funded and delivered in the future.”

A copy of this report is appended at document 2. It is therefore clear, as acknowledged by the Council’s own regeneration team, that the project has struggled from the outset, having to agree a reduced profit margin in 2019 to avoid having to cancel the project. The latest development on dissolution of the delivery partnership is a further testament to the difficulties faced by an already struggling development that needs to compulsory purchase much of the incumbent businesses and residences on site without any prospect of having a deliverable development upon which to base a compulsory purchase upon.

This development, whilst still being promoted, is subject to significant risk, which must be acknowledged within the housing trajectory figures by virtue of the limitations on its suitability, viability and deliverability making the net units to be delivered of 926 a fanciful figure with no basis when viewed against the issues faced by the development.

Notwithstanding the significant issues faced in order to consider this site ‘deliverable’ in the context of the tests set out in the National Planning Policy Framework and associated Guidance, if one were to accept that this scheme could come forward in some manner (and it is our contention that this is not acceptable), it is necessary to shift the delivery of the project to later in the
plan. The first 243 homes are stated as being deliverable at 2023/24, with a further 240 per annum in the following three years. This assumption is based on the hybrid planning application being submitted at ‘mid-2019’.

The application has not yet been submitted, which ensures that this assumption is not accurate and must be amended. Applying the timescales offered in the trajectory (and assuming one could successfully conclude the required CPO to acquire the land from the 37 existing residential properties on site and the 17 incumbent businesses, which is being fiercely resisted), then this delay would amount to a minimum delay of completions starting at 2025/26, which is highly questionable in itself for the reasons already set out.

**Summary**

This development is demonstrably not deliverable as originally reported in the Housing Trajectory. This should be updated to reflect the facts as they stand since the examination. As a minimum this would likely remove the delivery of housing from this site for years 6-10 of the plan (2021/2 to 2025/6).

4. Mothercare/Seedbed Centre

*Owner: Romford SC LLP (subsidiary of Rom Valley LLP)*

Our client owns this site in its entirety and has been progressing pre-application discussions for two years with both the London Borough of Havering and the GLA. The figures provided within the trajectory of 1,144 are realistic as being required to deliver a viable development. The level of development required is approximately 1,100 units by virtue of the added policy burden on this site in the form of the requirement to retain the industrial capacity of the site, as required by the development plan, as well as secure 35% affordable housing on the site, again, as required by the development plan.

Having provided these figures, the planning authority dramatically reduced the housing numbers included within the trajectory by virtue of a 30% discount, which was applied to take into account the risk that the proposed development is not delivered within the anticipated timeframe or with the anticipated number of units. This was bizarrely reduced 10% further still from the originally stated figures to ‘take into account potential changes to the anticipated delivery timeline’.

It is noted that the planning agent (myself), confirmed in December 2018 that there was a realistic prospect of completions occurring between 2021 and 2024 financial years. The local planning authority’s supporting narrative to this entry is included at document 3 for ease of reference.

However, this correspondence did not envisage any discount the likes of which has been applied to the housing numbers on this site. Indeed, crucially the discount applied to the housing numbers being promoted renders this site undeliverable, unviable and unachievable on this basis and not appropriate for inclusion within the housing trajectory. This assertion was also made in December 2018 before the passage of pre-application discussions, which revealed that the planning authority did not
consider the site suitable for redevelopment at the scale proposed. This therefore provides a clear and demonstrable issue with the reliability of the information provided in support of the site. We therefore request that the site be removed from the trajectory.

**Summary**

This site is not deliverable, viable or achievable at the scale included within the housing trajectory and therefore 630 homes should be removed from the Housing trajectory.

In the event that these are retained within the trajectory, as noted the timescales for delivery were originally anticipated to see delivery of the first homes on site at 2021, assuming submission of a planning application at Q3 2019. This did not take place until a year later, and accordingly it is necessary to update the trajectory as follows to reflect the requirements for reserved matters applications to follow:

- Commence phase 1 (c.400 homes) on site Q3 2021
- Complete phase 1 by Q3 2023/24
- Phases 2/3 – 672 homes complete by 2026

5. Homebase

*Owner: Legal and General*

The promoters of this site have not begun preparation of a planning application for this development. The trajectory notes that the submission of a planning application is anticipated at January 2020. This timescale is therefore not reliable and is required to be updated.

If one were to assume a best case scenario in respect of the timescale for this proposal, one would estimate a planning application submission at Q3 2021, with earliest substantial completions on site at 2024/25.

**Summary**

The trajectory is not reliable in respect of this site and is required to be updated to ensure that the housing delivery figures are robust and sound. The current trajectory is not a reliable basis for the plan’s housing delivery policies.

**Overview**

Taking these sites collectively, as included within the proposed housing trajectory, there are clear and demonstrable shortcomings in the reliability of the information provided to support the plan’s housing delivery policies. The sites discussed above total 2,708 homes, and represent a significant portion of the housing delivery required for the plan period.

As noted within the underlined elements of the proposed Main Modification 6:
In line with the London Plan 10 year housing target for Havering, at least 11,701 new homes will be built in Havering over the first 10 years of the Plan period. This will include the delivery of at least:

5,000 homes on major sites in the Romford Strategic Development Area;

As has been highlighted in the narrative in respect of just four of the site relied upon to demonstrate the deliverability of this policy, there are significant issues with the reliability of the housing trajectory provided to support the position that this policy is deliverable. These four sites are some of the most important sites to the trajectory as they are heavily relied upon to make up the shortfall in the first five years of the plan period and yet there are significant issues with the assumptions and assertions made in respect of these sites. We therefore respectfully state that this information is not, and never has been accurate or fit for purpose as a basis to be relied upon to support the policy or the proposed modification thereof.

Table 1 of Policy 3 is re-provided below:

<table>
<thead>
<tr>
<th></th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum housing per annum</td>
<td>700</td>
<td>1,660</td>
<td>1,641</td>
</tr>
<tr>
<td>Total</td>
<td>5,500</td>
<td>8,201</td>
<td>5,858</td>
</tr>
<tr>
<td>10 year total</td>
<td>11,701</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As stated within the proposed modification at para 7.1.17:

“The Housing Position Statement identifies specific deliverable and developable sites for the first 10 years of the Plan. The Council is committed to ensuring that there is a sufficient supply of housing over the 15 year plan period and beyond and will therefore undertake an early update of the Plan. This update will begin immediately after adoption of the Local Plan.”

The Housing Position Statement from October 2019 relies upon the trajectory discussed above. Further reliance is placed upon the trajectory within Table 3 associated with Policy 3 as proposed to be modified. As we state, the trajectory is not a reliable source for housing delivery over the plan period, most importantly in respect of the key 10 year delivery period that the above-mentioned sites fall within, but which the plan seeks to rely upon, noting the significant shortfall in being able to demonstrate a five year housing land supply.

We therefore strongly request the revision to the housing trajectory as drafted, which should trigger a wholesale review of the ability of the borough to deliver the necessary housing required, bringing with it an associated review of the suitability of the plan for the period.
| 1251574 | Councillor Morgan and Councillor Williamson | MM6 | Need for clarification: Page 9, Section 7: Successful Places to live: 7.1 Housing Supply 1. 5000 homes on major sites in the Romford Strategic Development Area. But Page 4, Residential Development says ‘over the plan period the Council will support the delivery of over 6,000 new high-quality homes within the Romford Strategic Development Area...’ | The 5,000 homes referred to on page 9 of MMC01 relates to the first 10 years of the Plan period, whereas the 6,000 homes referred to on page 4 relates to the full 15-year Plan period. No amendment necessary | No |
| 1131272 | Ptarmigan Land | MM6 | Ptarmigan (via planning consultant Iceni) has appeared at the Local Plan Examination and submitted representations at various consultation stages throughout the Local Plan preparation process. As you are aware, our interest with the Local Plan process has been through the promotion of the site known as Land at Riseborough Chase, Romford. Having reviewed the current consultation document, we are disappointed that LBH is continuing with the stepped approach to housing delivery and the acknowledgement from LBH that it does not have a 15-year supply of deliverable housing sites (MM6). Having regard to the latter point, and within the context of paragraph 182 of the 2012 National Planning Policy Framework (2012 NPPF), this strategy is not positively prepared nor effective in that it is plainly not meeting housing needs over the plan period. Within that context, the Local Plan cannot be considered as a sound document. Remaining with MM6, and reviewing the revised housing supply targets, we question the justification surrounding the significant increase in supply from ‘other major sites’ while we also maintain our concern on whether the Strategic Development Areas will deliver as quickly as anticipated. This latter point has been raised within our previous representations. Combined with our overarching objection to the principle of the stepped approach to housing delivery, we feel that the current plan has significant deficiencies which go to the heart of the document’s soundness (or lack thereof). Notwithstanding the above, and without prejudice to these earlier points, we are encouraged by the acknowledgment that an early review of the Local Plan will be required immediately after the adoption of this document (MM6). We consider that this is a crucial and at-minimum requirement if the Inspector is to allow this Local Plan to proceed. However, we consider that this commitment to an immediate Local Plan Review must be enshrined within a specific policy and any policy must contain a account to deliver the housing that is required within the plan period. Furthermore, and in light of the increased housing targets likely to be imposed on LB Havering through the standard methodology (1,170 dwellings per annum increasing to 1,975 dwellings per annum), and LB Havering’s acknowledgement that there are not many large tracts of brownfield land remaining in the borough, we consider that it is incumbent on Havering to undertake a comprehensive review of its Green Belt as part of the review process. We respectfully consider that this should be one of the key recommendations / conclusions from the Inspector’s final report. | The Housing Position Statement provides a robust evidence base for the stepped approach to housing delivery that is proposed in the Havering Local Plan and Main Modification 6. Support for an immediate update is noted. The commitment to an immediate update of the Local Plan is set out in amended paragraph 14.0.29 (Refer to MM28). LBH understand the that there needs to be a commitment to an immediate update and that this will be included within the Inspector’s Report. LBH do not consider it necessary for this to be included within a specific policy. The update of the Local Plan will be required to be in general conformity with the London Plan and consistent with national planning policy in relation to both housing and green belt. | No |
We are instructed by Rowley Cardrome Ltd ("RCL"), to submit representations to the Schedule of Proposed Main Modifications to the Local Plan ("Main Modifications") August 2020, in respect of their property interests at Upper Rainham Road, Hornchurch, RM12 4EU (hereafter referred to as "the Site") as identified by the Plan at Appendix 1.

RCL have held the freehold of the Site since late 1995. From the Site, RCL currently operates a driving school and driving centre along with the letting of its own commercial property which makes up the rest of the Site. This commercial property consists of several car sales lots, motor trade related workshops and units, offices/classrooms, telecommunications sites & the Grade II Listed Rom Skate park (designated 2014).

Representations pertaining to the Site have been made at every stage of the Local Plan Process by Montagu Evans on behalf of RCL. Montagu Evans also attended and participated at the Examination in Public in 2019.

The Site, extends to approximately 4.85 hectares and is currently designated as a Major Developed Site within the Green Belt by the London Borough of Havering Core Strategy and Development Control Policies Document (2008). This designation reflects the Site being previously developed land. It is one of two MDS sites within the Borough; the other one being St Georges Hospital site that has previously received planning permission for a residential-led scheme approved pursuant to its MDS policy designation.

The majority of the Site is currently used as an off-road learner driving centre as can be seen by the aerial photo attached at Appendix 2. This shows that a large area of the Site is covered by hard surfacing. As noted above the remainder of the Site contains a number of commercial uses mainly related to the motor trade plus two mobile phone masts. The commercial units are predominantly located around the Petrol Filling Station (PFS) that fronts onto Upper Rainham Road. The PFS does not fall within the Site boundary.

The Site also includes a Grade II listed skate park in the south eastern corner. A condition survey report has been prepared by Maverick Industries, an expert skate park surveying and construction company to assess the current state of the park. This report is attached at Appendix 3.

A report prepared by RoSPA has also been prepared and attached at Appendix 4. The report assessed the skate park in relation to its general condition, safety and compliance with relevant British Standards. The report confirms there are numerous high risk aspects of the skate park that would need to be repaired in order to enable it to continue in use as a skate park.

The report concludes that the majority of the existing surface has reached the end of its serviceable life, and the condition of the surface has become so deteriorated that it has become a serious hazard to riders. This, coupled with significant drainage issues has meant the park appears to be beyond economic repair, without significant investment. These drainage issues have also resulted in in large voids being created underneath the concrete as the sub base is washed away over time. Further years have since passed since the findings of the report where issued. No investment has

The Havering Local Plan 2016 – 2031 was prepared to comply with the adopted London Plan 2016 and the NPPF 2012. The Main Modifications commit the Council to an early review of Havering’s Local Plan, once it is adopted. The review will take into account the policies and housing targets set out in the new London Plan, as well as the NPPF (2019) and any changes to national planning policy that may emerge from the Future for Planning White Paper.

LBH note that large tracts of this representation refer to the 2019 NPPF. The Local Plan has been examined against the 2012 NPPF.

The housing target for Havering set by the London Plan 2016 is a minimum of 1,170 new homes, which is equal to 11,701 for the period 2015-2025. Over the whole Plan period, Havering aims to deliver at least 17,551 new homes.

The analysis informing the Main Modification to Policy 3 is set out in the Housing Position Statement Technical Update (October 2019) and demonstrates that the Council is able to:

- Meet and exceeds its 10 year housing target
- Reduce the gap between the housing target and the OAN for the borough
- Supply an average of 1,310 new homes per year averaged over the first 10 years of the plan
- Demonstrate a five year supply both at submission and adoption under a stepped trajectory using the Sedgefield Approach or at adoption under a linear trajectory when using the Liverpool Approach.

The Local Plan identifies two Strategic Development Areas (SDAs), Romford SDA and Rainham and Beam Park SDA, that will contribute significantly to meeting the housing target. Policy 3 in the Local Plan states that housing completions on the two SDAs is likely to take place in the second phase of the Local Plan period, which is within the first 10 years of the Plan. Therefore, additional sites are not needed to meet identified need in the first 10 years of the Plan.

The site owned by Rowley Cardrome Ltd at Upper Rainham Road, Hornchurch, RM12 4EU is located entirely in the Green Belt in Havering, which is continuous with the Green Belt within the London Borough of Barking and Dagenham. The site includes a Grade II listed Skate Park. The site is located in Flood Zone 1 but is immediately adjacent to Flood Zone 2 and a very short distance from Flood Zone 3 and the River Rom. The site is also immediately adjacent to a Site of Metropolitan Importance.
been secured and therefore the state of the listed skate park has further declined.

The skate park is discussed in more detail in Section 6 of this representation.

The Site is located within flood zone 1 but has no other site specific statutory or Local Plan designations upon it beyond the Green Belt.

In preparing these representations significant weight has been given to national planning policy set by the National Planning Policy Framework (NPPF) (February 2019) and the National Planning Practice Guidance (NPPG).

It is important that proper regard is given to policy guidance at the national level. This is particularly important as the Local Plan is required to pass the 'test' of soundness (NPPF Para 35). To fail to fully understand what soundness means can only serve to heighten the risk of a Plan being found unsound.

In accordance with paragraph 35, Plans are ‘sound’ if they are:

Positive prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework.

To support the Government’s objective of significantly boosting the supply of homes, paragraph 60 of the NPPF requires local planning authorities to determine the minimum number of homes needed through a local housing need assessment, conducted using the standard method in national planning guidance.

Local plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in the NPPF including the presumption in favour of sustainable development (paragraph 11).

The Local Plan should set out the strategic priorities for the area including the homes needed in the area (paragraph 11).

Crucially paragraph 22 states that Local Plans should:


Policy DC46 in the adopted Core Strategy 2008 defines The Cardrome, Romford as a Major Developed Site in the Green Belt and states that the criteria in Annex C of PPG2 (superseded by the NPPF) will be applied when determining planning applications on this site. The restrictions placed on development in the Green Belt by PPG2 would not have permitted the proposed redevelopment set out in the respondent’s representations.

Paragraph 145 of the NPPF (February 2019) states that new building should not be allowed in the Green Belt with some limited exceptions. The proposals submitted by RCL for the redevelopment of the site would cause substantial harm to the Green Belt as the majority of the site is open and would not comply with the NPPF (February 2019).

The Council prepared two assessments of the Green Belt, the Green Belt Study in 2016 and the Site Green Belt Assessment and Sustainability Assessment in 2018.

The Green Belt Study (2016) found that all of the Green Belt in Havering has value when considered against the purposes of the Green Belt.

The Site Green Belt Assessment and Sustainability Assessment (March 2018) assessed the sites that were submitted to the Council for potential release from the Green Belt through the Local Plan process. This assessment considered:

- the strength of potential alternative Green Belt boundaries;
- the contribution that each site makes to each of the Green Belt purposes identified in the NPPF;
- the potential harm the release of land would have on the Green Belt taking account of its contribution to Green Belt purposes, effect on the wider integrity of the Green Belt and strength of revised boundaries.

Where the release of a site was assessed as having low harm to the Green Belt the report states that this should not be taken as a recommendation for release.

The site is identified in the assessment as GB38 - Upper Rainham Road (West). The assessment concludes that:

- the western part of the site relates to the wider countryside and development would represent expansion of the large built-up area into the countryside;
would give rise to a total housing need over the Plan period of 21,360.

For housing, local authorities are required to have a clear understanding of housing needs in their area through preparation of a Strategic Housing Market Assessment (SHMA) and a Strategic Housing Land Availability Assessment (SHLAA) (paragraph 67).

The London Plan 2016 sets a minimum housing delivery target for LB Havering of 1,170 dwellings per year, equating to 11,701 new dwellings over a 10 year period (2015-2025). The London Plan makes it clear the each borough should seek to achieve or exceed the relevant annual average housing target.

The Intend to Publish London Plan (2019) increases this target for LB Havering to 1,285 dwellings per year, equating to 12,850 over a ten year period.

Main Modification 6 to LB Havering Local Plan Policy 3 notes that in line with the London Plan 10 year housing target for Havering, at least 11,701 new homes will be built.

Figure 7 of the 2016 Strategic Housing Market Assessment Update for Havering indicates that Havering’s OAHN is 30,052 new homes over the period 2011-2033, or 1,366 dwellings per annum. This is reflected in the LB Havering Housing Position Statement 2019: Technical Update (October 2019)

The 1,366 figure is derived from the GLA 2015 Round Long-term trends (based on 10 years migration trends), Figure 7 also indicates an OAHN of 1,424 dwellings per annum, based on the GLA 2015 Round Short-term trends (based on 5 years migration trends).

The proposed housing target within Policy 3 of the Main Modifications (1,170) is therefore lower than both the Intend to Publish London Plan (1,285) and the SHMA update figure of 1,366.

Secondly, whilst it is acknowledged that a longer term trend might be less likely to be swayed by short term peaks and falls, it could also be the case that the longer term trends are swayed by historic lower figures reducing the overall projected number of dwellings per annum. By considering the lower, long term trend housing figure of 1,366 as a demonstration of the OAHN, it could result in an under-estimation of housing need over the plan period.

Taking account of the NPPF requirement for local authorities to, as a minimum, provide for their full OAHN, (which in the light of the SHMA update LBH are not doing by using a lower 1,170 dwelling per year target), and the London Plan emphasis on meeting or exceeding the relevant annual average housing target, we consider that the higher, short-term trend, housing requirement of 1,424 dwellings per year should considered as a more suitable OAHN for the purposes of preparing the Plan. This would give rise to a total housing need over the Plan period of 21,360.

- the release of the site would not lead to any significant perception of narrowing the gap between Dagenham, Hornchurch and Romford;
- the east of the Site contains built development and makes limited contribution to safeguarding the countryside from encroachment;
- the west of the site is open and development of this part of the Site could lead to a limited sense of encroachment of the countryside.

The rating of the assessment of harm for release of the whole site is Low – Moderate.

Havering’s Site Green Belt Assessment and Sustainability Assessment (March 2018) considered the sustainability of releasing sites from the Green Belt, using a traffic light system of red, amber and green for the results. The site was rated as ‘red’ for Historic Environment, amber for Economy and green for the remaining criteria.

The Council believes the Green Belt Study in 2016 and the Site Green Belt Assessment and Sustainability Assessment in 2018 provide robust justification for the retention of the site in the Green Belt.

The maintenance of the Grade II listed Skate Park is the responsibility of the landowner and the Skate Park is not on the Heritage at Risk register maintained by Historic England. The restoration of a listed building or structure may be a consideration in the determination of a planning application but it would not justify the release of the site from the Green Belt.

(Note that the Site Green Belt Assessment and Sustainability Assessment in 2018 states that GIS datasets were not available for adjacent boroughs. The site is within Green Belt that is contiguous with Green Belt in the adjacent borough, London Borough of Barking and Dagenham. In the London Borough of Barking and Dagenham’s Green Belt Review 2015 the adjacent land is within the parcel identified as GB05. The review states that “this parcel should be seen as part of a wider green belt consisting of this parcel (GB05), alongside; GB04, GB03, GB02, GB01 and the LB Havering green belt”. This information is likely to increases the degree of harm to the Green Belt in Havering and Barking and Dagenham that would be caused if the site was to be released.

Examination of GIS data for the London Borough of Barking and Dagenham makes it likely that the criteria for Biodiversity and Flood Risk would also be assessed as red. The site is immediately adjacent to Flood Zone 2 and a very short distance from Flood Zone 3 and the River Rom, and is immediately adjacent to a Site of Metropolitan
It is clear therefore that the housing need figure upon which the Plan is currently based is not sound. Even adopting a minimum figure of 1,366 this would increase the overall housing need over the Plan period from 17,550 to 20,490. In reality the actual housing need figure will be higher than this. Adopting the new Standard Housing Methodology proposed by the Planning White Paper the annual housing target for Havering would increase to 1,975 units per annum exacerbating this position further.

Policy 3 (Housing Supply) of the Main Modification Document outlines how the Council intend to meet their OAHN over the plan period. Notwithstanding our assertion that as a minimum a higher, 1,366 dwelling per year figure should be used, (if not the higher 1,424 figure), this section considers the robustness of the Council’s strategy to meet the lower target of 1,170 new dwellings per year.

"In line with the London Plan 10 year housing target for Havering, at least 11,701 new homes will be built in Havering over the first 10 years of the Plan period. This will include the delivery of at least:

i. 5,000 homes on large sites in the Romford Strategic Development Area;
ii. 3,000 homes on large sites in the Rainham and Beam Park Strategic Development Area;
iii. 300 homes through the intensification and renewal of existing Council housing estates outside of the Strategic Development Areas;
iv. 1,500 homes on other major sites outside of the Strategy Development Areas and Council housing estates; and
v. 1,500 homes on small sites across the borough and through vacant units returning to use.

The delivery of new homes will also be achieved by:
Promoting mixed use development in town centres and designated out of town centre locations;
Prioritising all non-designated land for housing when it becomes available;
Supporting the re-use of brownfield sites when they become available;
Supporting residential development proposals around stations where it is compatible with the character of the local area. Major development proposals around stations will be subject to design review;
Supporting appropriate development of infill, under utilised and vacant sits in the boroughs sub-urban areas;
Resisting the net loss of residential development
Supporting initiatives to bring back empty residential properties into use;
Supporting self-build initiatives; and

Importance for Nature Conservation, M090 The Chase and Eastbrookend Country Park.)

The Planning White Paper will be considered and reflected in the Local Plan once it has become part of the Government's legislation.

LBH welcome the information that has been provided in this representation and this will be taken into account in the review of the Local Plan.
Seeking to optimise residential output and densities consistent with the density matrix set out in the London Plan.

Paragraph 7.1.7 of the Main Modifications states that over the first 10 years of the Plan period (2016-2026) the Council has identified capacity to deliver at least 13,095 new homes. This exceeds the minimum 10 year target set out in the London Plan, and slightly exceeds the Intend to Publish London Plan target (1,285) but falls short of meeting the OAHN identified through the SHMA Update 2016 and reiterated in the LB Havering Housing Position Statement 2019. The Council acknowledges this shortfall at the end of the paragraph by stating:

"The Council recognises that Havering’s objectively assessed housing need is higher than its identified sources of housing capacity”.

Paragraph 73 of the NPPF states that where there has been a persistent history of under delivery of housing, the buffer applied to the five year housing target should be an additional 20% on top of the target.

The Council acknowledges at paragraph 7.1.12 that there has been a persistent under delivery of housing, resulting in the need for the additional 20% buffer to be applied to the 1,170 target, equating to 1,404 dwellings per annum, or 1,639 dwellings per annum based on the OAHN figure of 1,366 dwellings per annum.

The persistent under delivery of housing is also reflected in the National Housing Delivery Test.

The Housing Delivery Test seeks to understand the total number of homes delivered in an authority, versus the total number of homes required, over a three year period. The guidance sets three thresholds for assessment, which are applied to each Local Planning Authority across England. The thresholds for the 2019 assessment are 45%, 85% and 95%.

Where an authority is delivering less than 45% of the homes required, the presumption in favour of sustainable development applies and the authority must identify a 20% buffer. For those delivering between 46-85% of homes, a 20% buffer must be applied. For those delivering between 85-95%, the authority must put together an action plan to increase development.

LB Havering have delivered 33% of the required housing over the past three years to meet need. As a result, the presumption in favour of sustainable development applies. This could potentially provide an opportunity for speculative applications to come forward for residential development which would be contrary to the Plan-led process sought by National Policy.

Notwithstanding the underestimation of the Council’s full OAHN as discussed above, this section considers how the Council seeks to meet the housing delivery target of 17,550 dwellings over the plan period / 1,170 dwellings per year.

In seeking to meet its OAHN, Policy 3 of the Main Modifications to the Local Plan the Council outlines 5 methods of housing delivery, totalling
11,300 dwellings. This would result in a reliance on windfall sites coming forward for the remaining 401 dwellings.

Paragraph 70 of the NPPF is clear that local authorities may make an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.

Whilst an allowance for windfall sites is acknowledged, it is our view that the delivery of housing should be genuinely Plan-led, through the allocation of locations for housing provision to meet this need in the short term and across the Plan period.

New homes should be located in sustainable locations, close to good public transport links, local amenities and other development that would not affect the residential amenity of the future occupiers.

Residential development should be concentrated on previously developed land, preferably within or adjacent to existing residential areas to reduce the need to build on undeveloped greenfield land.

The remaining part of the section considered the ‘soundness’ of the following proposed development locations identified in Policy 3.

5,000 homes on major sites in the Romford Strategic Development Area;

3,000 homes on major sites in the Rainham and Beam Park Strategic Development Area;

300 homes through the intensification and renewal of existing housing estates outside the Strategic Development Areas;

1,500 homes on other major sites outside of the Strategic Development Areas and Council Housing estates; and

1,500 homes on small sites across the borough and through vacant units returning to use.

68% of the housing provision is proposed to be realised from two Strategic Development Areas: Romford and Rainham & Beam Park. Housing delivery is therefore heavily dependant on the timely delivery of these two SDAs and predominantly large development sites within these.

It is noted at paragraph 7.1.15 of the Main Modifications that:

"Work is already underway in Havering to bring these sites forward and whilst construction will start within the first five years of the Plan, completion is more likely to be towards the end of this period and into the second phase."

The Council have therefore acknowledged these sites are unlikely to be completed within the first five, or even ten years of the plan period. It follows therefore, that it is unsound to include them in totality within the figures for housing supply within the first ten years of the local plan (which, as presently drafted is the case).
For the Plan to be found sound therefore, we recommend additional sources of housing provision are identified and allocated within the Plan.

The Site represents a previously developed site as established by its current allocation as a Major Developed Site in the Green Belt.

Given the established need to release some Green Belt land it is logical that first focus should be on those Green Belt sites that are already identified for development. Optimisation of such sites can only serve to enhance the sustainability credentials of such sites on which some development is acceptable in principle at both national and local policy levels.

The fundamental aim of Green Belt policy, as set out in Chapter 13 of the NPPF, is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. To protect the openness of the Green Belt, LBH should ensure they have sufficient land allocated for housing within existing residential areas and on previously developed land.

In particular, paragraph 13 of the NPPF states that the Green Belt serves five purposes, to:

check the unrestricted sprawl of large built up areas;
prevent neighbouring towns merging into one another;
assist in safeguarding the countryside from encroachment;
preserve the setting and special character of historic towns; and
assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

We consider that the Site contributes very little to the function and purposes of including land within the Green Belt as set out above for the following reasons:

The site borders a modern residential housing development to the north, and is bounded by the River Beam to the west; the A125 (Upper Rainham Road) to the east; and a private road to the south. These physical boundaries mean there would be no subsequent encroachment into the countryside;

The thick vegetation that runs along the western border separates the Site from the undeveloped Green Belt land to the west, therefore already naturally limiting any potential impact arising from the residential development of the Site;

The Chase Nature Reserve is located to the west, across the River Beam, consequently, the release of the Site from the Green Belt would not result in the merging of neighbouring towns; and

The Site is brownfield land and already benefits from a designation as a Major Developed Site in the Green Belt within the LBH Core Strategy and Development Control Policies Development Plan Document (2008). This status indicates that is already envisaged that some development will occur
onsite and would therefore be classed as the redevelopment of brownfield land, a national, regional and local policy objective.

In considering the above, we consider that the Site, already allocated as a Major Developed Site should be released from the Green Belt as such release will not harm the remaining Green Belt, but would aid the council in meeting the OAHN within the plan period.

The Masterplan attached at Appendix 5, demonstrates that a future scheme would not only provide benefit in terms of market / affordable housing provision and investment needed to restore the listed skate park, but would also improve public access to the adjoining Green belt; and provide an opportunity for funding ecological and biodiversity improvements. To reiterate, the Site is currently inaccessable to the public and comprises hard standing and poor quality grassed areas.

The principle of such a release was considered at appeal in relation to the St George’s Hospital site, which is also allocated as a Major Developed Site in the Green Belt.

The appeal (APP/B5480/W/16/3153859) was allowed and planning permission granted on 13 July 2017 for:

"the redevelopment of the St Georges Hospital site inclusive of partial demolition and conversion of existing buildings to provide up to 290 dwellings on 10ha of the wider site, together with associated car

The Inspector stated at paragraphs 8-10 that both Policy DC46 of the LBH Core Strategy and Development Control Policies Development Plan Document (the DPD) and paragraph 89 of the 2012 NPPF make particular – and broadly consistent – provision for the partial or completed redevelopment of previously developed sites in the Green Belt.

The Inspector concluded at paragraph 13:

"Given the appeal site is already developed land that is clearly separated from the countryside, and bearing in mind the restrictions that would apply to siting of new buildings within the site…. I am also satisfied that the proposal would not result in a greater impact on the purpose of including land within the Green belt than the existing development. Drawing these matters together, I therefore share the view of both main parties that the appeal scheme as amended would not amount to inappropriate development within the Green Belt".

Consequently, there is a policy basis at national and local levels for a certain amount of redevelopment on Major Developed Sites within the Green Belt. In the light of the comparable appeal decision, there is also a precedent of the acceptability of such development

On 6 August 2020 the Government published a White Paper on Planning for the Future. The Paper is at an early stage but outlines a number of key ‘pillars’ to planning, while maintaining focus on the principles of sustainable development and previously developed land.
The Paper outlines plans to simplify the role of local plans by focusing on the identification of land under the following three categories:

- **Growth areas** – suitable for substantial development and where outline approval for development would be automatically secured for forms and types of development specified in the Plan.
- **Renewal areas** – suitable for some development, such as gentle intensification; and
- **Protected areas** where – as the name suggests – development is restricted.

In the light of the Major Developed allocation and the sustainable locations of the Site, the masterplan provided at Appendix 5 demonstrates an achievable form of development that could be secured through an outline approval for forms and types of development on site in line with the objectives of the White Paper. It should be noted that given the ‘previously developed land in the Green Belt designation’ it would not set a precedent for the wiser Green Belt being categorised as a Growth Area.

An additional benefit of securing residential development on the Site is the potential to provide a source of funding for the restoration and securing the long-term viable use of the Grade II listed skate park.

The NPPF requires LPA’s to plan positively for the conservation and enjoyment of the historic environment, conserving heritage assets in a manner appropriate to their significance. In doing so, the contribution to wider social, cultural and environmental benefits as well as local character and distinctiveness should be considered.

In addition, securing a viable use of listed buildings should be sought to continue the long term preservation.

As noted above, the Site includes the Grade II listed Rom Skate park, located towards the south eastern boundary.

The Rom Skate park has been run as an independent business that has not in the past nor is ever likely to operate as a financially viable business. It is only with the goodwill of RCL that the current skate park operation has been allowed to continue its presence on the Site.

The listing brings with it an ongoing maintenance liability with no viable means of funding to pay for its upkeep at a level commensurate with its status as a listed building. This is particularly important given that it is clear from the List Entry Description that the early use of pressurised concrete in the design of a skate park contributes to the significance of the asset.

By its very nature, concrete has a limited life span and maintenance is very difficult and costly. RCL have had a concrete specialist assess the condition of the skate park to establish what maintenance is required.

The report concludes that the majority of the existing surface has reached the end of its serviceable life, and the condition of the surface layer has become so deteriorated that it now presents very serious hazards to riders. Together with significant drainage issues has meant the park is now beyond economical repair and requires considerable investment to make it fit for purpose.
Revenue receipt from alternative forms of development across the site will therefore help to remove the risk of deterioration; at least sustain the significance of the asset; and securing the optimum viable use in support of its long term conservation. These are considerable heritage benefits that should be weighed in favour of any future development proposals, and in turn, a site allocation.

A concept masterplan has been prepared for the Site (see Appendix 5) that shows potential for circa 150 units across the site. The masterplan has been developed in consultation with Maverick Industries to ensure that the park would become an intrinsic part of a future residential redevelopment. In addition to all the other planning, community and sustainability benefits, such a development also affords the opportunity for securing the skate park’s long term future, together a demonstrable improvement to its setting and in turn, its heritage significance.

RCL have previously been in discussions with both Havering Council and Historic England on this issue and consider the outcome of such discussions to be highly material to the ongoing Local Plan process. It is therefore essential to understand that failure to take the opportunity afforded by the Site, and its consequent release from the Green Belt, can only serve to frustrate the best way of maximising the benefit and long term maintenance of this recently designated heritage asset.

CONCLUSIONS

Local Plan Soundness

The Main Modification to Local Plan Policy 3 outlines the Council’s strategy to provide 11,710 new dwellings over 10 years. This is equivalent to 1,170 new dwellings per year, in line with the London Plan 10 year annual housing requirement for LB Havering.

The Intend to Publish London Plan (2019) increases this target for LB Havering to 1,285 dwellings per year, equating to 12,850 over a ten year period.

The Strategic Housing Market Assessment 2016 concludes that there is a requirement in Havering for a minimum of 1,366 new dwellings per year, based on Long Term trends, with this figure rising to 1,424 based on Short terms trends.

Taking account of the NPPF requirement for local authorities to, as a minimum, provide for the OAHN, (which in the light of the SHMA update it could be argued LBH are not doing by using a lower 1,170 dwelling per year target), and the London Plan emphasis on meeting or exceeding the relevant annual average housing target, we consider that the higher, short-term trend, housing requirement of 1,424 dwellings per year should be regarded as a more suitable OAHN, or at the very least the long term OAHN target of 1,366 new dwellings per year.

In addition, over the first 10 years of the Plan period (2016-2026) the Council has identified capacity to deliver at least 13,095 new homes. This exceeds the minimum 10 year target set out in the London Plan, and
slightly exceeds the Intend to Publish London Plan target (1,285) but falls short of meeting the OAHN identified through the SHMA Update 2016 and reiterated in the LB Havering Housing Position Statement 2019.

It is clear therefore that the housing need figure upon which the Plan is currently based is not sound. Even adopting a minimum figure of 1,366 this would increase the overall housing need over the Plan period from 17,550 to 20,490. In reality the actual housing need figure will be higher than this. Adopting the new Standard Housing Methodology proposed by the Planning White Paper the annual housing target for Havering would increase to 1,975 units per annum exacerbating this position further. This underperformance will only increase as housing needs increase in line with the recommendations of the Planning White Paper.

As currently drafted, the LPPSD fails to demonstrate it has been positively prepared, or is effective in meeting the Borough’s OAHN. Therefore, it is considered to be unsound in accordance with paragraph 35 of the NPPF and further sites should be identified and allocated for housing within the Local Plan.

Residential Development on the Cardrome Site

The Site is a previously developed site, already identified for some redevelopment as a Major Developed Site in the Green Belt.

The principle of residential development on Major Developed Sites was considered acceptable by the Planning Inspectorate at an appeal relating to the St Georges Hospital.

There is a clear question mark over the contribution the Site plays to the function and purpose of including land in the Green Belt. We conclude that its release will in no way harm the remaining Green Belt. To the contrary it could be enhanced through careful landscaping. Furthermore, enhance public access to the adjoining Green Belt could increase the local communities enjoyment of it.

In the light of the Major Developed allocation and the sustainable location of the Site, there is also a case to attribute a Growth Area designation of the site, in accordance with the aspirations of the Planning for the Future White Paper.

Revenue receipt from the residential development of the Site will also help ensure the long term protection of the Grade II listed skate park on Site, which is currently beyond economic repair without significant investment and is considered to be hazardous to users, given its poor condition.

In conclusion, as currently drafted, it is considered the Main Modifications fail to demonstrate that the Local Plan has been positively prepared, or is effective in meeting the Borough’s OAHN. For the Local Plan to be found sound in this respect, LBH must identify additional locations for housing provision to meet this need in the short term and across the Plan period.

The Cardrome Site represents a suitable way to deliver of a significant number of units on previously developed land that would assist the council in meeting the OAHN in the short term and across the Plan period.
Conclusions
It is clear the Council’s actual housing need is significantly greater than that set out within the Main Modifications to the Local Plan. Furthermore, even on the Council’s own figures the Plan as currently drafted does not allocate sufficient sites to meet its needs. This underperformance will only increase as housing needs increase in line with the recommendations of the Planning White Paper.

As currently drafted, therefore it is considered the Main Modifications fail to demonstrate the Local Plan has been positively prepared, or is effective in meeting the Borough’s OAHN. Therefore, it is considered to be unsound in accordance with paragraph 35 of the NPPF.

1253320  Mactaggart and Mickel (Iceni Projects Ltd)  MM6
Mactaggart & Mickel has an interest in land at Damyns Hall / Bush Farm and has an ambitious vision with neighbouring landowners and local stakeholders to bring forward a sustainable urban extension, incorporating a mix of uses including housing, community, health and employment uses, through the plan-making process. The site, in conjunction with adjoining land controlled by Havering Borough Council, has the capability of contributing significantly towards the provision of a new Garden Village at this location to meet the Borough’s forthcoming housing needs.

The vision of the scheme is to deliver traditional family-led housing based around cutting-edge digital and sustainability components, with potential to facilitate the delivery of a new train station. A site location plan is attached at Appendix A1.

a. About Mactaggart and Mickel
Mactaggart & Mickel was founded in 1925 in Scotland. They are a fifth-generation family company, with family values and long term goals.

As well as shaping new communities in Scotland, Mactaggart and Mickel has more recently shaped projects in Oxfordshire and London and has several projects in North America (Chelsea in Manhattan and Williamsburg in Brooklyn). They recently opened a London-based office, demonstrating their commitment to projects in the south-east and south-west of England.

Mactaggart & Mickel is a leading house-builder and a resilient company that has strong and diversified foundations. Its governance structure allows it take entrepreneurial decisions and to break the status quo. They have an enthusiasm to implement new sustainable technologies, reduce the dependence on the private motor car and encourage new start-up entrepreneurial businesses.

Mactaggart & Mickel are committed to supporting the London Borough of Havering through the plan-making process. The team will work alongside both officers and elected Members at the London Borough of Havering to create a place that provides a shared sense of pride and commitment to longevity. The consultant team is already familiar with the issues and opportunities facing the Borough and are dedicated to delivering sustainable development.

b. Responding to the Proposed Main Modifications to the Submission Havering Local Plan (March 2018) consultation

This representation relates to the review of the Havering Local Plan. The commitment to an immediate update of the Local Plan is set out in amended paragraph 14.0.29 (Refer to MM28)

LBH do not consider that any further amendments are required.

Appendix A1 – Site location plan
The London Borough of Havering Council is preparing a new Local Plan which will set out policies and proposals that will guide development in the area throughout the plan period. The Council is currently consulting on the Main Modifications to the Submission Local Plan which was submitted for examination in March 2018.

Most of the changes to the evidence base are focussed on ensuring the supply of new housing over the Plan Period. The key modifications are to the Council’s Housing Supply which now plans for the first 10 years of the Plan period as drawn from the London Plan target of 11,701 homes. Notwithstanding, Havering is not currently able to demonstrate a 15 year supply and has a current shortfall of 1,113 dwellings. The Council has stated it is actively looking at ways in which supply can be brought forward, including:

- Facilitating sites to come forward through strategic planning;
- Investigating future sources of housing supply;
- Active involvement in housing delivery;
- Facilitating development through the development management process;
- Infrastructure delivery; and
- Monitoring and early review.

We welcome and support the Council’s commitment to undertake an immediate review of the Plan to identify sites for the full plan period and beyond.

The Council’s current growth strategy is focused on the intensification of previously developed land, including major estate regeneration projects in Romford, Rainham and Beam Park; a regeneration programme for its own homes; the establishment of the Council’s own housing company and opportunities across a range of brownfield sites. The Housing Position Statement (2019) states that there are not exceptional circumstances to warrant the release of Green Belt land to meet need and believe that any release could undermine the delivery of housing on key brownfield sites.

Whilst this strategy is supported, Havering’s housing target is set to increase significantly during the Local Plan review. Havering’s current housing target as set out in the London Plan equates to a minimum annual average of 1,170 units. On the basis that Havering has an up to date Local Plan (adopted within the last 5 years) the local housing need figure calculated using the current Standard Method is capped at 40% above the average requirement in the Plan1. Using the average annual housing requirement of 1,170, the capped figure would be equal to 1,638 per annum, an increase of 40%.

We consider that in order for the Council to meet this target through the Local Plan Review, it should seek to release Green Belt land for the following reasons:

- Brownfield land alone will not deliver sufficient land to meet the Council’s housing target. With 53% of the Borough situated within the Green Belt - the highest proportion of open space of any London Borough - there is a growing shortage of suitable brownfield land.
There is a growing need for family housing in the Borough. The emerging Local Plan is heavily reliant on the intensification of brownfield sites set to deliver high-rise flatted accommodation which is not desired by families.

- Reliance on brownfield land alone will have significant consequences for housing delivery and satisfying the Housing Delivery Test going forward.
- The use of Green Belt land can allow the delivery of more and higher quality infrastructure such as schools and public transport.

For the reasons set out above, releasing Green Belt land will ensure that the Council will meet its housing target whilst ensuring communities that contribute to a high-quality of life are delivered for Havering residents. We therefore consider that exceptional circumstances can be demonstrated to justify the release of Green Belt land through the Local Plan Review and Mactaggart and Mickel are well-positioned to support the Council in achieving this at Damyns Hall / Bush Farm.

c. The Site and Surroundings

The site is located within the south east of the London Borough of Havering, south of Upminster and north east of Rainham, positioned a short distance to Thurrock’s administrative boundary to the south with the M25 Motorway located to the east and South Ockendon to the south east.

The western area of the landholding comprises of the Damyns Hall Aerodrome located on Aveley Road. The aerodrome was founded in 1969 and since 2004, has been open for daytime operations by both fixed-wing aircraft and helicopters. Bush / Bramble Farm is located on the eastern area of the landholding where Sunnings Lane passes through north to south.

The majority of the landholding consists of greenfield land covered mostly by grass with small areas of trees. The land between Sunnings Lane and Stubbers Lane, to the further east, is covered by a Tree Protection Order (TPO).

A very successful music festival (we are FSTVL) is held annually on the western area of the site and has influenced how the land is managed. The festival typically attracts approximately 30,000 visitors but has been cancelled due to Covid-19 restrictions. To allow for a comprehensive approach, the festival and the aerodrome are expected to relocate, ideally within Havering if a suitable site can be identified, but if not, elsewhere in the South East.

The eastern area of the site borders the London Borough of Havering’s landholding which includes Russell’s Lake, Stubbers Adventure Centre and associated amenities. Corbets Tey is located to the north of the site where the context of development is very much suburban with low density housing.

There is access to a range of services such as schools, pubs and local convenience shops. Corbets Tey Conservation Area, designated in 1990 covers the south of the settlement, extending towards the site to the south. Upminster is located approximately 1 mile to the north of the site with additional services such as supermarkets, restaurants and medical centres.
Upminster Station is located approximately 1.8 miles to the north of the site, which has direct connections into central London via the c2c to London Fenchurch Street every 5-10 minutes and the London Underground District Line to Ealing and Broadway and Richmond. Rainham is located approximately 3.2 miles from the east of the site. c2c trains from Rainham Station leave every 30 minutes to London Fenchurch Street.

**What do residents' value about the area?**

From a review of responses to previous engagement exercises in Havering, we know that the existing community enjoy the proximity to London that the area provides, particularly given the upgrades and improvements to the transport infrastructure in the Borough. They are keen, however, that the area maintains a distinct and separate identity, not being seen as an extension to London.

The community enjoy the benefits of both urban and rural living. Upminster town centre is appealing, with over 180 shops and restaurants and there are areas of landscape that are highly valued by people locally. It is clear that construction disruption and adequate car parking are also key to people locally when considering new development.

**d. The Vision**

Mactaggart and Mickel appointed a consultant team in March 2020 to carry out extensive due diligence for Damyns Hall/ Bush Farm. A place-led approach was undertaken, setting out the opportunities and challenges, needs and constraints of the site from a physical, social and economic perspective. This has led to a detailed understanding of the area which has informed the overall vision for the site.

**A Distribution of Smaller Settlements Providing for Day-to-Day Needs**

The future of urban areas are where people have a desire to travel less, shop locally and have sufficient access to open space. To achieve this, well designed, liveable neighbourhoods which reduce the reliance on the private car and champion sustainable modes of transport need to be delivered. The Covid-19 pandemic has added increased pressure for towns to be planned around people, rather than car travel.

Havering Council identified that the Borough has clear Town Centres rather than the continuous mass of housing that makes up inner London Boroughs. This brings constraints, such as increased travel time from one urban area to another. As a result, car usage is high, with 77% of households having at least one car and 32.8%3 having 2 more cars - the second highest proportion reported in London. The scheme will deliver good public transport links to district centres and has the potential to deliver a new train station, reducing the reliance on cars.

The proposals will be designed to provide for day-to-day needs within a 15-minute journey by foot, cycle or public transport. A distribution of smaller settlements will be delivered, including commercial space, with clear scope for new ways of working with localised access.

**Digital Connectivity**

The societal shift to home working has been vastly accelerated by Covid-19. The emerging proposals seek to embrace these changes, including a greater need for agile working environments. The vision is to create a
scheme that provides the very best digital infrastructure and is supported by high-speed digital upgrades in the wider area. Havering is uniquely placed to enhance its digital standing given its proximity to power, existing fibre optic infrastructure and proximity to the capital.

The scheme could include incubator workspace and community space that could be utilised for close-to-home working, embracing sensor technology and predictive analytics help to better align services with resident needs. This will include information on energy usage; air quality; public transport, and emissions.

**Sustainability Principles**
The Planning White Paper seeks to ensure the planning system addresses and fights climate change and promotes environmental and sustainable benefits. The Government recognises that buildings have a crucial role to play if we are to meet the station ambition of being net-zero carbon by 2050. The scheme could deliver cutting edge sustainability, integrating leading technologies to deliver a development that exceeds the London Plan zero carbon standard and RIBA 2030 target, to be net-zero 2050 ready.

Working with a leading UK University, the scheme could develop an integrated sustainability plan based on advanced technologies, combined where possible with local energy opportunities, to deliver industry-leading standards of energy efficiency, water performance and waste recycling. The scheme could be designed to achieve a net positive carbon footprint, generating more energy than used over the course of a year.

In doing so, the scheme aims to be a leader in delivering, or exceeding PassivHaus standards, through efficient design and use of materials, reducing embodied carbon as well as operational carbon emissions.

e. Conclusion
Mactaggart & Mickel welcome the Council’s commitment to undertake an immediate review of the Local Plan to ensure enough housing is delivered over the 15-year plan period. Further to this, we hope that the Council will strongly consider releasing Green Belt land in order to meet the increased housing target as calculated by the current Standard Method.

We encourage the Council to consider the importance of Damyns Hall / Bush Farm as having the potential to bring forward a sustainable urban extension which incorporates traditional family housing with cutting-edge digital and sustainability components. Mactaggart and Mickel would like to work collaboratively with the Council and other stakeholders to ensure an ambitious plan is delivered for Havering.

Thank you for the opportunity to respond to the Main Modifications consultation. We would be grateful for confirmation of the receipt of these representations and would welcome the opportunity to discuss the site and the contribution it can make to sustainable development of the Borough.

1253235
RM Brightside Ltd (Barton Willmore)
MM6, and MMC07-MMC10
The Site at Crown lane, Romford ("the Site") is owned by our client, RM (Brightside) Ltd & RM (Leeds) Ltd, freehold and leased to Royal Mail as a Mail Centre. The Site amounts to some 2.1 ha. and is currently operational, however Royal Mail have notified our client of their intention to vacate the Site. The Havering Local Plan 2016 – 2031 was prepared to comply with the adopted London Plan 2016 and the NPPF 2012. The Main Modifications commit the Council to an early review of Havering’s Local Plan, once it is adopted.

Appendix 1 – site location plan
Site from late 2022. Royal Mail have settled and accepted compensation
committing them to a re-location, confirming the Site will absolutely be
available from late 2022. A site location plan is attached at Appendix One.
Our client wishes to promote its land interest through the emerging LPR for
change of use to residential for the reasons set out in this report.

Our Client wishes to add its broad support for the Proposed Main
Modifications, in particular the increase in growth within the Romford
Strategic Development Area (SDA) and the greater flexibility for release of
Locally Strategic Industrial Land (LSIS) where this would meet wider
regeneration aims. There are a few areas in which our Client would
suggest further refinement, and these are set out within this Report.
Further, we would strongly suggest that the Royal Mail Site is removed
from LSIS designation and allocated for comprehensive regeneration
alongside the gas Works sites adjacent.

We understand that representations were submitted by our client (not by
Barton Willmore) to earlier stages of the Plan, whereby they sought
flexibility to strike a balance that would allow the site to be redeveloped
for residential purposes in the future, but not specifically re-zoning it in a
means that would undermine Royal Mail’s operation. However, Royal Mail
also submitted representations whereby they expressed, at that time, that
they had no plans to vacate the Site. Accordingly, we understand that the
LSIS designation remained to protect Royal Mail’s operation as a major
employer. However, Royal Mail do now intend to vacate the Site from late
2022 onwards. As such, the land will be available to meet the wider
regeneration aims of LBH, alongside the adjacent former Gas Works land.
Our client has spoken with the adjacent landowners and would wish to
work collaboratively to achieve comprehensive re-development of this part
of Crow Lane.

The Site is brownfield and occupied by Royal Mail’s Romford Mail Centre at
the junction of Sandgate Close and Crow Lane in Romford. A Site Location
Plan is attached at Appendix One.

The Site amounts to some 2.1 ha, with access taken from Sandgate Close,
which forms a spur via a mini roundabout from Crown Lane. The footprint
of the Romford Mail Centre building occupies about three quarters of the
site, with the remainder laid to hardstanding for staff and Royal Mail vehicle
parking

The Romford Mail Centre building is a prefabricated building of two
commercial storeys in height, with flat roof and multiple loading bays. It
was built in the 1980’s and is bespoke to Royal Mail. Sandgate Close runs
along the west and northern boundary of the Site, providing access from
Crow Lane to the Royal Mail Site and also the Gas Works site to the east.

The site is not subject to any restriction in terms of hours of operation,
noise, traffic movements. The peak vehicle movements occur as mail is
delivered between 22:00 and 02:00, before being processed, with Light
Goods Vehicles leaving the site throughout the day, but with peaks
between 05:00 and 09:00.

To the north, beyond Sandgate Close lies a strip of vegetation, Network
Rail’s Romford Training Centre and beyond this the railway line. To the

The review will take into account the policies and housing
targets set out in the new London Plan, as well as the
NPPF (2019) and any changes to national planning policy
that may emerge from the Future for Planning White Paper.
Any proposals to remove the LSIS designation from the site
will be considered as part of that early review. This will
allow public consultation to take place on any proposed
changes to the site’s land use.

The housing target for Havering set by the London Plan
2016 is a minimum of 1,170 new homes, which is equal to
11,701 for the period 2015-2025. Over the whole Plan
period, Havering aims to deliver at least 17,551 new
homes. The analysis informing the Main Modification to
Policy 3 is set out in the Housing Position Statement
Technical Update (October 2019) and demonstrates that
the Council is able to:

• Meet and exceeds it’s 10 year housing target
• Reduce the gap between the housing target and the
OAN for the borough
• Supply an average of 1,310 new homes per year
averaged over the first 10 years of the plan
• Demonstrate a five year supply both at submission and
adoption under a stepped trajectory using the
Sedgefield Approach or at adoption under a linear
trajectory when using the Liverpool Approach.

The Royal Mail site is currently designated as a Secondary
Employment Area in the Havering Local Development
Framework and is proposed to be designated as a Locally
Significant Industrial Site (LSIS) in the Local Plan. This
designation reflects the findings of the Employment Land
Review 2015 (ELR) and the Addendum in 2018.

The ELS states that the Borough’s three SILs and seven
SEAs were judged to have the key strategic characteristics
required by employment land activities, and these
characteristics include good/ very good access to the
strategic road network, very good/ good or average
condition and a lack of incompatible land uses that create
bad neighbour issues.

The sites with potential for release of change of use to
include the following:
• Rainham West (Clusters 19a and b) 15.4 ha
• Crow Lane Site 3 (Cluster 17) 2.7 ha (excluding the Royal
Mail Site)
• Bridge Close (Cluster 21) – 1.4 ha

LBH consider that the designation of the Royal Mail site as
LSIS should be retained in line with the evidence base.
south, the Site is bound By Crow Lane, with trees and forming the boundary between the two. Beyond Crow Lane to the south lies Romford Cemetery.

The Royal Mail Site sits between land previously associated with the former Romford Gas Works & Depot. The Gas Works Site has been disbanded by National Grid, and are now vacant, with the redundant gas holders having been dismantled. The land immediately to the west of Royal Mail, on the opposite side of Sandgate Close, benefits from planning permission for redevelopment of the Site to provide 82 dwellings, together with access junctions, car parking, landscape and infrastructure works (reference: P1152.18, granted 1st February 2019). Conditions have been discharged and development is progressing, shortly to be finished. Hollybrook Homes are the developers of the land to the west.

The site immediately to the east of the Royal Mail Site is the main former gas works. Prior approval was granted in 2017 for demolition of the gas holders, and subsequent approval has been granted for tree removal. National Grid have been promoting the land to the east through the LPR for redevelopment for residential use. This site forms part of the existing Secondary Employment Area known as Crow lane Site 3 as set out in LBH's Employment Land Review 2015 and is recommended for change of use from industrial to residential. As such, the LPR proposes removal of the Gas Works sites from Locally Significant Industrial Sites (LSIS) designation. Further, the Council’s trajectory (updated April 2020) forming part of the evidence base to the August 2020 proposed modifications, relies upon the site delivering 450 residential units. Of these 450 units, the Council expected 360 units to be delivered within the Plan period to 2026/27. We understand that proposals are being developed by Berkeley Homes for a residential development as part of a Joint venture with National Grid.

The Royal Mail Site is not within a Conservation Area, nor is it within close proximity of any listed buildings. Further, there are no Tree Preservation Orders (TPO’s) on the Site. There is no planning history relevant to redevelopment of the Site for alternative use.

The Site lies in a sustainable location, less than a mile to the west of Romford town centre and Station. Romford mainline and Overground railway station currently being upgraded as part of Crossrail 1 to form a new station on the Elizabeth Line, which is currently due to open in 2021. Services run into central London in less than 30 minutes. Bus routes also run along Crow Lane immediately to the south of the Site.

The Site is located in its entirety in Flood Zone 1 on the Environment Agency’s online mapping and therefore not at risk of flooding.

As mentioned previously, Royal Mail are vacating the Site from late 2022. We understand, their intention is to re-locate within Havering, but we are not aware as to the precise location. As such, the Site, which is specifically tailored to Royal Mail’s needs will be available for re-development within the Plan period. It is our client’s desire to secure an allocation and pursue planning consent in the period prior to the closure of the facility from 2022. This would allow early delivery of new homes from 2023 onwards.
The Site is 2.1 ha. and in single ownership. As such, complex land assembly would not be required in order to bring the Site forward. The Site is therefore deliverable.

Further, there are no physical or technical constraints to bringing the Site forward for residential use. The site is previously developed with limited vegetation, and therefore impact on landscape and biodiversity will be minimal. Further, given its previously developed nature and the fact it does not fall within an archaeology priority area, there are unlikely to be any archaeological constraints. The Site is not liable to flooding, nor does it sit within close proximity to any heritage assets.

In terms of access, it is anticipated at this stage that Crow Lane and Sandgate Close would be capable of accommodating acceptable access points for residential development. Further, that a residential scheme could be accommodated in terms of highways capacity, and indeed would be likely to have a significantly reduced impact in terms of a) vehicle movements; and b) residential amenity, particularly in the peak operation hours, upon the new residential development to the east, and the planned residential development to the west. This would be assessed and tested further through a planning application.

The Site remains designated as LSIS in the emerging LPR. Given that it has become an island site, with residential proposed, or existing on either side, we can only assume the LSIS status was retained in response to representations made by Royal Mail to the LPR, highlighting that they did not, at that time, have plans to vacate the Site. The gas work sites to both the east and the west are proposed to be removed from LSIS designation, the site to the east is currently being developed for residential and that to the west is planned for 450 homes, leaving only our client’s site (the Royal Mail Site) designated as LSIS ‘sandwiched’ between the two emerging residential sites. The loss of LSIS within this part of Romford has therefore already been accepted.

Further, the LPR proposes to extend the Romford Strategic Development Area (SDA) to include the Site and the two gas works sites. Being located within the SDA, the Site could play a valuable part in contributing towards the strategic target for the provision of 5,000 new homes within the SDA over the Plan period.

In addition, release of the Site for residential use would assist the comprehensive redevelopment of this part of Crow Lane, including provision of the necessary infrastructure provision to accommodate large-scale growth. It would be our client’s intention to work collaboratively with the developers of the Gas Works sites to ensure comprehensive development, and they have already held such discussions.

Re-development of the Royal Mail Site represents an exciting opportunity to deliver substantial new homes within LBH’s preferred strategic location, within the SDA and within close proximity to the town centre including transport links. Development could also make a valuable contribution to addressing the Borough’s affordable housing needs.

Our assessment of whether the Main Modifications address housing need is set out in the subsequent chapter and in response to the specific...
Modifications of the LPR. In summary, the Intend to Publish New London Plan (NLP) sets out a need for 12,850 new homes in LBH over the period 2019/20 to 2028/29 (Table 4.1).

LBH’s Submission Draft Local Plan and the Main Modifications sets out a need to deliver 17,550 new homes over the full 15-year Plan period 2016-2031. It identifies provision over a 10-year period of 11,701, including a minimum 5,300 homes within the SDA (6,000 homes within the SDA over the 15-year plan period). Affordable housing provision is at a minimum 35%.

With a need to deliver 1,285 new homes per annum over the next ten years (as per Intend to Publish London Plan targets), new development sites will need to be found. The Royal Mail Site represents an opportunity to provide a significant number of homes within the SDA to meet local housing needs including the provision of affordable homes.

At 2.1 ha., we would anticipate delivery of a minimum of 250 units at the Royal Mail Site given the site sits slightly closer to the Town Centre than that being developed to the west and therefore we would expect density on the Royal Mail Site to be higher. The Council’s trajectory predicts that 450 homes could be achieved on the gas works to the east. We would suggest a greater density of development could be achieved on both sites.

Overall, our client are broadly supportive of the Main Modifications to the LPR, which seek to increase the minimal level of housing delivery within the SDA; and allow greater flexibility for release of LSIS land where it would assist in achieving wider land use objectives of the Local Plan.

Our client questions, however, whether the Main Modifications will truly address housing need and we set out our thoughts on this below. Further, we would recommend a few other refinements to the Main Modifications where we feel these would assist the Plan. We would also strongly suggest allocation of the Royal Mail Site for comprehensive re-development alongside the adjacent Gas Works. In our view, the approach that LBH are taking risks the LPR being ‘out-of-date’ before it is even adopted.

Housing Need

4.4 The Intend to Publish New London Plan (NLP) sets out a requirement for 12,850 new homes in LBH over the period 2019/20 to 2028/29 (Table 4.1). The NLP has significantly progressed and therefore should carry ‘significant weight’.

4.5 The 2017 London Strategic Housing Market Assessment (SHMA) which forms part of the NLP evidence base concludes that there is a need for an additional 65,900 homes per year between 2016 and 2041 to meet existing and future need, of which 47% would need to be affordable homes and 18% intermediate. The Mayor’s Annual Monitoring Reports (AMRs) show delivery of 38,533 (2015/16); 45,505 (2016/17) and 32,083 homes (2017/18) in the last 3 years, a considerable shortfall against assessed housing needs. There is a clear need to boost the supply of housing across London to ensure existing and future housing need can be met, including the need to address any shortfall in past delivery.
4.6 LBH’s Submission Draft Local Plan set out a need to deliver 17,550 new homes over the full 15-year Plan period 2016-2031. It identified provision over a 10-year period of 12,177, falling short of the NLP requirements. However, in the letter and updated Trajectory sent to the Inspector in November 2019, the Council suggest that Modifications will amend this figure to 13,095 completions in ten years, thereby meeting the NLP. Affordable housing provision is in line with the NLP at a minimum 35%.

4.7 The Main Modifications do not seek to increase the 17,550 new homes target over the plan period, but the number of homes identified to be delivered within the SDA increases from 5,300 to a minimum of 6,000 units, which is supported. The 10-year target at Policy 3 is revised to 11,701 which aligns with the Adopted London Plan 2016, however this is lower than the 12,850 figure in the Intend to Adopt NLP, and indeed lower than the figure in the Submission Draft Local Plan. This goes against the Council’s statement of November 2019 which suggested that the Main Modifications would align with the NLP. Further, no provision is made for past under-delivery. We would therefore question this approach whereby the housing requirements seek to align with the Adopted London Plan as oppose to the NLP, given the late stage of the NLP and the fact it is likely to be adopted in the coming months. The danger is by LBH taking this approach, is that the LPR will be ‘out-of-date’ before it is even adopted.

4.8 In the supporting text to Policy 3, paragraph 7.1.7 sets out that the Council have identified capacity to deliver 13,095 new homes. This would exceed the NLP requirements. We would strongly suggest that this figure as a minimum is the figure that forms the basis for delivery within Policy 3.

4.9 Even at 13,095 homes as a minimum target, this would fail to meet Objectively Assessed Need (OAN) as evidenced in the Outer North East London Strategic Housing Market Assessment (SHMA). As set out in the SHMA update 2016 for Havering, LBH’s full Objectively Assessed Need is for 30,052 new homes over the period 2011-2033 or 1,366 homes per annum. LBH have delivered a fraction of this annual requirement each year since 2011 and going forward are failing to meet this need including addressing any shortfall from past under-delivery.

4.10 Further, as discussed below, under the new proposed Standard Method, BW Economics have calculated LBH’s annual delivery rate to be around 1,975 units per annum, compared to 1,910 units per annum calculated under the current method. Both under the existing and proposed Standard Method, the housing requirement for LBH is much greater than the LPR is proposing. In our view the Standard Method should be considered in the LPR.

Delivery

4.11 The Main Modifications propose two additional paragraphs at 7.1.8 and 7.1.9. Within this, LBH set out details of their proposed ‘stepped’ approach to housing delivery over the first 10 years of the plan period. LBH propose that targets are reduced over the first five years of the plan period (2016/17 -2020/21) to 700 units per annum, with delivery in the latter five years (2021/22 – 2025/26) increased to compensate to 1,640 units per annum.
4.12 However, this approach fails immediately in that actual delivery in the first 3 years of the plan period was considerably lower than 700 dwellings per annum. As evidenced by the Government’s published Housing Delivery Test (HDT) results, LBH significantly under-delivered in the periods 2016-17 (436 completions); 2017-18 (265 completions) and 2018-19 (465 completions). This immediately creates a shortfall of 934 units in the first 3 years of the plan period under the Council’s own ‘stepped’ approach and would increase annual targets in the latter five years (2021/22 – 2025/26) to 1,826 units per annum. This would increase to over 2,000 units per annum if annual requirements were correctly assessed against NLP requirements.

4.13 Further, when assessed against the Adopted London Plan target of 1,170 units per annum over this period 2016-17 to 2018-19, the shortfall increases to 2,344 dwellings.

4.14 The Main Modifications quantify the shortfall from 2015/16 – 2018/19 to be 414 units. We would question how this has been calculated when the Government’s published completions clearly show a more significant shortfall against the Council’s own proposed target and Adopted London Plan targets for the same period.

4.15 The HDT test results published by Government in February 2020 for 2019 set out that as of 2019 LBH delivered just 33% of their housing requirements for that period, which represents the poorest performing Council in the country excluding the City of London. As such, a presumption in favour of sustainable development applies as per paragraph 11 of the NPPF, regardless of whether or not the Council claim to be able to demonstrate a five-year supply.

Housing Land Supply

4.16 LBH set out in the Main Modifications that they can currently demonstrate a 5.34 years supply including 20% buffer. This is in our view flawed in that it is not calculated based on NLP requirements; nor the existing Standard Method; and it does not properly account for past shortfall in delivery assessed against Adopted London Plan targets in place at that time. Table 1 below sets out our calculation of five-year supply and concludes that LBH cannot demonstrate a five-year supply. Table 1 replicates Table 2 within LPR Policy 3, with assumptions adjusted as appropriate.

Table 1: Five Year Housing Supply

<table>
<thead>
<tr>
<th>Five Year Supply</th>
<th>Value</th>
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<tbody>
<tr>
<td>Target 2019-2023</td>
<td>6,425</td>
</tr>
<tr>
<td>Shortfall</td>
<td>2,344</td>
</tr>
<tr>
<td>Target plus Shortfall</td>
<td>8,769</td>
</tr>
<tr>
<td>Application of 20% buffer</td>
<td>10,523</td>
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</table>

Based on NLP Target (1,285 units per annum)

Based on Adopted LP requirements
4.17 The Council’s own five-year analysis and our calculation at Table 1 does not take into account the fact that the Council propose a lower delivery rate in the first five years of the Plan period (700 units per annum 2016/17 – 2020/21). If that were to be applied to the calculation of five-year housing land supply, that would reduce further the level of supply below 4.09 years.

Planning for the Future

4.18 The National Planning Policy Framework (NPPF) sets out the assessment Local Plans should undertake to establish housing targets. Paragraph reads: “To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.”

4.19 The ‘Housing Needs Assessment’ (HNA) Planning Practice Guidance (PPG) which supports the NPPF states, “Housing need is an unconstrained assessment of the number of homes needed in an area. Assessing housing need is the first step in the process of deciding how many homes need to be planned for. It should be undertaken separately from assessing land availability, establishing a housing requirement figure” 1 (our emphasis). PPG clarifies the need assessment should be unconstrained and separate from determining a housing requirement.

4.20 PPG goes on to state that Standard Method (SM) “identifies a minimum annual housing need figure. It does not produce a housing requirement figure.” 2 (our emphasis)

4.21 Under the existing Standard Method, the housing requirement for LBH is 1,910 units per annum which is considerably greater than the LPR is currently proposing. In our view, the existing Standard method should be considered in the LPR.

4.22 The Government have published their proposed revisions to the Standard Method as part of the ‘Planning for the Future’ White Paper consultation which runs to the 1st October. These proposals are set to increase the starting point estimate of housing need nationally to 337,000 homes per annum, around a 75,000 per annum increase from the existing method. The new method uses a blend of household projections and stock for Step 1 (replacing the existing method of using household projections alone), followed by an adjustment for market signals in Step 2 (as the current method does, although the adjustment is different). However, there is now no cap in the proposals.
4.23 Under the new proposed Standard Method, BW Economics have calculated that the LBH’s annual delivery rate would be 1,975 units per annum, a 3% increase on housing requirements calculating under the existing Standard method (1,910 units per annum). This is substantially greater than the 1,170 units per annum target set out in the LPR and 1,285 units per annum set out in the NLP.

4.24 The form of the new standard method and how it is applied (especially across London through any review of the London Plan) will of course emerge as will how the wider proposals in the White Paper translate into planning process, policy and law. However, we should assume that it unlikely that housing need and indeed corresponding housing targets will decrease. In our view, the LPR should be looking forward rather than backwards, and should be taking the Standard Method into account at this stage.

Summary

4.25 In short, it is clear that there are exorbitant housing needs both London-wide and within LBH. LBH are struggling to meet their housing needs, both in recent years and in the short-term future. The acknowledgement that housing delivery should be lowered in the first five years of the Plan does not deliver confidence that such accelerated rates will be achievable in the latter five years. Relying upon delivery in the later stages of the Plan represents a ‘risky’ strategy for LBH to adopt in terms of meeting housing needs, and of course does not meet the identified need which is now.

4.26 Further, whilst LBH are failing at such great levels to meet identified housing needs, and if they continue to do so, they remain at risk from development coming forward which has not been properly planned or is located inappropriately.

4.27 Accordingly, opportunities should be grasped wherever possible to increase supply, particularly in the short term. Redevelopment of our client’s site at Crow Lane, previously developed and within the SDA boundary, without constraint and deliverable, represents an exciting opportunity to significantly boost the number of homes within the SDA to meet local housing needs including the provision of affordable homes, without compromising the Green Belt or other inappropriate locations. The change in circumstance afforded by Royal Mail committing to a re-location renders the site available in 2 years’ time, capable of delivering a significant number of new homes within the SDA and within the first 5 years of the Plan. It is an obvious site to include for development given its location either side of residential as described in these representations.

4.28 In summary, Royal Mail suggest that the Main Modifications relating to Policy 3 and the supporting text should, as a minimum, be amended as follows:

• Housing targets aligned with the NLP from 2019, with targets pre-2019 aligning with the Adopted London Plan;
• Previous shortfalls calculated on the basis of London Plan targets and these shortfalls sought to be addressed in the first 10 years of the LPR;
| Reference | Commentor | Modification | Proposed Change MM8 to Draft Policy 5 includes a new provision to allow for deviations from the recommended housing mix in Table 3 where it can be robustly demonstrated that a variation to the mix is justified having regard to individual site circumstances including location, site constraints, viability and the achievement of mixed and balanced communities. The LLP support the increase in flexibility in the policy wording. | Proposed Submission Version consultation it was requested that Policy 5 set out a commitment to encourage the Private Rented Sector where appropriate within the borough. This is as per Policy 3.8 of the London Plan which requires Boroughs to provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing need and increase housing delivery. As no relevant modification has been made to Policy 5 (or any other part of the Local Plan), we reiterate our suggestion on encouraging PRS development to ensure the plan can be considered effective. | No |
| 1253309 | Rainham and Beam Park Regeneration LLP (Tibbalds) | MM8 | | | Noted |
| 1132837 | TfL Commercial Development | Broadly MM8 however, the comment does not relate to a specific Main Modification. | This comment does not relate to a specific Main Modification. | Yes, their previous consultation response |
| 1129210 | M Scott Properties Ltd | MM9 | | | No |

- Further sites identified to ensure that NLP targets, and indeed identified need, can be met earlier in the Plan period;
- Allocation of the Royal Mail site at Crow Lane/Sandgate Close for residential development and release from LSIS;
- Higher densities of development be supported with the SDA; and
- The LPR should be mindful of the Standard Method, and set out how it would seek to address the needs arising from application of this within the Borough.

The Havering Local Plan 2016 – 2031 was prepared to comply with the adopted London Plan 2016 and the NPPF 2012. The Main Modifications (MM28) commit the Council to an early review of Havering’s Local Plan, once it is adopted. The review will take into account the policies and housing targets set out in the new London Plan, as well as the NPPF (2019) and any changes to national planning policy that may emerge from the Future for Planning White Paper.

The figure quoted in this paragraph is from Annex A5 of the London Plan 2016 and is correct so no change is necessary to 7.4.5.

The Council consider the proposed review period, in light of the commitment to carry out an immediate review of the Local Plan is appropriate and therefore consider the suggested amendment to the review period to be unnecessary.

The Havering Local Plan 2016 – 2031 was prepared to comply with the adopted London Plan 2016 and the NPPF 2012. The Main Modifications (MM28) commit the Council to an early review of Havering’s Local Plan, once it is adopted. The review will take into account the policies and housing targets set out in the new London Plan, as well as the NPPF (2019) and any changes to national planning policy that may emerge from the Future for Planning White Paper.

The figure quoted in this paragraph is from Annex A5 of the London Plan 2016 and is correct so no change is necessary to 7.4.5.

The Council consider the proposed review period, in light of the commitment to carry out an immediate review of the Local Plan is appropriate and therefore consider the suggested amendment to the review period to be unnecessary.
significant requirement for older persons accommodation across the Plan period, as set out in MMC06.

6. If MMC06 is not reviewed more frequently than three years should the Council fail to meet its specialist housing targets, there is a real possibility that significant under-delivery within the first three years of adoption of the Plan, prior to the first review of MMC06, will result in a significantly higher and unmanageable housing target. In the absence of a more frequent review, this shortage will go unaddressed, reducing the Council’s ability to address the under-supply and make suitable provisions to meet the need going forward.

7. To further add to this, despite the considerable increase to the older persons housing target, there has been no corresponding action by the Council to identify opportunities to meet this need. As such, and for the reasons set out in the following section of these representations, we question how the Council can meet this increased need across the Plan period in the absence of any additional allocations or additional provision for specialist accommodation within the Plan.

8. Therefore, we consider paragraph 7.4.7 should be amended to incorporate earlier and more frequent review provisions where the annual delivery of specialist accommodation falls below the 255 units per annum target.

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<tr>
<th>407275</th>
<th>Alison Heine</th>
<th>MM12</th>
<th>Summary</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Given the history of policy failure in this borough and the fact the Council initially relied on a wholly inadequate need assessment which they knew failed to address need, it is especially disheartening to note that Havering Borough Council is still unwilling to address this issue and has failed to apologise to the many families who have been refused permanent permission, who have had the unnecessary expense and uncertainty of making repeated applications to renew temporary consents over the years and whose current applications the Council is unwilling to determine-all because the Council has previously never accepted that sites could be located in the Green Belt. Once again I am having to take time out of my busy schedules to study and submit comments on yet another policy consultation. The proposed policy fails to deliver the need identified. It will perpetuate the overcrowded, sub-standard accommodation found sites where families have had no choice but to double up and share space due to the absence of suitable alternative provision that is available, affordable and accessible. Policy offers no choice of sites. There is total reliance on existing private sites. There is an urgent and pressing need for the Council to allocate additional land for new sites, inset from the Green Belt, to meet the immediate and future need for more pitches. The revised GTAA is welcome. The Local Plan as originally submitted proposed a need for just 33 pitches. It is now accepted that there is a need for at least 220 pitches. That should be treated as a minimum figure. After many years of commenting on Planning Policy in this London Borough, I am of the opinion this matter should be taken out of the hands</td>
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|        |              |      | LBH disagree that Policy 11 fails to deliver the need identified in the GTAA. The GTAA that was completed by ORS should be seen as a robust assessment of need and this has been accepted by those making representations during the most recent round of consultation on Main Modifications. LBH would contend that Policy 11 does seek to meet the need identified in the GTAA and goes over and above what is required by the PPTS by also allocating pitches and plots for households that did not meet the planning definition of Traveller. All of the sites and yards in Havering are privately owned and nobody indicated during the household interviews that they would wish to move to a public site. LBH disagree that they do not have a comprehensive understanding of the needs of Travellers in Havering. The GTAA provides a comprehensive understanding of the needs of Travellers in Havering. A total of 125 interviews or proxy interviews were completed with Gypsies and Travellers – this represents a response rate of 96% when multiple interviews on a small number of pitches are taken into consideration. When refusals, vacant pitches and pitches occupied by non-Travellers are taken into consideration, this gives a contact rate of 99%. A total of 5 interviews or proxy interviews were completed with Travelling Showpeople living on an authorised yard with 5 plots – representing a response rate of 100%. |

|        |              |      | No |

53
of the Council and addressed by separately for it is clear Havering Council has no understanding of the needs of Gypsy Travellers and no intention what so ever of ensuring proper, adequate provision is made many of the households seeking to live in London this Borough.

Support:

i) Policy will address the accommodation needs of all Gypsy Travellers whether they meet the planning definition in PPTS or not. This is in line with proposals in the London Plan and makes sense as many authorities appear to agree that the distinction is unworkable and pointless. You can not expect families to be forced to live apart according to who still travels for an economic purpose.

ii) The revised GTAA which is more robust and identifies a far more realistic level of need for the Borough having interviewed more households. Policy has increased the number of pitches to be provided from 33 to 220 with an immediate need for at least 136 pitches 2016-21 and for 154 pitches 2016-2026.

iii) Allocated sites will be removed from the Green Belt and inset within it

iv) Policy will seek to retain approved sites however the wording in para 21 PPTS is preferred. Any person seeking to redevelop a Traveller site for some other use will be expected to identify and provide a suitable alternative site.

Comment

It would be helpful if Policy 11 could identify the Annex (A6) where the list of allocated Traveller sites are given in Table 5. Policy simply refers to ‘tables in the Annexes’. Also Annex A9 contains monitoring advice. The Main modifications show the list in Appendix X.

Given the level of new housing proposed in the Borough it is hard to accept that it would not have been possible to require provision of Traveller pitches as part of mixed urban allocations. This has been proposed by other Councils (eg Epping Forest, Rushcliffe, Guildford). I accept that some developers will claim allocations of this nature can give rise to issues with deliverability of schemes, but it does not appear that Havering Council has considered this option.

The level of need identified should be increased to include a buffer allowance to ensure the existing need is met together with an element of future need, due to.

a) historic failure to address need since the first need assessment was carried out in 2004/5 by Pat Niner and given the exceptionally high level of need identified (due to this historic failure,

b) the strong likelihood failure to make provision and address need has suppressed demand leading to latent /hidden need for more pitches from those unable to locate in the Borough,

c) the fact almost all existing pitches in the borough do not have permanent consent/ any consent,

d) Continued unwillingness of Havering Borough Council to issue decisions and grant permanent consent for current applications for allocated sites which have been pending years without a decision, leading

LBH disagree that the levels of need identified in the GTAA should be increased to include a buffer to meet future need. Paragraph 10 of the PPTS requires an allocation to meet 5-year need and the identification of broad locations (i.e. existing sites in the case of Havering) to meet any future need that has been identified. To also include a buffer would result in an over-estimate of need and any additional need not identified in the GTAA should be addressed through a criteria-based Local Plan Policy.

LBH disagree that the PPTS planning definition of a Traveller has not been properly applied. The GTAA contains detailed information on how the PPTS planning definition of a Traveller has been applied. The GTAA found that over 90% of households met the definition, and that those that did not were all elderly and stated that they had ceased to travel permanently.

With regards to the choice of sites all of the sites and yards in Havering are privately owned and nobody indicated during the household interviews that they would wish to move to a public site.

LBH disagree that the pitches that have been allocated in Policy 11 are not large enough to meet identified needs. The GTAA, in the Conclusions Chapter, sets out a number of options for the Council to consider when seeking to meet identified need. Much of the need identified in the GTAA is not for families but is for young single adults and teenagers who in the short to medium term will not require space for a full pitch as set out in the (now withdrawn) good practice guide. LBH contend that short to medium term need identified from single adults and teenagers can adequately be met through the provision of additional touring caravans. This approach was agreed through consultation with site occupants during the completion of the Pitch Deliverability Assessment.

With regards to a feasibility study it is clearly set out on the Local Plan Examination pages on the Council’s website that a detailed and comprehensive Pitch Deliverability Assessment was completed in Havering prior to the proposed Local Plan Allocations being included in Policy 11. Indicative pitch allocations were discussed in detail with site owners/occupiers during the completion of this assessment and had a clear indication that the families would accept compromises to keep families together on the same site.

LBH notes that within representation 1251363 received from the family concerned, there is an express wish for additional pitches to be allocated within the existing Putwell Bridge site, which contrasts with this representation that claims this site needs to be larger than sought.

With regard to site layout of pitches, MMC13 Pitch Deliverability Assessment Matrices (February 2019) gives
to uncertainty as to whether the Council is committed to making permanent existing occupied sites.

e) The possibility the GTAA has underestimated need based on the way ORS determine Gypsy Traveller status (para 2.16 confirms that ORS still exclude travel to fairs which can have an economic purpose) and assess need for unknown households (ORS confirm at para 3.34 that this is now assessed at 25% of households interviewed not 10% which was the figure ORS previously assumed, but even this could be an underestimate given that most households in Havering were found to meet the Planning definition.)

f) Inability to address the identified need and

g) Admission it will be very difficult to find suitable sites that are not in the Green Belt.

Objections

i) Lack of Choice of site

Policy 11 fails to provide choice of sites. The Policy is totally reliant on private sites to address need. This is fine for those who own their sites but is unsatisfactory for those with no option but to rent pitches from private owners. This option is often the least favoured option for families due to:

(8)

a) Lack of choice of site by ownership, tenure, location

b) Fails to provide security of tenure. Private owners can tell renters to leave at short notice

c) Cost-private rents can be high and private owners often charge excessive rates for services

d) Offers no Socially Provided sites for those unable to self-provide

It is not accepted that the majority of needs could be met within existing sites or on land adjoining them for the following reasons.

-Unless the adjoining land is removed from the Green Belt there will be policy objections to any expansion

-This could lead to an undue concentration of pitches in some parts of the borough

-This offers little/ no choice for those wanting to self provide as they would be wholly reliant on the goodwill of others for site provision. It is unlikely Irish Travellers would be find pitches on sites owned by English Travellers and vice versa. Family disputes could limit choice for some.

ii) Local Plan Glossary-Pitch, and concerns about pitch cramming

The Local Plan Glossary defines a pitch as follows:

Gypsy and Traveller A pitch is defined as accommodating a household, and in Havering generally Pitch includes a large static trailer, touring caravan, amenity building and parking and turning space.

Having studied the Main Modifications I very much doubt the Council is able to deliver the 162 pitches listed in Annex A.6 based on this description. Most sites simply show single static caravans.

Details on the consideration of pitch layouts on the sites under consideration. LBH reiterate that the layouts provided are illustrative only and alternative layouts within the proposed sites are also feasible and can be considered at the planning application stage. LBH therefore disagree that the proposed sites are unachievable and are considered deliverable with the proposed boundaries.

LBH disagree that the development criteria are unrealistic. The criteria are considered necessary to ensure that sites are of a good quality, that they meet the needs of occupants and that the amenity of other site occupiers and neighbours are protected.

LBH disagree that the proposals are contrary to the PPTS. The Local Plan demonstrates that the identified need in the GTAA can be met. The majority of the need arising in the first 5 years will be met on the existing sites where the need arises. A small number of pitches (7) cannot be accommodation on existing unauthorised sites, this need can however be met on the other allocated sites. The Council contends that that this is a small number of pitches in the context of the total number of pitches being allocated.

The GTAA recommends that there is no identified need for a transit site and that management-based toleration should be considered. This is consistent with some of the recommendations from a recent study into transit provision in London. (The potential for a negotiated stopping approach in London – November 2019). This was prepared by London Gypsies & Travellers and De Montfort University, that advocated the use of negotiated stopping agreements.
The CLG guidance ‘Designing Gypsy and Traveller Sites Good Practice Guide’ published May 2008 acknowledged that there is ‘non one size fits all’ measurement for a pitch as this can depend on the size of family. But an average family pitch must be a clearly defined unit of occupation, with defined and secure boundaries, capable of accommodating an amenity building, a large trailer (usually a single or twin unit mobile home suitable for providing year round accommodation no just summer use), a touring caravans, drying space for clothes, a lockage shed (for bikes etc), parking space for two vehicles and a small garden/amenity space (eg for children’s play equipment, tables and chairs, barbecue, bins etc). Some Authorities will insist that at least one parking space is large enough for a works van/ transit van. Small pitches should be large enough for at least an amenity building, one trailer, outdoor drying space and one parking space.

Site Licensing requires caravans to be sited 6m apart. Where non mains drainage is relied additional space is required for treatment plants with associated drainage fields, sited well away from the caravans. On larger sites there is a need for visitor parking, refuse stores and turning circles for larger vehicles and where sites extend back from a highway layouts should demonstrate suitable access for fire engines (ie internal roads 3.7m wide).

After many years submitting planning applications for Travellers I consider a pitch needs to be no less than 25m x 25m (ie 625 sq m) and ideally 30m sq or 0.9ha if a large twin unit mobile home is proposed. (Note: a full sized twin unit mobile home can extend to 20m x 6.8m with a requirement for the caravan to be sited 3m off any boundary to ensure it is 6m minimum from any adjoining caravan ie giving a need for a space 26m x 12.8m or 332 sq m). The Pitch Deliverability Assessment notes that the Council is proposing pitches 0.01 and 0.02ha at Church Road and multiple pitches on sites no more than 0.1 hectare. Aerial photos show how cramped and overdeveloped some existing sites are.

The Council appears to expect that single touring/static caravans will suffice to provide a pitch on sites with no space for utility blocks. This is simply not realistic or acceptable. Havering Council to rely on the fact (par 7.9.4) many households have indicated a willingness to take a flexible and pragmatic approach to meeting their accommodation needs through a combination of shared caravans, day rooms rather than ‘more formally set out sites with separate pitches’ so that they can remain living together than on different sites. Just because households have had to live like this does not mean situations like this should be perpetuated. Current arrangements are cramped and in breach of site licensing rules. If the Inspector has not yet visited any of these sites, she is asked to do so to see for herself the conditions on the multiple pitches at Church Road and sites at Lower Bedfords Road (Vinegar Hill, Fairfield Rise, Hogbar Farm) and decide if it is appropriate for households to live like this given the former CLG guidance for the design of caravan sites and having regard to site licensing regulations.

I can only comment on sites that I have knowledge of

Railway Sidings
The proposed layout at Railway Sidings appears to rely on land which I have always understood was not in the ownership of the site ie the shared access road which I thought was owned by British Rail and needs to be kept clear to provide access to the railway track for maintenance purposes. Permission was originally granted for 1 extended family pitch on the southern plot and then for 5 pitches on all of the strip. The Council now propose 13 pitches on this land. It is not physically possible to do so.

Putwell Bridge
The site at Putwell Bridge appears to rely on land which encroaches onto the unregistered stream bank and includes land owned by Transport for London. There is a current application submitted August 2016 which remains undetermined for an extended family with 3 static caravans and 3 touring vans sharing two small buildings only one of which has toilet facilities. The Council propose 5 pitches on this site. It is not physically possible to squeeze 5 pitches onto a site this small. The Council claim single touring caravans will count as a pitch. The Council refuse to determine the current application claiming there are issues with flooding even though this matter was addressed and dismissed in the March 2011 Appeal decision for this site when temporary permission was first granted. There is no guarantee the Council will approve an application made for this site if it is allocated if, as claimed, there is a flood related issue.

Church Road
The site at Church Road seeks to retain numerous small pitches on land where the owner has let families live as there is no where else for them to go. The four top pitches were granted temporary permission on appeal years ago for good sized single pitch sites and now used for extended households. The remaining pitches are all unauthorised and most are tiny (ie less than 0.05ha). There is a current application to renew Meadow Rise submitted November 2017 which has not been determined. The Council does not even reply to enquiries chasing progress with this application. The Council propose 24 pitches in total at Church Road. A detailed appraisal is urgently needed to show how this is possible.

Lower Bedfords Rd
The layouts for sites on Lower Bedfords Road rely on layouts that do not incorporate separate pitches for households. Occupation of these sites varies. Originally they were extended family sites but now the owners now appear to rent out static caravans to non family members. The current arrangement should not be considered suitable for future site planning and certainly not for Traveller pitches. Unless the Council is proposing a multi-storey approach to site provision there is no way the following can be achieved:

Vinegar Hill- 22 pitches
Fairhill Rise-7 pitches
Hogbar Farm -16 pitches
Hogbar Farm East-10 pitches
Hogbar Farm west-7 pitches.
The estimates for Lower Bedfords Road are unachievable.

Ashleigh View, Tomkyns Lane
In 2010 I submitted an application for this site. It was the fourth application made on this land for a Gypsy-Traveller and the third time permission has been sought to renew the permission granted on appeal in 1998. By 2010 the site had been authorised with temporary permissions for some 12 years. Consent was sought for 1 mobile home and 2 static caravans for the family with a touring caravan stored in an outbuilding. When permission was granted in 2011 for another 2 year temporary period the family gave up on Havering Council and to the best of my knowledge refused to waste time and money on another application until the Council adopted an allocation policy. Others have also adopted this approach. The Council now propose 5 pitches on this land. Whilst the holding is of sufficient size, I doubt the area proposed will be large enough for 5 pitches as there were outbuildings on the site and sloping ground behind the mobile home. This site would be large enough for 5 pitches if a larger area were inset from the Green Belt.

iii) Need for detailed feasibility studies
Policy should include detailed feasibility studies to demonstrate that the proposed site allocations can accommodate the pitch numbers proposed within land owned by Travellers in accordance with the Plan Glossary definition of what a pitch should contain. The plans should identify each pitch. Intensification is not acceptable where this compromises the suitability and functioning of accommodation units and leads to substandard provision.
I fail to see how 162 of the 171 pitches needed (2016-21) will be accommodated on the sites listed in Annex A6. I fail to see how the shortfall 2016-21 of 9 pitches (not 7 as stated) plus the need for 23 pitches 2021-26 will be met on the 7 named sites. Para 7.9.10 states that planning applications will be expected to provide a satisfactory residential environment for the occupiers of sites. I fail to see how Havering Council can claim the submitted proposed site layouts would provide a satisfactory residential environment when they fail to follow the Council’s own definition of a pitch in the Local Plan Glossary. Para 7.9.13 states that the Pitch Deliverability Assessment concluded that 129 pitches can be accommodated within existing site boundaries or through expansion of sites on adjoining land owned by householders. This is not accepted. Many pitches are just single caravans often with no shared facilities. These are NOT PROPER PITCHES and they are NOT FIT FOR PURPOSE.

iv) Development Criteria at Policy 11 are unrealistic (2)
Policy states that these criteria will apply to applications for identified sites and new sites. Some of these criteria are unrealistic
i) Many of the identified sites will fail this criteria which requires sites to have a suitable site layout and demonstrate that the site can accommodate the number of pitches and plots sought. Policy fails to
identify what is meant by a pitch/plot but a single touring caravan on a pitch too small for a mobile home and day room is not a proper pitch. In order to meet the significantly higher need now identified the Council is unable/unwilling to provide proper pitches to meet this need. This will perpetuate the overcrowding and substandard accommodation standards on many private sites, with families expected to live in touring caravans/single unit mobile homes not suited for family/year round use without access to their own individual utility block, no amenity space, limited privacy, inadequate/unsafe parking space and likelihood some caravans will be sited close to waste treatment plants. The Council should demonstrate that the Fire Brigade are satisfied with some layouts, how refuse is to be collected and what amenity space exists for children’s play areas on sites with multiple pitches.

iii) I seriously wonder where the Council think there will be space for high quality boundary treatment/landscaping on some of these overcrowded sites.

iv) Most sites would fail the need to provide safe access to public transport services. Indeed I doubt many sites (eg Church Road, Tomkyns Lane) are on or near a bus route.

v) Is this necessary? If sites the size of Church Road outside settlements are promoted with capacity for expansion, is any site really likely to impact on local infrastructure? This criteria will simply be relied on by third parties to object to sites.

vi) If the concentration of pitches proposed on some allocated sites is not considered to pose an unacceptable impact on the amenity of site occupants and occupiers of neighbouring sites then this criteria is not worth including.

viii) Given the Council has refused to determine the application made to renew consent at Putwell Bridge due to concerns about flooding even though this concern was addressed/dismissed when permission was granted on appeal, it is of concern me the Council will not grant applications made for allocated sites for reasons such as this.

Policy goes on to say that the Council will give weight to guidance in para 26 PPTS. Criteria (c) states that Council’s should promote opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children. I can see no evidence of this consideration as part of the allocations proposed.

v) Proposals are contrary to PPTS

Para 7.9.13-7.9.14 confirms that policy has failed to identify sufficient sites to meet the immediate need 2016-21 for 136 pitches and (one presumes) the need 2021-26 for a further 18 pitches to meet those meeting the PPTS definition. This is contrary to para 10 (a and b) PPTS which requires LPAs, in producing their Local Plan, to identify a supply of specific deliverable sites sufficient to provide 5 years worth of sites against their locally set target.

We are told that the Council expect households on 2 unauthorised sites with a need for 7 pitches to submit planning applications to live on private sites owned by others in the district. That seems totally unrealistic and unworkable. Those families may not wish to share a site with another family. There is no guarantee the owners of these other sites would agree
to accept non family members or applications made by others for part of their land. This arrangement offers no security of tenure for those applying to live on some one else's land.

The obvious solution would surely be for the Council to either inset land from the Green Belt for new sites and/or ensure pitches are delivered by a registered social landlord for those for whom no site can be found.

vi) Transit sites
None are proposed. This approach it totally unacceptable. It is the same excuse given by every local authority. None are willing to commit to providing transit sites. All find convenient excuses to do nothing. It is not appropriate to deal with this by Enforcement Action. The Government is consulting on proposals to criminalise unauthorised encampments. Police forces have indicated that they support they need for transit sites. It is far from clear why the Council claim transit sites would not address the problem of those passing through the borough and/or encampments on industrial land. If, as claimed, the majority of caravans were short term visiting family or friends, then one option would be to encourage transit provision as part of private site provision. But as noted above the private site allocations are not large enough to meet residential needs let alone transit needs.

1251363 Mr Francis Dooley MM12
The table in Appendix X of Policy 11 lists sites allocated in the local plan for Gypsy and Traveller accommodation. It shows Mr Dooley's site Putwell Bridge Caravan Park as requiring a total five year need of five pitches. He would like to ask for this to be increased to seven pitches to meet the needs of his family within the existing site. Six children and their families to occupy one pitch each with Mr Dooley and his wife to occupy the seventh pitch. In total he will need seven single unit mobile homes and two dayrooms on the site.

The site boundary shown in the G & T accommodation and proposals map changes January 2020 document is incorrect. The land in Mr Dooley's ownership has increased since this drawing was prepared.

The pitch deliverability matrices document February 2019 states that there is no provision for surface and storm water drainage. This is incorrect, the site is connected to the public sewer.

The GTAA only identified Mr Dooley and 3 children and their families living on the site at the time of the fieldwork. This may have increased following the additional land that has subsequently been acquired.

The GTAA provides a robust assessment of need, LBH recognise that the evidence base for the Local Plan represents a point in time and there could be changes since the work was undertaken. LBH do not consider it appropriate to undertake further Updates to the evidence base as this would unduly delay the adoption of the Local Plan.

The information provided regarding connection to the public sewer is noted but does not impact on the proposed main modification.

1112384 Mr Nigel Teelan MM12
The plan the council has drawn up cannot work because they haven't considered the existing site layout which has permission for a permanent dwelling which with the council's plan would need to be knocked plus the pitch sizes are too small.

The council recognised my site Willow Tree Lodge as an established site that meets all the criteria for a site they also recognise that I can deliver the site and I have the land also to do so and that I'm willing to work with themselves and yet they haven't once contacted me to do so.

The council knows that I have enough land to deliver extra pitches for their need and future need if needed and they haven't increased the size of land instead they've squeezed everything into the same land that won't work and by making the area bigger it would help them with additional pitches also.

LBH disagree that the pitches that have been allocated in Policy 11 are not large enough to meet identified needs. The GTAA, in the Conclusions Chapter, sets out a number of options for the Council to consider when seeking to meet identified need. Much of the need identified in the GTAA is not for families but is for young single adults and teenagers who in the short to medium term will not require space for a full pitch as set out in the (now withdrawn) good practice guide. LBH contend that short to medium term need identified from single adults and teenagers can adequately be met through the provision of additional touring caravans. This approach was agreed through consultation with site occupants during the completion of the Pitch Deliverability Assessment.
you can't put a pint into a half pint glass!
There is no amendment to the plan’s from previous site layouts and what we already have again another insult to all involved

<table>
<thead>
<tr>
<th>1253334</th>
<th>Mr Nigel Teelan (Philip Brown Associates)</th>
<th>MM12</th>
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<tbody>
<tr>
<td>1. The five-year need, 2016-2021, provided for under policy 11, as amended, will not be met in full by proposed site allocations but, in any case, will shortly be out-of-date and will not be capable of satisfying need in years 6-10.</td>
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<td>2. The site allocation at willow tree lodge is inadequate to meet the identified need and fails to take advantage of the opportunity for expansion of the existing site to accommodate the 8 additional pitches required to meet need to 2031.</td>
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<td>3. The 2019 GTAA identifies an existing provision of 11 pitches at willow tree lodge and identifies a need for 6 extra pitches in the 1st five year period. The proposed site layout only shows 13 caravans to meet the 5-year need of 17 pitches and 6 caravans to meet 6-15 year need of which many of the pitches are only capable of accommodating a single touring caravan.</td>
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<td>4. The proposed site allocation at willow tree lodge is unrealistic and unviable, and will not deliver the required number of pitches.</td>
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<td>The GTAA that was completed by ORS should be seen as a robust assessment of need and this has been accepted by those making representations during the most recent round of consultation on Main Modifications.</td>
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<td>LBH contend that Policy 11 does seek to meet the need identified in the GTAA and goes over and above what is required by the PPTS by also allocating pitches and plots for households that did not meet the planning definition of Traveller. All of the sites and yards in Havering are privately owned and nobody indicated during the household interviews that they would wish to move to a public site.</td>
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<td>With regard to site layout of pitches, LBH reiterate that the layouts provided are illustrative only and alternative layouts within the proposed sites are also feasible and can be considered at the planning application stage. LBH therefore disagree that the proposed site is unachievable and are considered deliverable with the proposed boundaries.</td>
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<thead>
<tr>
<th>407275</th>
<th>Alison Heine</th>
<th>MM28</th>
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<tbody>
<tr>
<td>This states that there will be no net loss of pitches or plots. As noted above it will not be possible to deliver the level of need identified, within existing sites, without allocating additional land. The Council has set itself an unrealistic target which is bound to fail.</td>
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<td>See previous comments in response to MM12</td>
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<tr>
<th>1253334</th>
<th>Mr Nigel Teelan (Philip Brown Associates)</th>
<th>MMC11 Revised Gypsy and Traveller Accommodation Assessment Update Report (July 2019)</th>
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</thead>
<tbody>
<tr>
<td>1. The assessment update is not challenged as being a reasonable estimate of need.</td>
<td></td>
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<td>Noted</td>
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<thead>
<tr>
<th>1253334</th>
<th>Mr Nigel Teelan (Philip Brown Associates)</th>
<th>MMC12 Site Layout Drawings</th>
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<tbody>
<tr>
<td>1. The layout prepared for willow tree lodge has not involved any consultation with the site owner</td>
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<tr>
<td>2. The layout pays no regard to existing site features and, in particular, assumes removal of an existing, lawful, dwelling and an approved stable building.</td>
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<tr>
<td>There have been ongoing discussions with Mr Teelan regarding Willow Tree Lodge through the Councils consultants ORS. With regard to site layout of pitches, LBH reiterate that the layouts provided are illustrative only and alternative layouts within the proposed sites are also feasible and can be considered at the planning application stage.</td>
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### Policy 7 Successful Places to Live

1. **Willoughby Drive, Havering, RM13 7SX**
   - **Main Modification 12**
   - **Policy 11 Gypsy and Traveller Accommodation**
   - **Planning permission has been granted for 10 pitches in addition to the existing pitch (accommodating a twin-unit mobile home and touring caravan). The legal agreement has been completed. The lawful caravan site includes an existing dwelling and approved stable building.**
   - **The owner has been prepared to work with HBC to implement further pitches but, HBC has not consulted the site owner before publishing proposed changes to the proposals map and, consequently has not put forward realistic or viable site layout proposals for Willow Tree Lodge.**

2. **Willow Tree Lodge, Havering, RM14 1**
   - **Main Modification 8**
   - **Policy 11 Gypsy and Traveller Accommodation**
   - **Paragraph 3.5 suggests that the allocation at Willow Tree lodge has been amended, but the allocated area does not appear to have changed since the site assessment dated 20 February 2019.**
   - **The area identified is inadequate to accommodate the existing approved pitches (11 identified as existing in the 2019 GTAA) together with the 6 extra pitches required 2016-2021.**

**Notes:**
- LBH notes the permissions granted for this location, however, with regard to site layout of pitches, LBH reiterate that the layouts provided are illustrative only and alternative layouts within the proposed sites are also feasible and can be considered at the planning application stage. LBH therefore disagree that the proposed site is unachievable and is considered deliverable with the proposed boundaries.
- It is clearly set out on the Local Plan Examination pages on the Council’s website that a detailed and comprehensive Pitch Deliverability Assessment was completed in Havering prior to the proposed Local Plan Allocations being included in Policy 11. Indicative pitch allocations were discussed in detail with site owners/occupiers during the completion of this assessment.

### Policy 11 Gypsy and Traveller Accommodation

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**Notes:**
- LBH notes the permissions granted for this location, however, with regard to site layout of pitches, LBH reiterate that the layouts provided are illustrative only and alternative layouts within the proposed sites are also feasible and can be considered at the planning application stage. LBH therefore disagree that the proposed site is unachievable and is considered deliverable with the proposed boundaries.
- It is clearly set out on the Local Plan Examination pages on the Council’s website that a detailed and comprehensive Pitch Deliverability Assessment was completed in Havering prior to the proposed Local Plan Allocations being included in Policy 11. Indicative pitch allocations were discussed in detail with site owners/occupiers during the completion of this assessment.

### Generic Comments

I have provided LB Havering with four reports:

1. **Generic Issues with Policy 11 Main Modification 12**
   - **Addendum Generic issues with Policy 11 Main Modification 12**
   - **Willoughby Drive, Havering, RM13 7SX**
   - **Main Modification 12**
   - **Policy 11 Gypsy and Traveller Accommodation**
   - **Main Modification 8**
   - **Policy 7 Successful Places to Live**

2. **Willow Tree Lodge, Havering, RM14 1 LW**
   - **Main Modification 12**
   - **Policy 11 Gypsy and Traveller Accommodation**
   - **Main Modification 8**
   - **Policy 7 Successful Places to Live**

In relation to an assessment of the condition of existing sites, LBH do not consider this as an issue for the GTAA. The representation refers to Draft Guidance that was issued to support the Housing and Planning Act (2016) and the following requirements that a local authority should consider.

- **Existing site condition surveys needed to be undertaken.**
- **Site / pitch needs assessments needed to be undertaken.**

However, ORS cannot find these references anywhere in the Draft Guidance. The Draft Guidance simply states:

- **This requires local housing authorities to assess and understand the accommodation needs of people residing or resorting to their district.**

Local Planning Authorities are required to ensure sufficient locations are allocated to address the identified accommodation need for Gypsies, travellers and travelling Showpeople.

The need has been assessed following the Government advice in the National Planning Policy Framework and the Government’s planning policy for Travellers sites. This is one part of the local plan role of identifying land to come forward representations LB Havering Local Plan

**Generic policy comments**

- **Exhibit 1 Dale Farm summary**
- **Exhibit 1 ii**
- **Sustainability Assessment of the Future Options for Dale Farm & Oak Lane Caravan Park**
- **09 March 2020**
- **91) (4)**
- **Exhibit 2 Ai**
- **Exhibit 2 Bi [Excel]**
- **Exhibit 2 Aii**
- **Exhibit 2 Bii**
- **Exhibit 2 Aii**
These reports form part of this representation. The reports identify that there is an issue with the information base used by LB Havering (LBH) in the preparation of its draft local plan. There are issues with the information base as:

- LBH has failed to properly take account of failures in registration of planning enforcement notices.
- LBH has registered Local Land Charges based on enforcement notices that were never served and never took effect.
- LBH has failed to conduct surveys of Gypsy / Traveller sites in the Borough to assess their suitability for human occupation. (28)
- LBH has failed to objectively determine the benefits associated with development / redevelopment of land through the undertaking of sustainability assessments. A methodology has been provided to the LBH based on HM Treasury and MHCLG guidance that has been applied to a site in the neighbouring borough of Basildon.

If development proposals are based on a false information base it is impossible to properly prepare a Local Plan. The flawed information base of LBH is derived from failures in corporate governance (that applies particularly to the development control function of LBH).

I have provided evidence in my reports identifying that the LBH proposed modifications to the draft Havering Local Plan are based on a false evidence base. The consequence is that both the LBH provision for Gypsy / Traveller accommodation and accommodation for the settled community should be excluded from the draft Local Plan and be made subject to additional development plan documents / consultation with the information base corrected.

The Inspector acting for the Secretary of State has determined that the draft Havering Local Plan as submitted for examination did not satisfy the requirements of s20(5) of the Planning and Compulsory Purchase Act 2004.

S20(7C) requires the Secretary of State to recommend modifications to the Local Plan if requested by the Local Planning Authority to recommend modifications to the local plan that would make it one that:

(a) Satisfies the requirements of s20(C) and is sound.

The local planning authority must publish the recommendations and the reasons under s20(8).

It is not believed that the modifications on which the Council are consulting on are sound due to failure in corporate Governance leading to a flawed evidence base.

It would be irrational for the Secretary of State to fail to take account of the fact that LBH has failed to follow their must directions to seek to identify that land is not developable, and have used mortgages claimed from enforcement notices that never existed to seek to claim land, and claim to have obtained land from non-existent compulsory purchase orders.

for all types of homes, for different groups in the community and is reflected in the planning policies and identified sites. Annex 1 Planning Policy for Traveller Sites (2015) sets out how Travellers housing needs should be assessed for those covered by the definition on Annex 1 of that document. The draft guidance simply states: "This requires local housing authorities to assess and understand the accommodation needs of people residing or resorting to their district."

The evidence base is up to date and in line with the requirements of Planning Policy for Traveller Sites (2015). The requirement to identify a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against the locally set targets and to identify a supply of specific, developable sites, for years 6 to 10 and, has been clearly written into the draft local plan.

The proposed sites within the local plan are in line with the requirement to relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population’s size and density. The local plan contains suitable development planning criteria to guide the allocations.

MMC13 Pitch Deliverability Assessment Matrices (February 2019) details the consideration of pitch layouts on the sites under consideration. LBH has published the ORS updated CPHD018: Gypsy and Traveller Assessment Update (July 2019). Considerable work has been carried out by LBH, in close association with the families concerned, to produce the indicative layouts detailed within CPHD018.1: Site Layouts Table (Supporting site layout material for revised Policy 11 Gypsy and the Traveller Accommodation) (09-07-2019) and CPHD018.2: Site Layouts Drawings (Supporting site layout material for revised Policy 11 Gypsy and Traveller Accommodation) (09-07-2019).

Sites that are proposed for allocation within the draft local plan will also require planning permission, where this has not already been given.

There is no requirement to carry out an existing site condition survey for the development of a local plan. This is addressed by the licensing regime which is outside of the planning process.

The requirements of a caravan site license aim to ensure that the welfare, health, and safety of site residents are protected and to restrict the possibility of nuisance to neighbouring land and property. This licence also covers such matters as drainage, gas, water and electricity supply, fire precautions, number of caravans allowed, recreational space and boundaries.
It is believed that substantial additional work by LBH is required to enable it to produce a Local Plan suitable for adoption or to meet the requirements of the Secretary of State.

This would require failure in corporate governance to be corrected. It is considered unlikely that any HM Government Minister shall seek to claim that their own law should be disregarded by a Local Planning Authority.

The Local Planning Authority is requested to undertake a cost / benefit analysis of all land occupied as Gypsy / Traveller sites and to formally develop standards for Gypsy / Traveller pitches.

Summary

There is a shortage of accommodation and most accommodation is brought forward without planning permission resulting in enforcement notices by the Local Planning Authority.

Gypsy / Travellers are accepted as being subject to the effects of social, economic and environmental deprivation and often live in caravans. Caravan sites are regulated through the Caravan Sites Act 1960 and acts in a very similar way to building regulations. Very few Gypsy / Traveller sites are lawful as many do not have a caravan licence. About 60% of the accommodation made available to Gypsy / Travellers is on sites claimed to be owned by Local Authorities. There has been a very limited exercise of right to by rights by Gypsy and Travellers.

The response identifies a failure in corporate governance related to the s188 register...and also a failure in procurement of the GTAA so I have copied it to the Head of Paid Service.

There is no good reason why the Secretary of State should not certify a failure in corporate governance of a Local Planning Authority particularly when this is documented and has led to a flawed information base on which the local plan is based.

There are two less harsh responses in relation to sites also to be forwarded. The evidence base would be more specific if LB Havering replied to FoIRs and if Covid had not restricted access to documents.

Gypsy Traveller Accommodation

S8 (1) of the Housing Act 1985 provides:

Every local housing authority shall consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation

S124 of the Housing and Planning Act 2016 provides:

Assessment of Accommodation Needs

(1) In section 8 of the Housing Act 1985 (periodical review of housing needs) after subsection 2 insert -

(3) In the case of a local housing authority in England the duty under subsection (1) includes a duty to consider the needs of people residing in or resorting to their district with respect to the provision of -

(a) sites on which caravans can be stationed, or

(b) places on inland waterways where houseboats may be moored.

A cost/benefit analysis as suggested is neither appropriate nor required as part the development of a local plan and site allocations within it. It is not considered a suitable addition to the evidence base already undertaken.

The evidence base upon which the Council developed the site identification and criteria is comprehensive and up to date in line with government requirements and good practice.

Details of the evidence base are provided on the Councils Examination webpage at:

https://www.havering.gov.uk/info/20034/planning/183/planning_policy/10

Therefore, the Council do not consider that the amendments as proposed would be appropriate.

No change to policy.
The Department for Communities and Local Government published draft guidance to local housing authorities on the periodical review of housing needs caravans and houseboats in March 2016.

To determine accommodation needs of caravan dwellers the guidance identifies that:

- **existing site condition surveys needed to be undertaken**; (29)
- site / pitch need assessments needed to be undertaken;

The draft guidance identifies that a specialist survey would probably be required when assessing needs. There have been no existing site condition surveys undertaken by any of the specialist providers of accommodation surveys in England since 2016.

These surveys are commissioned by Local Housing Authorities. There has been a universal failure by Local Housing Authorities to procure site condition surveys from their providers.

This raises substantial issues when Local Plans are considered particularly in areas with land protected from development through the planning system as Green Belt land can only be released for development through the Local Planning Authority amending its local plan.

There has additionally been a universal failure of Local Planning Authorities to determine if they actually have planning enforcement notices that are effective against land in their district The Local Planning Authority acts as Crown Prosecutor for any enforcement notice it claims. It has to be able to identify beyond all possibility of doubt that the notice it claims was issued, served and took effect. This can only be through the s188 register.

Examination of enforcement notice registers and Local Land Charges registers in Eastern England and the South East England identifies that most Council's issue multiple versions of enforcement notices (different dates and requirements), that most notices were not served, and that most enforcement notices the Local Planning Authority claims to have issued never took effect. It is clear that a large number of enforcement notices registered against land at Willoughby Drive as Local Land Charges never took effect as planning charges (**Exhibit 2**).

It is anticipated that a similar situation exists for most other Gypsy / Traveller sites in LB Havering. The Court is not able to examine the validity of a notice claimed by a Local Planning Authority. This has led to one Local Planning Authority successfully prosecuting three different versions of a planning enforcement notice in three different courts. A different version of a notice the Council issued was served in 2010 and appealed to the Secretary of State. This was different to those prosecuted in the Court. The Council was unable to prosecute under s179. The issue inevitably leads to identification and claims of failures in corporate governance of politically controlled organisations.

The Criminal Case Review Commission was established in the 1990s to enable appeals against miscarriages in justice caused by the police falsifying evidence and suppressing information (i.e. police notebook). A Local Planning Authority acts as the Criminal Case Review Commission function for the Planning system. The route of activation of the appeal system is an application under s173A or through preparation of a Local
Plan to require the Local Planning Authority to certify that it has breached the Criminal Justice System. This is identified from the s188 register which is the equivalent of the police notebook. There is no good reason why an ethnic Gypsy / Traveller living on land lawfully for the purposes of s191 should be required to seek to have it allocated only for use by Gypsy / Travellers, or a Local Planning Authority should seek this outcome. This would be a breach of both the Equalities Act 2010 and Human Rights Act 1998.

POLICY 11

The LB Havering has identified that it has a need for 220 pitches for Gypsy / Travellers to be established within the Green Belt between 2016 – 2031, and that the Green Belt is to be modified.

The Havering Borough Council has failed to determine if existing Gypsy / Traveller sites are safe and are capable of providing decent homes. Most of the sites that the Havering Borough Council is seeking to identify as being suitable for Gypsy / Traveller use have been permanently occupied residentially for more than ten years. They are not occupied as a caravan site as none of the sites are licensed under the Caravan Sites Act 1960 (Exhibit 3).

The majority of the existing sites do not require planning permission as they are lawful residential properties. Much of the existing land used residentially by Gypsy / Travellers is worth substantially more as land for housing development than as a Gypsy Traveller site.

The issue that the Council needs to address is if existing Gypsy / Traveller sites that fail to provide decent homes should be redeveloped, and if adequately financed new sites should be developed as new sites within the Green Belt. This has substantial implications for the LB Havering housing sites allocations within the Green Belt.

Revised / Corrected Policy 11

10 Exhibits.

- Start of policy change proposal -

Policy 11

Gypsy and Traveller accommodation

Revised Policy – prepared by Stuart H CARRUTHERS. October 2020

The Council will seek to ensure that the accommodation needs of Gypsies, Travellers and Travelling Showpeople who meet the planning definition of a traveller and those who do not meet the planning definition (as set out in Planning Policy for Traveller Sites (2015)) are met for the Local Plan period 2016-2031.

(1) Identifying and addressing accommodation needs

a) Overall accommodation needs for Gypsy and Traveller and Travelling Showpeople households

(66)
The Council has undertaken a Gypsy and Traveller Accommodation Assessment (GTAA). The Update report (July 2019) of the GTAA identifies this need as 220 pitches for Gypsies and Travellers and 5 plots for Travelling Showpeople for the Plan period 2016-2031 comprised of:

- 174 pitches for Gypsy and Traveller households who meet the planning definition
- 43 pitches for Gypsy and Traveller households who do not meet the definition
- 3 pitches for undetermined households
- 5 plots for Travelling Showpeople who meet the planning definition

The Council has made the following definitions in its local plan:

<table>
<thead>
<tr>
<th>Gypsy and Traveller Pitch</th>
<th>A pitch is defined as accommodating a household, and in Havering generally includes a large static trailer, touring caravan, amenity building and parking and turning space.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gypsy and Traveller Site</td>
<td>A site that can be made up of one or more pitches</td>
</tr>
</tbody>
</table>

A single pitch forming a site shall have an area of at least 625m².
Each pitch on a site formed of multiple pitches shall have a minimum area of 450m².

The LB of Havering has determined that there are 42 sites in the borough formed of 174 pitches covering 24,372.97m². The existing pitch sizes range 4,600m² – 150m² (Table 1).

Much of the existing accommodation for Gypsy / Travellers is sub-standard, and would not be possible to licence under the Caravan Sites and Control of Development Act 1960.

The LB Havering needs to make an additional 95 pitches to bring its existing accommodation supply for Gypsy / Travellers up to decent homes standards. Between 42,750m² – 69,375m² of land needs to be made available.

A Cost / Benefit analysis is to be undertaken to determine if existing land used residentially by Gypsy / Travellers should be redeveloped to provide housing for the settled community and the land currently used by the Gypsy / Traveller community relocated into other areas of the Havering Green Belt. This work is to be carried out immediately. No allocations for development of housing within the Green Belt is to take place until this work is completed and/or no windfall allocations included within the LB Havering allocations for housing granted planning permission for development.

b) Accommodation needs for Gypsy and Traveller and Travelling Showpeople households for 2016-2021
The GTAA Update report (July 2019) identifies the need for pitches and plots for Gypsies and Travellers and Travelling Showpeople for the period 2016-2021 as:

- 136 pitches for Gypsy and Traveller households who meet the planning definition
- 33 pitches for Gypsy and Traveller households who do not meet the definition
- 2 pitches from undetermined Gypsy and Traveller households
- 5 plots for Travelling Showpeople

The sites allocated for Gypsies, Travellers and Travelling Showpeople households are identified on the Proposals Map and listed in the tables in Appendix X. The tables in the appendix identify the number of pitches and plots that will be accommodated on each site.

In total, 162 pitches are identified on these sites for Gypsy and Traveller households and 5 plots for Travelling Showpeople households. The remaining accommodation needs for 2016-2021 for Gypsy and Traveller households of 7 pitches required will be addressed through the consideration of planning applications for pitches within the seven areas indicated below which have been identified for accommodating growth for 2021-2026.

The sites allocated in Appendix X and for accommodating growth (below) are only to be used for accommodation for Gypsies, Travellers and Travelling Showpeople. These sites will be removed from the Green Belt and inset within it.

The LB Havering is unable to identify land that is available to the Gypsy / Traveller community to meet their accommodation needs that is not within the Green Belt.

Planning policy for Traveller sites in Green Belt identifies that development in the Green Belt is inappropriate.

It further states that: "Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific identified need for a traveller site, it should do so only through the plan making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only."

The LB Havering is unable to identify with certainty land that Gypsy / Travellers would wish to develop as traveller sites in the Metropolitan Green Belt. It will make available 70,000 m² of land within the Metropolitan Green Belt on land that is brownfield for development as Gypsy / Traveller sites. This land is identified in Plan 1 as an area of search, and shall only be used for the provision of Gypsy / Traveller accommodation until all accommodation needs of the Gypsy / Traveller population is met.

No land is to be allocated for housing within the Green Belt through the Local Plan until the accommodation needs of the Gypsy/Travellers of Havering are properly met. Any allocation made by the LB Havering prior to these needs being met shall make a contribution of 20% of the lands
value (after award of planning consent) to the LB Havering to support development of private Gypsy / Traveller pitches in the Borough.

c) Accommodation needs for Gypsy and Traveller and Travelling Showpeople households for after 2021

It is unlikely that there will be scope for sites in the urban area to address the accommodation needs of Gypsies, Travellers and Travelling Showpeople in the period after 2021. Following detailed assessment of the sites allocated in this Local Plan, the Council expects that the majority of the accommodation needs arising for the period 2021-2026 could be met within existing sites or within land adjoining them where this is in the control of households on the existing site(s).

The Council expects some of the accommodation needs of Gypsy and Traveller households arising in the period 2021 - 2026 to be met at the following locations:

- Ashlea View, Tomkyns Lane
- Church Road
- Haunted House Wood
- Laburnum Stables
- The Old Forge, Hubbards Chase
- Tyas Stud Farm
- Willoughby Drive
- Willow Tree Lodge

No further need in Havering after 2021 has been identified as necessary for accommodation for Travelling Showpeople households.

The LB Havering identifies that it will need to make an additional 23 pitches for Gypsy / Travellers available between 2021 – 2026. This will require an additional 10,350 – 14,376m² of land to be made available from the Metropolitan Green Belt.

d) Accommodation needs for Gypsy and Traveller and Travelling Showpeople households after 2026

Planning applications for sites to meet future accommodation needs for Gypsies and Travellers and Travelling Showpeople in the latter periods of the Local Plan period (2026–31) as a result of new household formation will be addressed against relevant national policy and the criteria set out below.
Where appropriate, the Council will seek to retain approved sites for Gypsies, Travellers and Travelling Showpeople in the light of the challenges of identifying suitable sites for these communities.

(2) Development criteria for sites for Gypsy and Traveller and Travelling Showpeople

When considering planning applications for sites for Gypsies, Travellers and Travelling Showpeople, the Council will take into account the matters identified in criteria (a) – (e) of paragraph 24 of Planning Policy for Traveller Sites (PPTS) (2015).

Provision for pitches and plots to meet the needs of Gypsies, Travellers and Travelling Showpeople on the identified sites and on new sites will be supported in a planning application where the Council considers it is demonstrated that:

i. The site has a suitable site layout which demonstrates that the site is able to accommodate the number of pitches and plots sought;

ii. The site has essential services such as water, power, sewerage, drainage and waste disposal or is capable of being provided with these;

iii. The site is provided with high quality boundary treatment and landscaping in accordance with Policy 27 of this Plan;

iv. The site has safe access to the highway and public transport services and will not result in unacceptable impact on the capacity and environment of the highway network;

v. The site does not place an undue pressure on local infrastructure (such as healthcare, schools and shops);

vi. The proposal would not result in unacceptable adverse impacts on the amenity of other site occupants and the occupiers of neighbouring sites;

vii. The proposal would not result in unacceptable adverse impacts on the visual amenity of the local area;

viii. Sites at risk of flooding should be subject to the sequential and exception tests.

In addition, the Council will also give weight to the criteria set out in paragraph 26 of Planning Policy for Traveller Sites (PPTS)(2015) (or any revisions to national planning policy) when assessing proposals for sites for Gypsies, Travellers and Travelling Showpeople and any failures in corporate governance of the Local Planning Authority that have adversely affected these groups of people.

7.9.1 The Havering Gypsy and Traveller Accommodation Assessment (GTAA) Update Report (July 2019) provides a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Havering for the plan period 2016-2031.

The report identifies additional need for Gypsy and by 5 year periods for households who meet the planning definition and those who do not meet...
the planning definition (as defined in Planning Policy for Traveller Sites (2015)) as well as those households for which need was undetermined. The table below summarises this:

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Text</th>
</tr>
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<tbody>
<tr>
<td>7.9.3</td>
<td>The immediate update of the Local Plan will also provide the opportunity for the Council to assess how the need for further sites for gypsies and travellers can be met and how it may identify these in its next Local Plan. In doing this, the Council will have regard to the Planning Policy for Traveller Sites (PPTS (2015)).</td>
</tr>
<tr>
<td>7.9.4</td>
<td>The GTAA Update Report (July 2019) is supported by an up to date and detailed Pitch Deliverability Assessment to determine whether the current identified need for pitches could be accommodated within the existing boundaries of established sites. Further work based on this evidence has also encompassed looking at the scope for existing sites to be expanded to accommodate existing and future needs where the households on a site have ownership or control of adjoining land. This work encompassed assessing the capacity of individual sites to accommodate further accommodation units of the types typically used by Gypsy and Traveller families including park homes, touring caravans and ‘day-rooms’. It provided for reasonable separation between units and access arrangements. It did not encompass detailed feasibility studies as to the capability of sites to accommodate further units. In assessing the scope for sites to accommodate current and future accommodation needs of Gypsy and Traveller and Travelling Showpeople households, the Council has been assisted by the close co-operation of many of the households particularly those with larger, extended family groups. Many households indicated their willingness to take a flexible and pragmatic approach to meeting their accommodation needs through a combination of shared static caravans, tourers and ‘day-rooms’ rather than more formally set out sites with separate pitches. This was because this would provide the opportunity for households to remain together rather than be accommodated on different sites. It is recognised this approach has practical merit in enabling households to remain together in the short term. Regular review and update of the GTAA will be required, and undertaken, to ensure that future accommodation needs are properly identified and that overcrowding of sites is avoided.</td>
</tr>
<tr>
<td>7.9.5</td>
<td>The GTAA Update Report (July 2019) identifies that all Gypsy and Traveller families living in Havering currently occupy private sites within the Havering Green Belt. There are no public sites within the borough and there are no sites in the built up area. The biggest constraint when trying to identify suitable land to meet the need for Gypsy and Traveller pitches in Havering is the Green Belt.</td>
</tr>
<tr>
<td>7.9.6</td>
<td>National planning policy says that Gypsy and Traveller pitches are inappropriate development in the Green Belt and can only be permitted in</td>
</tr>
</tbody>
</table>
very special circumstances. However, despite repeated and extensive efforts, the Council has not been able to identify any suitable and deliverable non-Green Belt land within the built-up area that could be used for Gypsy and Traveller accommodation. 7.9.7 The policy seeks to meet the needs identified in the GTAA Update report (July 2019) through the allocation, regularisation, intensification or appropriate expansion of existing and new Gypsy and Traveller sites within the Havering Green Belt. This follows the Council’s conclusion that exceptional circumstances can be demonstrated from a significant level of need for pitches for Gypsies and Travellers; a lack of any alternative suitable and deliverable non-Green Belt land; and that the allocation, regularisation, intensification or expansion of established sites would cause no further harm to the Green Belt subject to proposals satisfying the criteria in the policy.

7.9.8 Through the preparation of this Local Plan, the Council is removing these sites from the Green Belt and ‘insetting’ them within it. This is so that planning applications for Gypsy, Traveller and Travelling Showpeople accommodation on these sites do not need to demonstrate very special circumstances to be approved. The Council wishes to make it clear that these alterations to the Green Belt boundary are limited and exceptional in order to meet the specific identified needs for Gypsy, Traveller and Travelling Showpeople sites.

7.9.9 Although the sites allocated in this policy for Gypsy and Traveller and Travelling Showpeople households are removed from the Green Belt, the Council emphasises that the only acceptable use of these sites will be for accommodation for Gypsies, Travellers and Travelling Showpeople.

7.9.10 The Council will expect planning applications to be submitted from the adoption of this Local Plan to ‘regularise’ these sites. All planning applications for these sites will be assessed against the relevant policies of this Local Plan and Planning Policy for Traveller Sites (2015) or under s191 of the Town and Country Planning Act 1990.

[No change until Para 7.9.12]

7.9.13 The Pitch Deliverability Assessment concluded that 129 pitches of the necessary 136 pitches needed in the first 5 years of the plan period could be accommodated within existing site boundaries or through the expansion of these sites on adjoining land owned by the households.

7.9.14 It is not currently possible to meet the current need for 7 pitches for households on 2 unauthorised sites within the current site boundaries due to land ownership issues. In the event that the households involved wish to remain in Havering, the Council will expect them to submit planning applications for pitches at one of the seven sites indicated in the policy.
the broad locations for growth for the period 2021-2026 (see para. 7.9.22).

7.9.15 The sites where an allocation has been made are identified on the Proposals Map and listed in Appendix X. These allocations include any existing temporary or unauthorised pitches. The table in Appendix X identifies the numbers of pitches that can be accommodated on each of the allocated sites.

(b) Need for pitches for Gypsy and Traveller households in Havering who did not meet the planning definition in Planning Policy for Traveller Sites (2015)

7.9.16 The GTAA Update report (July 2019) identified a 15-year need for 43 pitches for households that did not meet the planning definition of a Traveller. Of these, a total of 33 pitches are needed in the first 5 years of the Local Plan period (2016-2021) and a further 10 pitches are needed in the latter part of the Local Plan period (2021-2031). All of this need arises from existing sites located in the Green Belt.

[No change until para 7.9.17]

7.9.17 The Pitch Deliverability Assessment that was completed concluded that the identified need for 33 pitches in the first 5 years of the Local Plan period (2016-21) can be met within the boundaries of the existing sites provided that decent home standards were not applied.

[No change until para 7.9.21]

7.9.21 In the light of the other land-use priorities in Havering, particularly, the need to provide enough new homes, the Council considers that it may be unlikely that adequate sites will be identified in the built up areas. Notwithstanding that, at this stage, the Council considers that the work it has undertaken to support the preparation of this Local Plan (paragraph 7.9.4) provides it with up to date and robust information about the potential, if necessary, for existing sites to accommodate further growth in either their current form or with modest expansion into adjoining land that is within the control of the households occupying the current sites. The Council considers that in the event that sites in the urban area cannot be identified or would not provide enough capacity, then growth in years 6-10 could be located on some of the existing sites in the Green Belt or extensions to them. In coming to this conclusion, the Council has also taken into account that it is likely that there may be changes to the levels of needs arising from the existing households and these will be identified in a future update of the GTAA.
7.9.22 Following detailed work (see paragraph 7.9.4 above), the existing Gypsy and Traveller sites at:
- Ashlea View, Tomkyns Lane
- Church Road
- Haunted House Wood
- Laburnum Stables
- The Old Forge, Hubbards Chase
- Tyas Stud Farm
- Willow Tree Lodge

have been identified to accommodate Gypsy and Traveller household growth in years 6-10 of the Plan period (2021-2026) and those Gypsy and Traveller households whose accommodation needs (identified in the GTAA Update report (July 2019) as 7 pitches) in the first 5 years of the Local Plan period cannot be met on their current unauthorized site.

7.9.23 When considering planning applications for Gypsy and Traveller pitches, the Council will take into account the policy criteria outlined in Policy 11 in addition to the requirements of national policy, and other material and financial considerations.

(e) Travelling Showpeople in Havering

7.9.24 As identified above in paragraph 7.9.2, the GTAA Update Report (July 2019) identified that there are 5 Travelling Showpeople households in Havering and all meet the planning definition in national planning policy. The households living on the existing yard stated that they are looking to expand the yard on to adjacent land that they own, and that this will meet all of their current and future needs. The Council envisages that planning applications for the expansion of the Travelling Showpeople site identified in Appendix X will be considered favourably subject to the criteria in national policy and this policy being satisfied.

Delete Annex A.6 text and Table 5

- End of policy change proposals -

MAIN MODIFICATION 12
POLICY 11 GYPSY AND TRAVELLER ACCOMMODATION
ADDENDUM
Background
This document is provided following correspondence with both the LB Havering and ORS their Gypsy Traveller Accommodation Assessment provider (EXHIBIT 1).
There are two case studies submitted to the LB Havering under Main Modification 6 (policy 7 Successful Places to Live) and Policy 11 Gypsy and Traveller Accommodation by myself.

Case Study 1: relates to land at Willoughby Drive. The LB Havering has identified that this should not be considered for Gypsy Traveller Accommodation due to land ownership issues. Willoughby Drive is probably the oldest Gypsy / Traveller site in the LB Havering and has an established use for this purpose dating from the 1920s. There are significant issues with land registration of this land in the registers of the Chief Land Registrar (these include the three registers of land and 12 Local Land Charges Registers) and the LB Havering Planning registers. These are identified.

Case Study 2: relates to Willow Tree Lodge. The LB Havering has identified that this should not be further extended into the Green Belt despite it providing and being able to provide decent standard homes for Gypsy / Travellers for members of the land owners family. The land owner and their family are willing to take a significant financial 'hit' by not seeking to develop the land for housing whilst seeking to develop their land to meet their needs.

It is reasonably clear that there has been a flawed procurement of GTAA’s by LB Havering as there has been no attempt made to assess if Gypsy / Traveller pitches (existing and proposed) would meet decent home standards. In this case comply with the Caravan Sites Act. The deprivation caused to the Gypsy / Traveller Community and others through provision of pitches through the planning system that do not meet decent home standards is very high, and causes conflict between the Traveller and Settled community. For this issue to be addressed there needs to be a full cost benefit analysis of existing sites and those proposed.

There are significant issues with the s188 register that apply to most Council's in England. In some Council's the register does not exist, whilst others claim that the register they claim is their s188 register is maintained according to the Secretary of States regulations (s43 of the Town and Country (Development Management Procedure) (England) Order 2015. Local Planning Authorities act as Crown Prosecutor for enforcement notices that are identified in the register as having taken effect. If they are identified as having taken effect in the register they can be registered as a Local Land Charge and also be prosecuted by the Local Planning Authority. The Courts are unable to examine the validity of the notices.

In most cases existing Gypsy / Traveller pitches and sites are lawful for planning purposes as they have existed for more than ten years, and this is certified through the s188 register. The majority are not lawful as they do not have a Caravan Site licence under the Caravan Sites and Control of Development Act 1960. This particularly impacts on public sites as these are not required to be licensed and most are slums. I am currently working on a large public site. The site can accommodate 40 pitches. It has 82. The land is worth a lot of money. The Council needs to provide an additional 40 pitches and completely refurbish the existing site or enable the tenants (it is quite possible that the claimed tenants actually own the land) to seek a market solution.
The issue that most Council's face is if existing sites / pitches meet decent home standards and if the existing sites / pitches should be used for a different purpose (residential housing) and if new pitches / sites should be developed elsewhere in their district. Not if existing pitches / sites should be expanded. The GTAA's are normally flawed as they fail to take account of slum conditions and identify that remedial action is required.

Site pitch / need assessments can only be undertaken if it is first determined if the existing supply provides decent homes and are not a cause of deprivation. I have raised this issue in a number of appeals against enforcement notices and have provided assessments of nearby public sites. In most cases the appellants have sought to 'escape' the public sites and associated deprivation. The appeals have been successful. The issues raise significant issues for Local Planning Authorities as they are often involved in the management / failure to regulate the existing sites.

CONCLUSION
There has been a national failure to conduct GTAA's that accurately identify the accommodation needs of Gypsy / Travellers or the settled community that Local Housing Authorities place on Gypsy / Traveller sites.

1250070 Mr Stuart Carruthers

Willoughby Drive
WILLOUGHBY DRIVE, HAVERING, RM13 7SX

BASELINE
The LB has identified that development of Gypsy / Traveller sites at Willoughby Drive should not take place due to land ownership issues (Exhibit 1). There are currently about eight residential caravans on the land edged red in Plan 1.

The land edged red in Plan 1 at Willoughby Drive has been occupied by Romany Gypsy’s since about the 1920s. The land was adjacent to the Romford Borough Council Sewerage works and plot land development on the site for housing failed at this time due to its proximity to the sewerage works. It is likely that six houses developed at Willoughby Drive in about the 1920s were built to meet the needs of workers at the Romford Borough Council Sewerage works in Hornchurch.

A Chronology of the recent history of the land edged red is attached as Exhibit 2.

The land edged red in Plan 1 was not developable for housing until the 1960s as there was a lack of capacity to provide sewerage services in both the area of Hornchurch in which the Romford Borough Sewerage works were located and Romford Borough Council. The land on which the sewerage works are located formed part of the Bretons Estate. This was leased by the Romford Borough Council.

In 1965 both the Greater London Council (GLC) and LB Havering were created. The GLC became responsible for sewerage. All of its assets for water and sewerage (including the Bretons Estate) were subsequently transferred to the water authority by statute. The GLC was able to resolve the issues raised in the past.

The Council are not aware of Mr Carruthers representing the occupiers of this site.

There is ongoing planning enforcement action at this location. There are also ongoing claims by third parties regarding land ownership in this area. Both of these issues are outside of the Local Plan process.
the problems of the former Hornchurch and Romford Urban District Councils with sewerage.

However areas of Havering had been designated as Metropolitan Green Belt in the 1950s. This included the Willoughby Drive area.

The land edged red in Plan 1 caused considerable concern to the LB Havering as it was subject to considerable development mainly related to storage and processing of waste, repair and storage of vehicles, keeping of horses, and caravan residential use that had not been authorised through the planning system.

In the late 1960s / early 1970s the LB Havering acquired an area of land fronting Willoughby Drive. This was to extend the Dagenham Road. There was no compulsory purchase order made. The land acquired is identified in Plan 1. The LB Havering is unable to explain how it obtained the land.

In the 1970s the planning function of LB Havering identified that the land edged red in Plan 1 was composed of a number of separate plots of land. The LB Havering identified that it had acquired areas of the land edged red, through enforcement of planning mortgages related to planning enforcement notices. There are no Specific or General Charges registered in the Local Land Charges register (Exhibit 3). The LB Havering also identified that it had purchased areas of land. The LB Havering is unable to identify that it paid for land that it claimed to have purchased.

In the 1980s the LB Havering issued Compulsory Purchase Notices against some of the land edged red in Plan 1. This is identified in the local Land Charges register. The LB Havering is unable to identify which areas of land it paid for.

There has subsequently been extensive dispute about land ownership related to the land edged red in Plan 1.

Substantial areas of the land edged red in Plan 1 was registered by the LB Havering at HM Land Registry through its solicitor making a declaration that areas of the land edged red was owned by the LB Havering.

s58 of the Land Registration Act 2002 provides:

(1) If, on the entry of a person in the register as the proprietor of a legal estate, the legal estate would not otherwise be vested in him, it shall be deemed to be vested in him as a result of the registration.

(2) Subsection (1) does not apply where the entry is made in pursuance of a registrable disposition in relation to which some other registration requirement remains to be met.

S55 of the Land Registration Act 2002 provides:

A charge over registered land which is a local land charge may only be realised if the title to the charge is registered.

The meaning of s55 was examined in Valori and South Norfolk District Council v Elliott and Jay [2010] EW Land RA 2009_0260. The conclusion was that a Local Authority could only transfer land (get cash in) subject to a planning mortgage if the planning mortgage was first registered at HM Land Registry.

The registration of LB Havering as the proprietor of a large number of titles at Willoughby Drive (Land edged red in Plan 1) are defective as the LB
| Havering has failed to register either its planning charges or alleged purchases of the land at HM and Registry. The Legal Services Act 2007 identifies that a solicitor owes no third party duty of care.  
S(6)(6) - (7) of Schedule 6 of the Land Registration Act 2002 provides:  
(6)(1) Where a person's application under paragraph 1 is rejected, he may make a further application to be registered as the proprietor of the estate if he is in adverse possession of the estate from the date of the application until the last day of the period from two years beginning with the date of its rejection.  
(1A) Subparagraph 1 is subject to paragraph 16.  
(2) However, a person may not make an application under this paragraph if -  
(a) he is a defendant in proceedings which involve asserting a right to possession of land,  
(b) judgment for possession on the land has been given against him in the last two years;  
(c) he has been evicted from the land pursuant to a judgement for possession.  
(7) If a person makes an application under paragraph 6, he is entitled to be entered in the register as the new proprietor of the estate.  
The LB Havering has identified that it has no planning mortgages over the land, and that prior to 11 January 1989 it had no Compulsory Purchase Order against any part of the land edged red in Plan 1. The CPO was appealed. The LB Havering appears to have lost the Secretary of States decision notice, and is unable to identify the money it paid for the land it claims to have acquired. This would include land it acquired in the 1960s / 1970s for the extension of the Dagenham Road.  
The land edged red in Plan 1 has continued to be occupied by Romany Gypsy's since 1989. The occupation of the land by the Gypsy / Travellers was not notified to HM Land Registry by the Solicitor to the Council.  
It is clear from the s188 register that land at Willoughby Drive has rights for use for the storage and processing of waste, residential caravan use, vehicle repair and storage and the keeping of horses. There are established use rights for the keeping and breeding of horses over most of Bretons.  
There have been claims made in relation to most of the land registered to the LB Havering by those in occupation of the land at the time of its registration at HM Land Registry. The land remains in the adverse possession of the applicants, and has remained in their possession for well over two years since the issues were considered judicially.  
Part of the land is being used identified in Plan 1 edged red is being used as a waste transfer station. The company operating the waste transfer station has strong links with the LB Havering political and administrative functions. There are issues with the storage of Particulate Matter PM 10 and PM 2.5 on land in the vicinity. |
The LB Havering is currently determining in planning application P1030.20 if it is abandoning its claim to ownership of part of the land it has registered at HM Land Registry edged red in Plan 1.

The LB of Havering has been requested to review its internal controls and determine if it was able to instruct its solicitor to register land at Willoughby Drive. There has been no response from the LB Havering.

There appear to be no ownership issues in relation to the land edged red in Plan 1 that have not been caused due to a failure in corporate governance of the LB Havering. The Secretary of State is requested to agree and to require the LB Havering to produce documentation that it has met the requirements of s58 of th Land Registration Act 2002 or enable the lands development through its inclusion in the local plan.

DEVELOPMENT PROPOSALS
The VoA identify in 2019 for policy purposes that:

- **residential land** in LB Havering has a value of £7,610,000 a hectare, and would accommodate 120 dwellings a hectare
- **industrial land** in LB Havering has a value of £4,500,000 a hectare
- **agricultural** (Green Belt) land in LB Havering has a value of £26,000 a hectare

The land edged red in Plan 1 has an area of about 3.1 hectares. The value of the land for the different uses is identified in Table 1.

Table 1: Value of the Land Edged Red in Plan 1 with different planning uses based on VOA Policy Guidance (2019)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Value / Ha (£s)</th>
<th>Value of Land (£s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>£7,610,000.00</td>
<td>£23,591,000.00</td>
</tr>
<tr>
<td>Industrial</td>
<td>£4,500,000.00</td>
<td>£13,950,000.00</td>
</tr>
<tr>
<td>Agricultural</td>
<td>£26,000.00</td>
<td>£80,600.00</td>
</tr>
</tbody>
</table>

The land will accommodate 21 Gypsy / Traveller pitches identified edged blue in Plan 2. It is likely that these could be sold as self-build pitches @ £50,000 a pitch (£1,050,000). If sold as developed pitches they would have a value of about £150,000 each (£3,150,000).

It is believed that it would be best for the land to be developed for housing. The land owners would secure sufficient funds to secure market accommodation for Gypsy / Travellers. The land is able to accommodate at least 360 units based on the VOA policy guidance.

If the waste transfer station should refuse to participate in development of the land it is suggested that it is developed as Gypsy / Traveller pitches. It is unlikely that the waste transfer station would remain in operation. The waste transfer station should be relocated. An alternative approach is that all of the land is used for light industrial purposes.
CONCLUSION
Land at Willoughby Drive can either contribute about 360 residential units or 21 Gypsy / Traveller pitches to the local plan. There are no ownership issues – and this has been wrongly identified by the LB Havering.

The consequence of LB Havering identifying that land at Willoughby Drive has ‘ownership’ issues and should not be considered as being available for development in its local plan is fallacious and has caused poor decision making.

<table>
<thead>
<tr>
<th>1250070</th>
<th>Mr Stuart Carruthers</th>
<th>MM12</th>
</tr>
</thead>
</table>
| Land known as Willow Tree Lodge includes about 1.4 hectares. The land is identified as three parcels of land in Plan 1, edged red. It has been used for caravan use since at least 2007. About 0.5 hectares of this land was approved for development for the standing of 12 caravans (one touring caravan, and 11 static caravans) and erection of stables on the land edged red and tinted pink and blue (Exhibit 2).
| On 21 March 2019 the LB Havering granted planning consent for a residential caravan site to include the stationing of 12 caravans (one touring caravan, and 11 static caravans) and erection of stables on the land edged red and tinted pink and blue (Exhibit 2).
| In March 2019 the LB Havering was required to acknowledge that its shortfall of Gypsy / traveller pitches was a minimum of 136 and that additional pitches would be required following publication of its third Gypsy Traveller Accommodation Assessment.
| In August 2020 the LB Havering identified that an additional caravan should be placed on the land edged red and tinted pink in Plan 1 between 2016 – 2021 to meet existing needs, and that an additional six caravans should be placed on the land between 2021-2031 to meet the emerging needs of Gypsy / Travellers living in LB Havering for accommodation (Exhibit 3).
| The LB Havering proposals require a total redesign of the site approved on 21 March 2019, and would not meet the requirements of the Caravan Sites Act 1960, or the standards that the LB Havering has identified should be applied to Gypsy / Traveller sites.
| Land known as Willow Tree Lodge if the land edged red and tinted blue and green in Plan 2 was to be developed would be able to provide an additional 12 pitches. The layout is identified in Plan 2. However, for this development to be realised the land edged red and tinted green and blue would need to be removed from the Green Belt. The pitches would meet the requirements of the Caravan Sites Act 1960 and the standards that LB Havering has identified should be applied to Gypsy / Traveller sites.
| The Council is not aware of Mr Carruthers representing the owners of Willow Tree Lodge and that Mr Phillip Brown is representing them. This response has been drafted in light of this.
| The site plans prepared during the Pitch Deliverability Assessment were indicative only and not approved plans for each of the sites. The precise layout would be considered within the process of applying for planning permission. Given the significant issues that Travellers often have identifying land and obtaining planning permission, sites remain in family ownership and use. There may be locations in the UK where there is less need for pitches where the site owners are able to sub-let to non-travellers. The Council is not aware that Mr Teelan wanting to develop any transit provision on the site. He has always considered that he needs to have the land to the north east allocated to meet the need identified in the GTAA.
| There is no evidence to substantiate the claim that in general private family sites cease to be occupied by family members after 10-15 years.

The Council are not aware of Mr Carruthers representing the owners of Willow Tree Lodge and that Mr Phillip Brown is representing them. This response has been drafted in light of this.

The site plans prepared during the Pitch Deliverability Assessment were indicative only and not approved plans for each of the sites. The precise layout would be considered within the process of applying for planning permission. Given the significant issues that Travellers often have identifying land and obtaining planning permission, sites remain in family ownership and use. There may be locations in the UK where there is less need for pitches where the site owners are able to sub-let to non-travellers. The Council is not aware that Mr Teelan wanting to develop any transit provision on the site. He has always considered that he needs to have the land to the north east allocated to meet the need identified in the GTAA.

There is no evidence to substantiate the claim that in general private family sites cease to be occupied by family members after 10-15 years.
pitches are likely to be needed to meet family needs. This will require the land edged red and tinted blue and green to be released from the Green Belt.

The land edged red and tinted blue and green in land edged red in Plan 1 as demonstrated in Plan 2 is capable of providing an additional 12 pitches. It is likely that an additional six pitches are required to meet family needs over the plan period.

The owner of the land is willing to make pitches available as a transit site (six pitches). However, there is no wish for the land to be used to provide accommodation to other Gypsy / Traveller family’s decanted from their homes by the LB Havering. This will be resisted.

Development Proposals
Experience indicates that large family sites cease to be used by family members after ten – fifteen years. Family members often move away and seek to establish their own homes. Some larger Gypsy / Traveller sites refuse to make pitches available to any Gypsy / Traveller who is not a member of their immediate family. These sites are mainly used by Local Housing Authorities for housing people who are not Gypsy / Travellers who are homeless. In some cases Local Planning Authorities have sought to Compulsory Purchase these sites to make them available to the Gypsy / Traveller community. The Secretary of State has not upheld these CPOs.

Land values proposed by the VOA for LB Havering are identified in Table 1. The value of Willow Tree Lodge for the different land values (1.4 hectares is identified as forming Willow Tree Lodge). TABLE 1: VoA Land Values for Havering applied to Willow Tree Lodge (1.4 ha)

<table>
<thead>
<tr>
<th>Land Use Value / Ha (£s) Value of Land (£s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Land £7,610,000.00 £10,654,000.00</td>
</tr>
<tr>
<td>Industrial land £4,500,000.00 £6,300,000.00</td>
</tr>
<tr>
<td>Agricultural Land £26,000,000.00 £36,400,000.00</td>
</tr>
</tbody>
</table>

It is proposed that land at Willow Drive is identified as being a Gypsy / Traveller site between 2016 – 2031 and that this use is reviewed when the next local plan is developed. The land would if the Gypsy / Traveller use has ceased to be needed would be suitable for housing development.

CONCLUSION
There is no doubt that Willow Tree Lodge could make a contribution to the need for pitches in the borough. However, additional land needs to be released from the Green Belt if this is to be realised. The Secretary of State is requested to include the land edged red and tinted blue and green in Plan 1 within the allocation for Gypsy / Traveller accommodation.
1. The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.

2. DfE previously made representations to the Regulation 19 consultation in September 2017, which noted the Harris Academy Rainham 6th Form project and site specific matters; and made reference to the approach to developer contributions.

3. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and DfE is the delivery body for many of these, rather than local education authorities. However, local education authorities still retain the statutory responsibility to ensure sufficient school places, including those at sixth form, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We have published guidance on education provision in garden communities and securing developer contributions for education, at https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth. You will also be aware of the corresponding additions to Planning Practice Guidance on planning obligations, viability and safe and healthy communities.

4. We would like to offer the following comments in response to the above consultation document.

5. DfE supports the Council’s allocation and safeguarding of land for schools as set out in the strategic development area policies.

6. As well as securing the land to deliver new school places, DfE would like the council to consider including specific reference to the need for developer contributions to also be sought where justified from these strategic development areas.

7. It is important for the council to ensure that developer contributions are sought in accordance with Planning Practice Guidance and DfE guidance. In the opinion of DfE, the Local Plan does not fully demonstrate effectiveness in delivering education infrastructure, because it does not acknowledge or reference the funding mechanism within the policy. DfE considers this to be an issue of soundness which can be rectified by ensuring that the strategic development areas, education policy and supporting text include the following:

   • Policy requirement for offsite contributions from all sites that do not provide an onsite school, where there will be insufficient school capacity to absorb the demand for school places generated by the development.

   • Free transfer of land to the Council and construction costs to be met by the development where onsite schools are required, subject to updated viability assessment.

   • Clear references to the funding mechanism to be applied, including both Section 106 and CIL, and cross-references to the relevant evidence that justifies this approach.

The Council welcomes the DfE comment on the draft Local Plan. The Regulation 5 (and Schedule 1) of the 2019 Amendment Regulations (No. 2) which came into force on 1 September 2019 and updates to PPG and the non-statutory DfE Delivering schools to support housing growth (2019) guidance are noted. The Council are working on pupil yield evidence and have published their first annual infrastructure funding statement.

The Council is fully committed to ensuring the delivery of key infrastructure and to pass this funding onto partner agencies including strategic bodies, as appropriate, according to the infrastructure obligations.

LBH welcome the continued interest of DfE in responding to any update to the Infrastructure Delivery Plan / Infrastructure Funding Statement, viability assessment or other evidence relevant to education which may be used to inform revisions to local planning policies or the CIL charging schedule. We will continue to engage with DfE and consult on the relevant future consultations as proposed.
8. The policy approach does not currently reference the need for contributions from all developments, only where development yield at least 1 form of entry. This approach will therefore risk not allowing the council to collect contributions proportionately which is relevant, given that elsewhere in the Plan document, the council sets out the pressure on capacity for school places likely to arise over the plan period, and the aspirations to deliver a quality education provision.

9. Related to this, the council may find it useful to make reference to the need for developer contributions to be based on evidence, given that the position regarding school capacity is likely to change during the plan period.

10. DfE would be particularly interested in responding to any update to the Infrastructure Delivery Plan/Infrastructure Funding Statement, viability assessment or other evidence relevant to education which may be used to inform revisions to local planning policies or the CIL charging schedule. As such, please continue to engage with DfE and consult us on any relevant future consultations.

| 1132277 | Highways England | MM17 | Highways England notes that the Havering Employment Land Review (ELR) (2015) found that there is a gross demand for 350 hectares of industrial land (B2 and B8 Use Classes) in Havering over the Local Plan period up to 2031/2. It notes that the vast majority of the existing Strategic Industrial Locations (SILs) are located away from residential areas with direct access to the strategic road network. Whilst the Locally Significant Industrial Sites (LSISs) are well functioning industrial employment areas with an on-going demand for space to service industrial and logistical occupiers. It states that they are the areas that remain the most suitable locations for accommodating Havering’s industrial and warehousing demand. Highways England welcome the use of the Locally Significant Industrial Sites to meet the demand, rather than the Strategic Industrial Sites located close to the SRN.

The ELR advises that 24ha of employment land can be released over the Plan period. The previously designated land recommend for release comprises 2.7 ha at Crow Lane (Romford gas works), 15.4 ha at Rainham West and 1.4 ha at Bridge Close, Romford. The de-designation of these sites will facilitate the delivery of new residential developments and make a significant contribution towards meeting the borough’s housing need. We request that these residential developments are accompanied by a Transport Assessment to assess the implications of this growth on the SRN in the area. | Noted | No |

| 1110076 | Port of London Authority | MM17 | The PLA supports the inclusion in policies 19 (Business growth) and 23 (Transport Connections), of the statement that the borough will work with partners including the PLA to explore opportunities to improve and develop wharf infrastructure and to explore increasing use of the River Thames for freight and passenger transport within the borough, which adds to the existing references to the need to protect and enhance the boroughs existing Safeguarded Wharves under policy 31 (Rivers and River Corridors) and helps to strengthen these policies.

Although not part of this consultation, the PLA also welcomes the addition in policy 31 that the council will support development that ensures that | Noted | No |
appropriate lifesaving equipment such as grab chains, access ladders and life buoys are provided along the river edge to the need for appropriate Riparian Life Saving equipment (such as grab chains, access ladders and life buoys).

It is also welcomed that policy 15 (Culture and Creativity) has included a reference to the fact that Havering forms part of the Thames Estuary Corridor, which seeks to develop facilities for artistic and creative production from Eastern London to Southend.

1253321  Rom Valley LLP (Quod)  MM17

3.1 Rom Valley LLP are supportive of the recognition of the importance of addressing other strategic and local land-use requirements relative to designated employment land, in particular the pressing need for new homes as set out within the revised policy wording at paragraph 9.1.4.

3.2 Rom Valley LLP request that this wording is revised to include additional scope relative to the re-provision of improved employment floorspace where this forms part mixed-use development. Such proposals that seek to ensure the long-term employment function of employment designated sites, alongside compatible uses (including residential) can better contribute to delivering on the wider aims of the development plan, including residential delivery.

LBH welcomes the comments on MM17 and paragraph 9.1.4 from Rom valley LLP (Quod).

The Council do not propose to further amend this policy.

- It contains appropriate flexibility in terms of employment land use and change of use as well as appropriate protection of suitable locations.
- It reflects the findings of the Havering Employment Land Review and the Addendum (2018)

Policy MM17 reflects the of the Havering Employment Land Review and Addendum (2018) evidence base need for suitable areas of protection as well as suitable flexibility for release.

The Main Modifications commit the Council to an early review of Havering’s Local Plan, upon adoption. The review will take into account the policies and housing targets set out in the new London Plan, as well as the NPPF (2019) and any changes to national planning policy that may emerge from the Future for Planning White Paper. Any proposals to amend scope relative to the re-provision of improved employment floorspace as part of mixed-use development will be considered as part of that early review, in line with the evidence base.

1133406  SEGRO PLC East + Portfolio (Deloitte Real Estate)  MM17

SEGRO supports the addition of criterion xi to support the strategic significant growth potential of the Borough in logistics activities of greater than sub-regional importance, as set out in the London Plan. SEGRO looks forward to working positively with the Local Planning Authority in order to bring forward floorspace in the Borough that supports and achieves this objective.

SEGRO notes that the Council intends to keep under review the quantum of strategically and locally important industrial land within the Borough, for example to identify the potential for land to be released for housing. Given that it considers that Local Planning Authorities in London should be planning for more industrial capacity to meet the capital's projected industrial needs, SEGRO would prefer that the Council commits to

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Noted, no further modifications required.
avoiding the loss of industrial land in the Borough. However, it fully expects that any reviews and subsequent modifications to the development plan that would result in a reduction of industrial land will undergo full public consultation.

SEGRO notes the increase in quantum of locally significant industrial land and non-designated industrial land which can be released over the plan period (to reflect the Employment Land Review 2015). SEGRO emphasises that remaining industrial land should be effectively safeguarded, and expects the Council to work positively with developers of industrial land to bring forward efficient and optimal schemes to cater for a range of occupiers.

4.33 Royal Mail supports the text introduced through the Main Modifications at MM17 and MM18 which gives greater recognition of the importance of strategic land-use requirements such as the need for new homes in assessing whether Locally Strategic Industrial Sites (LSISs) locations should be retained.

4.34 At 9.1.6 of the LPR, it is recognised that LSIS at Crow Lane (Romford Gas Works) is redundant and proposes removal of the LSIS designation within the LPR. This leaves the Crow Lane LSIS covering only the Royal Mail Site, which is now an island surrounded by residential uses, and given its bespoke design to Royal Mail’s requirements it will also be redundant from 2022.

4.35 The removal of LSIS land at Crow Lane was assessed in the 2015 Employment Land Review. Within this, the two Gas Works sites and the Royal Mail Site are collectively titled the ‘Crow Lane Site 3’ LSIS together comprising 10.3 hectares. The report recognises that the Crow Lane 3 LSIS is of average condition, and suggests that the vacant Gas Works is unlikely to come forward again for industrial use. Instead, release would allow for wider regeneration aims to be met. The Review concludes that the Royal Mail Site can remain as a Strategic Employment Area (now LSIS) on the basis that it remains operational. In our view, had the Royal Mail Site been vacant at the time of writing (2015) it is likely that the same conclusions in relation to its release from LSIS designation would have been made.

4.36 Further, whilst industrial use at Crown Lane Site 3 would not today represent a ‘bad neighbour’ use, once the Gas Works Site’s are brought forward for residential use, any future use on the Royal Mail Site (which could operate 24-hours) would become a ‘bad neighbour’ to the new residential development either side. It would therefore be logical, to assist the well-planned and comprehensive regeneration of Crow Lane, for the Royal Mail Site to also be released from LSIS designation through the LPR.

4.37 Further, matters have clearly changed since the production of the 2015 Employment Land Review, and the Submission of the LPR to the Secretary of State. Royal Mail have confirmed that they are vacating the site in late 2022. Accordingly the conclusion of the Employment Land Review at the time, to retain the site as LSIS on the basis that it remains operational, no longer applies, and this consultation on Main Modifications should respond to that position by releasing the site alongside the...
Gasworks from its LSIS designation, or at the very least identify the site as a ‘reserve’ site for release prior to, or in a subsequent early review of the Local Plan so as to facilitate comprehensive regeneration of the area alongside the former Gas works. Development of this site alongside the Gas Works would enable enhanced access to run through both sites to the town centre, improving access for the site to the west on Sandgate Close, which is currently being completed by Hollybrook Homes.

4.38 As previously stated, the building is bespoke to Royal Mail. It is circa 30-40 years old and it is almost certain that, in the event that the Site remains LSIS, any future occupier would require a new building which would meet modern needs. Such a building is likely to be significantly taller to accommodate modern day storage needs and multi-level racking, and to accommodate a significantly different profile of vehicle movements to that of Royal Mail – which largely avoids peak periods.

4.39 There are currently no restrictions on operations, with the service yard area located on the east part of the site adjacent to the former Gas Works. In order to protect future residential amenity it is likely that the land to the east associated with the Gas Works would need to factor in a large acoustic buffer and substantial area of mature planting along the boundary of the Royal Mail Site so as to protect residents amenity from the 24hr operations. This in turn reduces the developable area of the former Gas Works, and acts to sever the site in two creating a significant barrier that cuts the site off from the development at Sandgate Close.

4.40 By releasing the site from the LSIS designation now, as part of the wider release with the Gas Works, it would maximise the developable area of the Gas Holder site, contribute to greater housing numbers and result in a far more positively and comprehensively planned development for this area facilitating enhanced access east to west between Sandgate Close and the Town Centre.

4.34 Whilst the flexibility to release LSIS in the Main Modifications is welcomed, any proposed development on LSIS land would be subject to NLP Policies, which seek to protect LSIS land and encourage intensification to achieve a mix of uses through a plan-led approach (Policy E7). As such, any development proposal for release of LSIS would be contrary to the London Plan unless released through the LPR. Further, unless released from industrial use through allocation, the Site would be subject to 50% affordable housing under the Threshold Approach at Policy H5 of the NLP which would almost certainly deem redevelopment of the Site unviable.

4.35 The Site is almost certain to be a site vacated in 202 and it would then be restricted from coming forward for positive development for several years due to the LSIS policy allocation (i.e. until a Local Plan Review). The alternative would be a new large industrial scheme, which may be viable, but we suggest would not bring the clear positives that comprehensively planned residential across the wider Crow Lane area could achieve. Clearly knowing that brownfield sites in such accessible locations such as this would be left vacant simply due to a policy designation flies in the face of all strands of Government Policy. The Local Authority and Inspector have the opportunity to avoid that situation by
removing the current LSIS designation as part of these Modifications to the Local Plan.

5.0 SUMMARY AND CONCLUSIONS

5.3 The proposed amendments to Policies 19 and 20 are strongly supported in that they recognise that it may be appropriate for LSIS land to assist in meeting wider regeneration aims. The majority of the Crow Lane 3 LSIS is proposed to be removed through the LPR to allow for these wider regeneration aims to be met. The removal of the Royal Mail Site in addition, which sits within the SDA, would allow the comprehensive redevelopment of this part of Crow Lane, and would assist in delivering a substantial number of homes in the early part of the Plan period. Failure to allocate the entirety of Crow Lane Site 3 for redevelopment through this LPR would represent a missed opportunity to comprehensively plan this part of the SDA, and likely result in a vacant underutilised site for a number of years until it is reallocated, to the wider detriment of the area.

5.4 Should the site be released from LSIS, our client is committed to the delivery of a high-quality and sustainable scheme, focused on the core principles of place making set out in the emerging LPR. The release of this Site from LSIS designation and its allocation for assisting future growth targets will make a significant contribution towards meeting LBH’s future housing need. Development would be sustainable, achievable and deliverable within the Plan period.

1133406 SEGRO PLC East + Portfolio (Deloitte Real Estate) MM18 SEGRO recognises the balance that the Council must find in order to achieve a range of land use targets. However, SEGRO considers that the importance of industrial land in the capital must not be underplayed, and remaining industrial land should be robustly protected against de-designation unless there is clear evidence that sufficient land is available to meet identified local needs. Noted

1253321 Rom Valley LLP (Quod) MM18 4.1 Rom Valley LLP are supportive of new opening policy paragraph which identifies that the council will keep under review the provision of Locally Significant Industrial Sites (LSISs) and non-designated industrial land as part of its commitment to ensuring that Havering has a strong and prosperous economy.

4.2 Rom Valley LLP are supportive of the new policy paragraph three which identifies the Council will take into account the wider land-use objectives of the Local Plan in the context that the release of land which is no longer needed for employment use may assist in securing these.

4.3 Rom Valley LLP are supportive of new supporting justification paragraph 9.2.3 which acknowledges flexibility with regards to LSIL and non-designated industrial land and the pressure to accommodate a range of important land uses including housing and infrastructure as well as industrial / employment.

4.4 Rom Valley LLP are supportive of new supporting justification paragraph 9.2.7 which recognises the intensification and re-distribution of employment floorspace on some non-designated industrial land where Noted

Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP

Appendix 2 – Cabinet report dated 16th September 2020 entitled ‘Bridge Close Regeneration’ – Delivery Arrangements

Appendix 3 – Housing Position Statement Extract, Annex 2, Site 27
redevelopment of the overall site may provide an important opportunity to secure a more advantageous distribution and allocation of land uses having regard to factors such as the characteristics of the site and its surroundings.

### 1132837 TFL Commercial Development MM18

TfL CD acknowledge the removal of criterion ii from Policy 20 and are supportive of its removal from the Local Plan as suggested in the TfL CD representations to the Regulation 19 consultation on the Havering Local Plan.

It is noted that two additional criteria have been added to the policy, and it is considered that the newly added fourth paragraph should be amended to make its purpose explicitly clear.

<table>
<thead>
<tr>
<th>Noted</th>
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<tbody>
<tr>
<td>LBH do not agree that any amendments are needed to the newly added fourth paragraph.</td>
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### 1251574 Councillor Williamson and Councillor Morgon MM18

**Policy 20 Sec. 9: Opportunities to prosper: 9.2 Loss of Industrial land**

**Amend** the existing 9.2.2 to say 'In line with the focus on a strong economy in Havering, the purpose of Policy 20 is to protect and where possible enhance the employment potential of the existing Locally Significant Industrial Sites and non-designated employment land and floorspace. The policy provides some flexibility which aims to recognise individual site characteristics and allow some very limited loss of employment land and floor space where significant unacceptable detriment effects on amenity of nearby residential uses and no market interest are clearly demonstrated. The Policy thrust is therefore to ensure that not too much industrial land and floorspace is released as this could hinder the long-term economic prospects of the borough.'

Thus, remove the proposed new 9.2.2 (which also had spelling mistakes) and remove the proposed 9.2.3 'Although the focus of Policy 20 is to seek to protect Locally Significant Industrial Sites and non-designated industrial land, the Council recognise that the policy should provide for some flexibility in the extent to which industrial land is safeguarded. Some scope for flexibility is important because the Council recognises that in Havering there is considerable pressure to accommodate a range of important land uses including housing and infrastructure as well as industrial / employment. In taking this approach, the Council will always carefully consider up to date evidence as to how the proposed change of use from industrial / employment uses will impact on the overall industrial capacity of Havering over the Plan Period. It will also examine information arising from the marketing of the site to ensure that the site / land is genuinely surplus to employment requirements.'

(The proposed changes of 9.2.2 & 9.2.3 would weaken the protection of the existing employment land too far).

(d) **Remove** the renumbered 9.2.4/5 9.2.45 As part of managing the overall approach of housing delivery in Havering, the Council recognises that there may be locations where the quality of residential environment is being compromised by the operation nearby industrial use, for example due to noise or access issues. In these cases the relocation of that offending industrial activity would be reasonable way forward in mitigating the adverse amenity issues may be acceptable. Every case will be treated on its own merits.

| LBH do not agree with the suggested changes. The Modifications to policy 20 already seek to provide a balance between protecting employment land whilst also providing flexibility where industrial land is genuinely surplus to requirements in line with national policy. |

### Yes, their previous consultation response

88
(It is not acceptable for an existing business to be relocated/closed to accommodate any proposed residential development).

The existing numbered 9.2.3 will remain the same. 9.2.5 and 9.2.6 will be renumbered as 9.2.4 and 9.2.5 respectively.

<table>
<thead>
<tr>
<th>1253321</th>
<th>Rom Valley LLP (Quod)</th>
<th>MM19</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1 Rom Valley LLP are supportive of revised policy wording within the first paragraph which includes a revision to the % requirement of affordable work space provision and recognition of wider scheme viability.</td>
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<td></td>
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<tr>
<td>5.2 Rom Valley LLP are supportive of the new fifth paragraph which states the proportion of affordable workspace to be provided within specific schemes will be addressed on a site specific, case-by-case basis, taking into account the viability of the development.</td>
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<td>5.3 Rom Valley LLP are supportive of the revised sixth and seventh paragraphs which identify that where on-site provision is not possible, financial contributions for equivalent off-site provision will be sought dependant on the outcome of a viability assessment and negotiations with the council.</td>
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<tr>
<th>1133406</th>
<th>SEGRO PLC East + Portfolio (Deloitte Real Estate)</th>
<th>MM19</th>
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<tbody>
<tr>
<td>SEGRO has successfully brought forward a small unit scheme at Beam Reach Business Park which provides spaces for start-ups and small businesses. SEGRO recognises the importance of providing a range of sizes and types of spaces for businesses within the Borough, and its developments are occupied by a wide range of SMEs and companies that are owned by members of the Black, Asian and Minority Ethnic (BAME) community.</td>
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<td>SEGRO recognises the need for there to be a range of workspaces to cater for a variety of businesses, in terms of scale, type and maturity, within the borough. However, it proposes that Policy 9.3 should not be prescriptive about the need for all forms of economic development to provide affordable workspace. The need for an individual site to provide certain types of workspaces should account for site context, suitability and land use.</td>
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<tr>
<td>Notwithstanding the current policy’s suggestion that viability assessments be utilised to demonstrate suitability for affordable workspaces to be provided in new economic developments, SEGRO considers that the types of businesses that Policy 9.3 is aimed at (local micro and small business) will generally not locate in industrial estates. The provision of such space to support these businesses in industrial locations would erode industrial capacity and functionality of existing/intensified industrial locations, which are highly constrained in supply terms. For this reason, the application of Policy 9.3 to industrial development is potentially harmful to the efficient function and intensity of industrial capacity.</td>
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| Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP |
| Appendix 2 – Cabinet report dated 16th September 2020 entitled ‘Bridge Close Regeneration’ – Delivery Arrangements |
| Appendix 3 – Housing Position Statement Extract, Annex 2, Site 27 |

| Policy 21 sets out the Council’s commitment to supporting smaller business enterprises and to highlight the role of these in the wider Havering economy; the policy is considered sufficiently flexible to enable suitable affordable workspace within various locations in the borough. Furthermore, it sets out the circumstance where off-site provision of affordable workspace may be acceptable and how this can be secured and sets out the importance of dialogue with a Workspace Provider. |
| Therefore it is not considered appropriate to amend this policy as suggested. |

| No  |
No market currently exists for affordable industrial workspace providers in the industrial sector, meaning such space would need to be managed by the landlord. This adds an additional financial burden which would ultimately impact on development being delivered, especially if required on all of SEGRO’s projects.

The company does provide suitable space for small businesses where it is appropriate to meet a market requirement or there are specific funding circumstances. For example, SEGRO owns and manages a small unit scheme on Slough Trading Estate, known as the Enterprise Quarter, which provides small units from 500 sqft on highly flexible terms. The units are not offered on a discounted rents but are in demand due to the flexibility of the lease, on site security and amenity, including a café and meeting space.

It can also be feasible to deliver such development is where it is funded by the public sector, but it is not constrained by onerous policy requirements. For example, SEGRO Park Rainham in LB Havering provides 44 enterprise units offering flexible industrial space to SMEs. The units range from 552sqft to 3,738 sqft, and were delivered as part of the East+ portfolio described above. Occupiers benefit from an easy in easy out lease arrangement and flexible unit, but rents are not discounted. Had they been at discounted rents, these units would not have been delivered.

For these reasons, SEGRO proposes that the requirement for affordable workspace should only apply to town centre locations, and that the reference in Policy 9.3 to Strategic Industrial Locations and Local Significant Industrial Sites should be deleted.

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<tr>
<th>Reference</th>
<th>Authority</th>
<th>Response</th>
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<tr>
<td>1132277</td>
<td>Highways England</td>
<td>MM21</td>
</tr>
<tr>
<td>1132837</td>
<td>TfL commercial Development</td>
<td>MM21</td>
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<tr>
<td>1130037</td>
<td>Transport for London</td>
<td>MM21</td>
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<tr>
<td>Date</td>
<td>Author/Entity</td>
<td>MM21/22</td>
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<tr>
<td>1110076</td>
<td>Port of London Authority</td>
<td>MM21</td>
</tr>
<tr>
<td>1251574</td>
<td>Councillor Williamson and Councillor Morgon</td>
<td>MM21</td>
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<tr>
<td>1251574</td>
<td>Councillor Williamson and Councillor Morgon</td>
<td>MM22</td>
</tr>
<tr>
<td>1130037</td>
<td>Transport for London</td>
<td>MM22</td>
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maximum standards in the new London Plan, creating confusion for developers and raising issues of conformity. Paragraph 10.2.5 states that this is permitted by 'the London Plan', but this is only the case for the 2016 London Plan, as the new London Plan does not permit minimum standards in PTAL 2. These minimum standards may also make it impossible to follow the approach of the new London Plan for Opportunity Areas (OAs) where lower parking provision is expected given: the planned growth and transport improvements in these areas, and the significant space car parking demands. The latter means lower provision is vital at higher density developments that are typical in OAs, meaning minimum standards (which provide no flexibility) above this level could undermine the delivery of Havering’s housing targets.

We therefore recommend that PTAL 2 and Opportunity Areas are not included in the minimum standards, and paragraph 10.2.5 should be amended accordingly. If changes are not made at this stage, it is imperative that a firm commitment is given to revise parking standards to bring them into line with the London Plan as soon as possible after adoption, otherwise the Local Plan standards will be out of date and the more up to date London Plan standards will increasingly take precedence in planning decisions, undermining the effectiveness of the Local Plan.

The adoption of London Plan maximum parking standards now makes the fourth paragraph redundant and contradictory because in many cases the result of a development which conforms to maximum standards will be a net loss of car parking spaces. As such, we recommend the deletion of the following: ‘Where a development proposal would result in a net loss of car parking spaces the applicant will be required to demonstrate robustly that there is no need for these spaces.’

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<tr>
<th>1253321</th>
<th>Rom Valley LLP (Quod)</th>
<th>MM22</th>
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| 6.1 Rom Valley LLP are supportive of the overarching policy revision which seeks to align parking requirements with maximum standards set out in the London Plan. | Policy 23 Connections sets out the Council’s commitment to promoting sustainable modes of travel including “ensuring good sustainable access between new developments and public transport interchanges in the borough to promote sustainable travel”.

Policy 23 also states that the council will require “new development to optimise sustainable access and other future transport connections wherever applicable”

The Havering Local Plan has been prepared and examined against the current London Plan and the parking standards set out are contained within the maximum standards set out in the London Plan. In this context, LBH does not consider that any further modifications are required.

Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP

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Appendix 3 – Housing Position Statement Extract, Annex 2, Site 27
6.5 Additionally, with regards to LDF preparation policy 6.13 states in locations with high public transport accessibility, car-free developments should be promoted (while still providing for disabled people).

6.6 It is clear therefore development should promote sustainable transport where possible by reducing car parking in areas of high accessibility. This is reinforced by the maximum parking standards set out within the London Plan.

6.7 In the context of the above Rom Valley LLP request that the following policy wording is removed:

*Where a development proposal would result in a net loss of car parking spaces the applicant will be required to demonstrate robustly that there is no need for these spaces.*

6.8 This wording is unnecessary and does not account for the nature of development being proposed (such a change of use) nor does it encourage a reduction in parking provision where appropriate.

| Impact Capital Group (RPS) | MM22 | The proposed modifications to Policy 24 (Parking provision and design) would remove the draft policy’s minimum requirement of 0.5 parking spaces per residential unit. A new Table 10 states that locations with a PTAL of 3-6 should following the residential parking standards within the London Plan. Areas with a PTAL of 0-2 will have bespoke parking standards.

The amendment to this policy so that residential developments with a PTAL of 3-6 should following the London Plan standards is welcomed. It is in accordance with draft London Plan policy and is therefore sound. Therefore, the Main Modifications to Policy 24 is considered to be sound. | Noted |
|---|---|---|---|
| Rainham and Beam Park Regeneration LLP (Tibbalds) | MM22 | Proposed change MM22 relates to draft policy 24 and parking provision. The proposed change aligns Havering parking standards for PTAL zones 3-6 with London Plan standards.

For PTAL zones 0-2 new standards are introduced in Table 10 that are specific to Havering. The LLP support the increase in flexibility compared to the Proposed Submission Local Plan, but request that all parking standards in the Borough are updated to be compliant with maximum parking standards set out in the Draft London Plan table 10.3.

The Havering Local Plan has been prepared and examined against the current London Plan 2016. In this context, LBH does not consider that any further modifications are required. LBH has committed to undertake an immediate review of the Local Plan. The update of the Local Plan will be required to be in general conformity with the adopted London Plan in place at that time including its parking policies. | No |
| Romford Civic Society | MM23 | Proposal makes reference to design. Information about how there will be a regular rolling programme of training on design issues required. LBH note that this representation has been submitted by the Romford Civic Society which is an unconstituted group. Training on design issues is outside the scope of the Local Plan and Main Modifications. | No |
| Romford Civic Society | MM24 | How will the baseline for biodiversity and ecosystems be established? Where will the aims for new and improved levels of both be established? LBH note that this representation has been submitted by the Romford Civic Society which is an unconstituted group. | No |
Annex 9 of the Local Plan sets out monitoring indicators for the policies in the Plan. The indicators for Policy 30 Nature Conservation are:

Changes in areas and populations of biodiversity importance, including:

i) Changes in priority habitats and species (by type); and

ii) Changes in areas designated for their intrinsic environmental value; including sites of international, national, regional, sub-regional or local significance

The target is No net loss of designated biodiversity sites including:

- Sites of Special Scientific Interest
- Local Nature Reserves; and
- Sites of Importance for Nature Conservation

in accordance with Policy 30.

The source of data is the London Borough of Havering and Natural England

The following documents and sources of data inform the baseline for biodiversity:

- Havering SINC Review 2017
- Greenspace information for Greater London
- Natural England

The aims for new and improved levels of biodiversity and ecosystems are set out in the Havering Nature Conservation & Biodiversity Strategy 2014 – 2016. Paragraph 11.2.7 in the Plan states that landscaping schemes should demonstrate a commitment to promoting biodiversity, having regard to Havering's Nature Conservation and Biodiversity Strategy (2014). Paragraph 12.2.2 reiterates that the Havering Nature Conservation and Biodiversity Strategy (2014) sets out how the Council and its partners will promote, protect and enhance biodiversity in the borough.

Table 4 sets out the corridor type and vegetation requirements for wildlife corridors identified on Map 2 ‘Havering Wildlife Corridors’.
<table>
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<tr>
<th>Ref</th>
<th>Organisation</th>
<th>MM</th>
<th>Comments</th>
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<tbody>
<tr>
<td>1110670</td>
<td>Natural England</td>
<td>MM24</td>
<td>Natural England have <strong>no comments</strong> to make on this consultation. Please note under MM24, new criteria ii. where it says “Specific Scientific Interest” - this could be clarified to more accurately read “Sites of Special Scientific Interest”.</td>
</tr>
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</table>
| 1253321 | Rom Valley LLP (Quod) | MM25 | 7.1 Rom Valley LLP are supportive of the revised wording which identifies the intention of major development sites to investigate and where feasible, secure opportunities to restore and enhance rivers and their corridors in line with the Thames River Basin Management Plan. However, Rom Valley LLP request that policy wording includes flexibility where this may compromise wider residential delivery and be reviewed on a site by site basis (particularly in the context of historic housing under-delivery within the borough).  
7.2 This is reflective of the consideration of viability identified within the NPPF and identifying land for homes. At Paragraph 67 it states:  
*Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account...*  
7.3 It should be recognised that there are potentially significant benefits of enabling sites which currently detract from the river corridor that could be jeopardised by over-burdening such sites with specific policy requirements. In this context Rom Valley LLP request the wording is revised to account for viability as follows:  
*The Council will seek to enhance the river environment by requiring major developments in close proximity to a river to investigate and, where feasible, secure opportunities to restore and enhance rivers and their corridors in line with the Thames River Basin Management Plan (RBMP)...* subject to wider scheme viability.  
Policy 31 incorporates the flexibility to take into account the impact of the policy on individual sites as development proposals come forward, as it states ‘where feasible, secure opportunities to restore and enhance rivers and their corridors’. Therefore, it is not necessary to include a specific reference to viability. The Environment Agency (EA) supports the de-culverting of the River Rom and recommended that this it is considered on a wider scale than individual developers. The EA supports polices that positively incorporate the River Rom into development schemes. (LBHLP.14 Proposed Modifications Council response and comments to Reg 19 consultation spreadsheet). |
| 1253442 | Southern and Regional Developments (Claremont Planning Consultancy Ltd) | MM28 | As set out in the response above, the Council’s commitment to undertaking an update or review of the Local Plan immediate after its adoption is strongly supported by S&R. Whilst the Council has faced challenges regarding the timing of the emerging Local Plan Examination and the concurrent preparation of the new London Plan, it is important to ensure that the higher housing requirement resulting from the latter is addressed promptly. Failure to do so is likely to mean poor results from the housing delivery test, and ongoing sanctions including the application of the presumption in favour of sustainable development in the Borough.  
Within this update or review, the Council should ensure that all possible sources of housing supply are considered. This should include a review of the Green Belt, particularly given that no Green Belt was proposed to be released as part of the preparation of this Local Plan. The Green Belt wraps tightly around the urban area in Havering, restricting opportunities for future development substantially. Failure to review and release Green Belt in the update/review of the Local Plan will challenge the Council’s ability to maintain a supply of deliverable sites through the plan period, and ultimately restrict the delivery of housing, including affordable housing in the Borough.  
Noted |

Appendix 1 – MM6 representations dated 9th September 2020 on behalf of Rom Valley LLP  
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The Council should particularly focus on the areas around settlements such as Rainham when reviewing the Green Belt, as there are opportunities to release land that is less than 1km from the town centre, which would provide a highly sustainable location for future growth. This would include the land that S&R is promoting, a site location plan identifying the extent of which is provided for future reference.

9. In light of the increase in the older persons housing target and the lack of provision within the Plan, we consider the commitment to an immediate update of the Plan is necessary to ensure soundness. If adopted with no early review provisions, we do not consider the Plan will be effective in meeting the housing need going forward, particularly the needs of older people, and would therefore be unsound.

10. The proposed wording in paragraph 14.0.28 states the Council will bring forward an update of the Local Plan immediately after its adoption. The proposed wording in amended paragraph 14.0.29 states that, the extent to which the Council secures the targets supporting the key monitoring indicators will be an important consideration in the Council’s approach to its update.

11. We do not think the approach to the update of the Plan should be dependent on the targets supporting the key monitoring indicators, given these are based upon time periods which will not have passed following adoption of the Plan. In relation to housing policies, including specialist housing, the targets to the key monitoring indicators include the housing delivery across the three phases of the Plan period, meeting the cumulative housing target since 2015 and achievement of the site allocation policies within the first 10 years of the Plan period. In relation to the specialist housing policy, the target is the delivery of 255 units per annum.

12. If the Plan were to be adopted with the wording as proposed, the immediate update would not be informed by the above targets, therefore we have concerns that the Council will be incentivised only to make minor updates to the Plan which will not increase the Plan’s ability to meet its housing need, especially that of older people.

13. It is our view that the Council should commit to a full review of the Plan, not just an update – the extent to which would be at the Council’s sole discretion. As well as the annual increased older persons housing target, the housing need within Havering, if calculated using the Standard Method as set out in current policy, would be 1,638 homes per annum. This is considerably higher than the requirement of 1,170 dwellings per annum as set out in the Plan. In addition, the proposed amendments to the Standard Method, if implemented, would increase the housing need to 1,975 homes per annum. Therefore, to ensure that the Council has a Plan capable of meeting the housing need within the District going forward, a full review of the Plan is required immediately following adoption to ensure it can be found sound.

14. As such, we would suggest the wording of MM28 is amended to ensure commitment is made to a full review of the Plan immediately following adoption.
following adoption, and that this is not dependent on any other factors at the Council’s discretion.

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<tr>
<td>1130037</td>
<td>Transport for London</td>
<td>MM29</td>
<td>The proposed monitoring target ‘Mode share for car use in Havering does not increase above current level of 58%’ is not sufficiently ambitious nor is it consistent with the statutory Havering Local Implementation Plan (LIP) which implements the Mayor’s Transport Strategy, including the agreed mode share targets. The monitoring target should be amended to reflect the targets in the approved Havering LIP which sets a target of 46 per cent of trips by sustainable transport by 2021 and 65 per cent by 2041. This would require that car share to be no more than 54 per cent by 2021 and on a downward trajectory to 35 per cent by 2041. The Local Implementation Plan sets both short and long term targets against each of the Mayor’s outcome indicators. The outcome indicators stem from the Mayoral outcomes contained in the Mayor’s Transport Strategy and are designed to measure a borough’s progress for delivering the Mayors Transport Strategy locally. The Council made clear in its Local Implementation Plan that whilst a 65 percent modal shift target by 2041 had been set, this could only be achieved as a result of substantial investment in transport infrastructure. Given the uncertainties over future transport investment at the present time, the modal target for car ownership in the Local Plan is deemed appropriate. Furthermore, the target contained in the Local Plan for car use is not something the Council is a “ceiling” not to exceed as opposed to a target to work towards. The Council remains committed to increasing modal shift to sustainable modes of travel as set out in Policy 23 Connections and the objectives and measures contained within its Local Implementation Plan.</td>
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<tr>
<td>1128705</td>
<td>Romford Civic Society</td>
<td>MM29</td>
<td>How will the programme for renewing conservation area appraisals and management plans be developed? The programme for renewing conservation area appraisals and management plans will be determined by the Council and will be set out in future Local Development Schemes.</td>
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</table>
| 1251574  | Councillor Williamson and Councillor Morgan | Policy 10 (does not relate to a Main Modification) | Policy 10 Sec. 7: Successful Places to live: 7.8 Garden and Backland Development
Amend no. vi to say ‘Can be robustly demonstrated that the proposal would not have an adverse impact on the character of the area and that the proposed plot sizes are consistent with the size, setting and arrangement of properties in the surrounding area.’
(This is an important protection for all areas not just Hall Lane and Emerson Park).
This comment does not relate to a specific Main Modification therefore it cannot be included at this stage in the Examination. |
| 1251574  | Councillor Morgan and MMC10 | MMC10 – Housing Trajectory (g) Permission outside of the SDAS and 12 Estate Sites (p.12) | The Housing Position Statement provides a robust evidence base for the stepped approach to housing delivery that is |
Councillor Williamson

Site no. 48 Land bounded by New Zealand Way

*Site was withdrawn from construction by the Council Leader at the Council meeting of the 25/09/19*

The Housing Position Statement and Housing Trajectory were updated in October 2019 following the examination hearings in May 2019. LBH recognise that the Housing Trajectory reflects a point in time.

Consultation on the Main Modifications was due to take place in early 2020, however, this was delayed due to the Covid19 Pandemic. LBH agreed with the Planning Inspector not to update the Housing Trajectory prior to consultation on the Main Modifications in August 2020 as this would lead to further delays to the main Modifications consultation and adoption of the Local Plan.

LBH are committed to undertaking an immediate update of the Local Plan. This commitment is set out in amended paragraph 14.0.29 (Refer to MM28).

15. We have concerns that the model for calculating the overall need for specialist older persons accommodation potentially underestimates the need for such accommodation in the Borough, given it only considers the housing needs of those aged 75 and over. The NPPF requires local planning authorities to identify the scale and mix of housing in a range of tenures that the local population is likely to need over the plan period which addresses, inter alia, the needs of older people (Para 159, NPPF 2012).

16. The definition of older people within the NPPF is as follows:

“People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs.”

17. The 2019 NPPF expands this definition to include those approaching retirement age. The ‘Housing for older and disabled people’ PPG highlights the diversity of the needs of older people, and the importance of ensuring there is sufficient provision made within the Plan. Paragraph 003 Reference ID: 63-003-20190626 of PPG states:

“For plan-making purposes, strategic policy-making authorities will need to determine the needs of people who will be approaching or reaching retirement over the plan period, as well as the existing population of older people.”

18. As a result of the methodology used for calculating the overall need for specialist older persons accommodation within MMC06, we consider the need has been underestimated as it fails to take into account people approaching, or over retirement age, who are under 75 and may wish to move to accommodation more suitable for their current or future needs.

1129210

M Scott Properties Ltd

MMC06 Review of 2018 Review of Specialist Older Persons’ Housing

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18. As a result of the methodology used for calculating the overall need for specialist older persons accommodation within MMC06, we consider the need has been underestimated as it fails to take into account people approaching, or over retirement age, who are under 75 and may wish to move to accommodation more suitable for their current or future needs.

The Council monitors the completion of new homes annually and publishes an Authority Monitoring Report on an annual basis. The Plan review will consider this data. Additionally, the Council believe that this approach provides the sufficient certainty that a review to the Plan will ensure the housing need, and the older persons housing targets will be met, with the potential for the identification of additional sites for allocation within the Borough during this process.

Therefore, it is not considered appropriate to amend further the text of Policy MM28 as proposed.

No
19. Notwithstanding the above, the report states at paragraph 2.12 that:

“If there is no change in supply between 2018 and 2028 there will be a need for additional leased properties in all the different categories of specialist older people housing (sheltered, enhanced sheltered and extra care). A total of 2552 new properties required.” (Our emphasis).

20. We consider that, based on the above concerns, this figure should be taken as the absolute minimum and is likely to be higher than this. Secondly, we note that this does not cover the requirement across the Plan period to 2031, therefore three years' worth of housing requirement is not included within this calculation.

21. Despite the high housing requirement, which has increased since the 2018 review, the report fails to identify or recommend any opportunities for meeting this need, other than to set out details of the Council’s proposed decommissioning and replacement of its existing sheltered housing schemes.

22. Paragraph 3.4 shows that this will deliver a net additional 190 units to 2028, which leaves a shortfall of at least 2,362 units. We question the Plan’s ability to meet this need, given it contains no site-specific allocations, nor does it include any policy requirements requiring allocated sites to deliver this type of housing.

23. Table 3 shows the expected practical completion dates for each housing scheme, the majority of which are not expected to be completed until phase 3 of the Plan period. The redevelopment of the Solar, Serena and Sunrise sheltered housing scheme, expected to deliver approximately 135 additional retirement units, was expected to commence in June 2019 with completion in June 2022. The housing trajectory dated 24 September 2020 (MMC10), shows that despite no planning permission having been submitted in respect of the proposals, practical completion is still expected in 2022. It does not appear that the commentary within the housing trajectory in relation to this site has been updated from the previous version, nor is it accurate, given it still states in respect of achievability that ‘A planning application submission is due in September 2019.’ No application number is included within the trajectory; therefore, we dispute the ability of this site to deliver much-needed housing within the short-term.

24. Brunswick Court is the only proposed extra care scheme, albeit only expected to deliver an additional 7 dwellings. We dispute the target completion date of 2012/22 in the housing trajectory (MMC10), given no planning application has been submitted. Therefore, although only providing a very modest 7 additional dwellings, this is unlikely to be done so within the short term.

25. This is especially concerning given the Council has not made any additional provision, over the 7 units of extra care at Brunswick Court within the Plan, through policy requirements or individual allocations. As such, we question how the Council will be able to meet the current deficit.
of 370 extra care dwellings as set out in Table 2 of MMC06, which is expected to rise to 517 by 2028.

26. As such, we consider it critical that the Plan includes provision for an immediate review following adoption, through which additional opportunities, including additional site allocations to help meet the considerable older persons housing target should be identified as a priority. We do not think an update to the Plan, with the degree to which this is done entirely at the discretion of the Council, is a suitable way forward, in light of the older persons housing need, the lack of provision in the Plan and the increasing housing needs if calculated using the existing or the proposed new Standard Method.

27. It is our opinion that the Plan will be ineffective in meeting the housing needs of older people identified within MMC06 and therefore remains unsound. Despite the 38% increase in the annual older persons housing need as set out in MMC06, there has been no corresponding action by the Council to identify additional opportunities to meet this need.

28. The proposed decommissioning and replacement of the Council’s existing facilities will provide 190 additional units only. This leaves a remaining requirement for 2,362 dwellings, as set out in MMC06, for which the Plan does not make provision.

29. We would reiterate our concerns that the older persons housing need is likely to be an underestimate, given it only takes into account the housing needs of people aged 75 and over, contrary to the NPPF, and does not cover the Plan period to 2031.

30. We do not consider the commitment to update the Plan immediately following adoption, the extent to which being dependent upon the achievements of the targets supporting the key monitoring indicators, to be an appropriate basis upon which this should be done.

31. This approach does not provide the sufficient certainty that a review to the Plan will ensure the current housing need, as calculated using the Standard Method, and the increased older persons housing targets will be met, which in our opinion will require the identification of additional sites for allocation within the Borough.

32. Considering the above and in order to make the Plan sound, we consider the wording to MM28 should be amended to provide a commitment to a full review of the Plan, to be commenced immediately following adoption. Without such an amendment, there is no certainty that the Plan will be effective in meeting its needs.