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Helen Oakerbee  
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Our Ref: PINS/B5480/429/9

Date: 25 March 2021

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Dear Ms Oakerbee

## **EXAMINATION INTO THE SOUNDNESS OF LONDON BOROUGH OF HAVERING LOCAL PLAN**

### **NEW LONDON PLAN**

Thank you for forwarding the GLA's letter dated 18 March 2021. That letter was in response to my request for the Mayor's opinion whether the Havering Plan is in general conformity with the London Plan 2021 (LP2021). I note the conclusion that the Mayor considers that the current draft Havering Local Plan is not in general conformity with the LP2021.

You will be aware that section 24(1) of the Planning and Compulsory Purchase Act 2004 makes it a legal requirement that local development documents (LDD) must be in general conformity with the spatial development strategy. Section 20(5) sets out that one of the purposes of an independent examination is to determine whether the development plan document satisfies the requirements of section 24(1). The determination of whether or not the Plan is in general conformity is a matter of planning judgement.

Prior to receipt of the GLA's letter, the Council set out its view on general conformity in a letter dated 15 January 2021 and the corresponding annexes. However, having now received the Mayor's opinion, I would request that the Council consider the following:

1. What are the Council's views on the matters raised in the GLA's letter? If there remain areas where the Council disagrees with the GLA and still consider the Plan to be in general conformity, the Council should fully explain the reasons for the difference in opinion;
2. If I were to conclude that the Plan is not in general conformity with the LP2021, having regard to the GLA's response, what changes would be required to bring the Plan into general conformity?

3. The Council should put forward the wording of potential Main Modifications to any non-conforming policies for my consideration;
4. Alternatively, the Council should consider whether any non-conforming policies could be deleted from the Plan and a commitment made within the Plan to prepare a separate LDD or deal with the matter in the immediate update. This approach may lend itself to matters which can easily be separated from the Plan - for example waste and, potentially, parking - rather than matters which are central to the Plan such as housing and industrial land.
5. Whether further consultation would be required for any Main Modifications to the Plan as a result of any changes put forward?
6. Whether it is possible for the Council to work with the GLA to resolve the concerns raised and produce a Statement of Common Ground?
7. I would ask that the Council set out a timescale for the above work including any joint working with the GLA and drafting of and consulting on any Main Modifications.

The Council's letter relating to general conformity dated 15 January sets out, at point (3) on the second page, that the stated intention for an immediate update of the Plan should allow me to conclude that the Plan is in general conformity as any non-conformity can be dealt with in the update. As matters currently stand, I am not satisfied that this provision alone would enable me to conclude that the Plan is in general conformity, and therefore legally compliant, where there are policies in the Plan which may lead me to the conclusion that the Plan is not in general conformity. I will consider this matter further in light of the responses to the questions posed in this letter.

I would be grateful for a response to this letter, setting out the Council's intended course of action and preliminary timescale by 6 April.

Please ensure that this letter and the GLA's letter of 18 March are promptly placed on the Examination website.

Yours sincerely

*Susan Heywood*

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INSPECTOR