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**Department: Planning**

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Dear Lauren,

**Statement of general conformity with the London Plan (Planning and Compulsory Purchase Act 2004, Section 24(4)(a) (as amended); Greater London Authority Acts 1999 and 2007; Town and Country Planning (Local Development) (England) Regulations 2012**

**RE: Request for the Mayor's opinion whether the draft Plan is in general conformity with the London Plan 2021**

Thank you for requesting the Mayor of London's opinion on the general conformity of the Havering draft Local Plan Main Modifications version in relation to the London Plan 2021. As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has afforded me delegated authority to make detailed comments which are set out below. In accordance with Section 24 (5) of the Planning and Compulsory Purchase Act 2004 this is the Mayor's opinion on the Local Plan's general conformity with the London Plan 2021.

The Mayor provided comments on the earlier Havering Local Plan Regulation 19 version on 28 September 2017 (Ref: LDF16/LDD12/CG01). That letter was an assessment of general conformity of Havering's draft Local Plan against the 2016 London Plan. The draft new London Plan wasn't published for consultation until December 2017. In comparison, this letter is in response to the [Inspector's letter that was issued to the borough on 3 February](#) (Ref: PINS/B5480/429/9) and is an assessment of Havering's draft Local Plan against the recently published London Plan 2021 (LP2021). The London Plan 2021 was formally published on the 2 March 2021, and now forms part of Havering's Development Plan and contains the most up-to-date policies.

**General**

The draft Plan is underpinned by four key priorities which include: enabling vibrant, inclusive, healthy and happy communities and providing opportunities for businesses and local people to thrive. These priorities recognise the importance that the right types of growth in the right locations can provide for the people and businesses they serve and are well aligned to the Mayor's vision which is embodied in his Good Growth objectives. The priorities are particularly

well aligned with Good Growth objectives GG1 building strong and inclusive communities, GG3 creating a healthy city and GG5 growing a good economy and as such are welcome.

Romford is identified as an Opportunity Area (OA) and its potential for significant growth and the ambition set out in paragraph 5.1.5 of the draft Plan to deliver in the region of 6,000 new homes, which is higher than the indicative figures set out in Table 2.1 of the LP2021, is welcomed.

All references in the draft Plan to the 2015 London Plan and the 2013 London SHMA and other similar references to outdated versions of the London Plan and its evidence base should be updated throughout the document to reflect the LP2021 and its more up-to-date evidence and supporting documents.

As currently drafted, there are a number of concerns with the draft Plan which constitute issues of non-conformity with the LP2021. These comprise the borough's proposed approaches to affordable housing, waste and parking standards. Each of these is discussed in greater detail below. In this light the Mayor considers the current draft of the Local Plan is not in general conformity with the LP2021.

The Mayor, through the GLA, will continue to work positively with Havering to provide support on how best the draft Plan could be amended so that these issues are resolved quickly and to bring the plan into general conformity with the LP2021. This could be done through a Statement of Common Ground or through proposed modifications.

## **Housing**

Draft Plan Policy 3 should be amended so that it reflects the borough's housing target and small sites targets which are set out in Table 4.1 and Table 4.2 of the LP2021 respectively. The borough's housing target is for the delivery of 12,850 new homes between 2019 and 2029 or an average of 1,285 per year and the small sites target is for the delivery of an average of 314 new homes a year. It should be noted that the small sites target is not additional to the borough's housing target but instead forms a component element of it.

The figures set out in Table 1 of the draft Plan illustrates that Havering intend to adopt a stepped housing target. This approach is supported in paragraph 4.1.10 of the LP2021 but should be accompanied by a clear articulation of how these homes will be delivered and any actions the borough will take in the event of under delivery. According to the figures in Table 1 the borough will deliver 13,111 new homes in total between 2019 and 2029 which would meet and exceed the borough's LP2021 target. The ambition of the borough to go beyond the LP2021 target is welcomed.

Where boroughs require a housing target beyond 2029 they should refer to paragraph 4.1.11 of the LP2021 and consult with the Mayor. The Mayor notes that the plan period goes up to 2031 and so is only two years more than the Mayor's ten-year housing target period.

The Mayor is pleased that at paragraph 7.1.19 of the draft Plan, Havering establish that there is no planning justification for releasing land from the Green Belt in the borough and this is consistent with the LP2021 which establishes that projected growth in London can be delivered within previously developed areas in the capital.

## **Affordable housing**

Havering should set out the Mayor's strategic target that 50% of all new housing in London is to be genuinely affordable housing in accordance with Policy H4 of the LP2021. To qualify for

the Fast Track Route (FTR) grant should be sought to maximise the delivery of affordable housing in accordance with Policy H5 and to demonstrate that the Mayor's 50% strategic target has been taken into account. Policy 4 of the draft Plan should therefore be amended accordingly so that it is consistent with the approach in the LP2021.

Havering's intention to set a 35% threshold is in line with the Mayor's approach to affordable housing on privately owned land and this is welcomed. However, the draft Plan should also reflect the Mayor's 50% thresholds for affordable housing on publicly owned land and on industrial land where residential proposals would result in a loss of industrial capacity. This last point is especially important as the plan accounts for the release of a significant amount of industrial land over the Plan period. The draft Policy should be amended accordingly so that it is consistent with Policy H5 of the LP2021.

Policy H5 of the LP2021 makes it clear that affordable housing should be based on gross residential development and not net residential development as currently suggested in Table 10 of the draft Plan. This should be made explicitly clear in a policy or supporting text and Table 10 should also be amended accordingly.

The Mayor considers that, taken together, the draft Plan's current divergence from the affordable housing target and the threshold approach to affordable housing as set out in Policies H4 and H5 of the LP2021 constitute an issue of non-conformity – but that this could be resolved as set out above.

### **Industrial land**

In accordance with Policy E4 and Policy E7 of the LP2021 the draft Plan should be more focused on the intensification of industrial uses and the co-location of industrial with non-industrial uses in order to make more efficient use of land in accordance with the Mayor's Good Growth objective GG2 Making the best use of land.

As currently written Policy 20 of the draft Plan combines Locally Significant Industrial Sites (LSIS) with non-designated industrial sites and applies the same policy approach to both. This strategy is not consistent with the one set out in Policy E7 of the LP2021 which, in contrast, treats them quite differently. The LP2021 bestows a greater level of protection to LSISs for industrial purposes than it does for non-designated industrial sites and Havering should note that industrial capacity within LSISs should be accounted for in local employment land reviews taking into account the scope for intensification, co-location and substitution (Policy E6 of the LP2021).

Non-designated industrial land, on the other hand, should be treated differently and where it is the borough's intention, for example, to introduce non-industrial related uses on these sites, the approach set out in part C of Policy E7 of the LP2021 should be followed which sets out clearly that proposals to do so should only be supported where: there is no reasonable prospect of the site being used for industrial and related purposes, it has been allocated for mixed-use development in an adopted local Development Plan Document, or industrial, storage or distribution floorspace is provided as part of mixed-use intensification. In this light, Policy 20 should be amended accordingly.

### **Affordable workspace**

Policy 21 of the draft Plan seeks affordable workspace from major commercial and mixed-use developments but should note that the LP2021 in Policy E3 sets out that in defined circumstances planning obligations may be used to secure affordable workspace for a specific

social, cultural or economic development purpose listed in part A of the Policy. The type of space that Havering are seeking through Policy 21 appears to be more closely aligned with Policy E2 of the LP2021 which is about the provision of suitable business spaces in the borough. Havering should note the differences between these two types of space and amend the draft Plan accordingly so that it is more closely aligned with the approach in the LP2021.

### **Air Quality**

There are two Air Quality Focus Areas in Havering and these should be identified clearly on maps and the draft Plan should reflect the approach set out in Policy SI 1B of the LP2021.

Policy 33 of the draft Plan should also recognise that masterplans and development briefs for large-scale development proposals subject to an Environmental Impact Assessment should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. This is particularly significant as this approach could apply to the borough's plans for the regeneration of Romford as an OA. Havering should follow and reflect the guidance set out in Policy SI 1C and paragraph 9.1.13 of the LP2021.

### **Waste**

Havering's waste apportionment targets are set out in Table 9.2 of the LP2021 for 370,000 and 393,000 tonnes for the years 2021 and 2041 respectively for household, commercial and industrial waste and should be reflected in the draft Plan. Havering's intention to meet its apportioned waste targets is welcome but no up to date evidence work has been undertaken to establish the current and future waste management capacity in the borough.

The approach set out in the draft Plan relies on the East London Waste Plan (ELWP) which was adopted in 2012 and which planned for waste apportionment targets set out in the 2011 London Plan. The ELWP plans up to the year 2021. This means that the ELWP does not account for the borough's new waste apportionment targets as set out in the LP2021 nor does it address the Mayor's waste ambitions, including for London to be net self-sufficient in the management of its waste by 2026 as set out in Policy SI 8 and, finally, it does not account for the last ten years of Havering's draft Plan.

As the draft Plan has not satisfactorily demonstrated that it can meet its waste needs over the plan period this is a matter of non-conformity with Policy SI 8 of the LP2021.

GLA officers are aware that further evidence work is underway to review the ELWP safeguarded waste sites in order to establish if there is capacity to meet boroughs' pooled waste needs over the plan period. When the GLA has received and reviewed this evidence against LP2021 Policy SI 8, they will advise the Mayor whether his position of non-conformity on this matter can be withdrawn.

### **Transport**

Havering should note that in Table 10.3 of the LP2021 there is a separate parking standard for Opportunity Areas (OAs) which would be undermined by the application of minimum standards which is the current intention of the draft Local Plan. Minimum standards in OAs could also undermine housing delivery, as higher density development becomes increasingly unfeasible to deliver with higher parking ratios (e.g. 1.5 spaces per dwelling at 150 dwellings per hectare would require space equivalent to almost 40 per cent of the site area to be used for parking (assuming 2.4 x 4.8m per space plus a conservative 50 per cent additional space for circulation)).

The LP2021 requires any boroughs seeking minimum residential standards to do so only in areas with PTAL 0-1. This is set out clearly in Policy T6 part K of the LP2021 and Havering should reflect this approach in their draft Plan.

The proposed minimum standards in the draft Plan are higher than the new London Plan maximum standards for 4+ beds, with a minimum of 'up to' 2 spaces per unit, rather than the 1.5 spaces per unit in the LP2021 clearly set out in Table 10.3. Following the directions from the Secretary of State, Table 10.3 has been amended and now includes a footnote which states that outer London boroughs could consider higher standards for larger units in PTAL 0-1, but only 'where there is clear evidence that this would support additional family housing'. In the absence of appropriate evidence this constitutes an issue of non-conformity.

Each of these three parking related issues constitute non-conformity but could be resolved by:

- Deleting all reference to PTAL 2 in the part of the policy referring to minimum standards
- Referring to minimum standards applying 'in PTAL 0-1 outside of Opportunity Areas'
- Reducing the minimum standard for 4+ beds from 2 to 1.5

## **Summary**

To conclude, there are five outstanding issues of non-conformity which result in the draft Plan not being in general conformity with the LP2021. To be clear, the issues of non-conformity relate to:

Waste – the draft Plan as written does not satisfactorily establish that it can meet its waste needs over the full planning period;

Parking – three issues identified relating to minimum parking standards; and lastly

Affordable housing – three issues which together constitute non-conformity. The most significant of these relating to the application of the 50% threshold level for affordable housing being applied correctly to residential planning applications on publicly owned land and on industrial land where there would be a resulting loss of industrial capacity.

Although they are not considered matters of general conformity, the Mayor considers that in order to better align with the LP2021 it would be helpful if the plan was modified to take account of the other issues raised in this letter which relate to the borough's housing target, industrial land, affordable workspace, air quality and other general points.

**Next steps**

GLA officers will continue to offer their support to resolve the issues identified in this letter and to provide guidance where it might be required.

I hope these comments inform the preparation of the Havering Local Plan and we look forward to continuing to work with you to ensure it aligns with the LP2021 as well as delivering Havering's objectives. If you have any specific questions regarding the comments in this letter, please do not hesitate to contact Hassan Ahmed on 020 7983 4000 or at [hassan.ahmed@london.gov.uk](mailto:hassan.ahmed@london.gov.uk)

Yours sincerely



Lucinda Turner

**Assistant Director of Planning**

Cc Keith Prince, London Assembly Constituency Member  
Andrew Boff, Chair of London Assembly Planning Committee  
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