



The Planning Inspectorate

Report to London Borough of Havering Council

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an Inspector appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Havering Local Plan

The Plan was submitted for examination on 27 March 2018

The examination hearings were held from 9 – 18 October 2018 and 29 – 30 May 2019

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Abbreviations used in this report

dpa	dwellings per annum
ELR	Employment Land Review 2015 (LBHLP.20)
ELWP	East London Waste Plan
FMM	Further Main Modifications
GLA	Greater London Authority
GTAA	Gypsy and Traveller Accommodation Assessment
HPS	Housing Position Statement
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LP2021	London Plan 2021
LSIS	Locally Significant Industrial Sites
MM	Main Modifications
NPPF	National Planning Policy Framework
ONEL	Outer North East London
PPG	Planning Policy Guidance
PPTS	Planning Policy for Traveller Sites
PTAL	Public Transport Accessibility Level
SA	Sustainability Appraisal
SDA	Strategic Development Area
SHMA	Strategic Housing Market Assessment
SIL	Strategic Industrial Location
SINC	Site of Importance for Nature Conservation
SPG	Supplementary Planning Guidance
TfL	Transport for London
UCO	Use Classes Order

Non-Technical Summary

This report concludes that the Havering Local Plan provides an appropriate basis for the planning of the borough, provided that a number of main modifications are made to it. The London Borough of Havering Council has specifically requested that I recommend any main modifications necessary to enable the Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The main modifications were subject to public consultation over an eight-week period. An additional seven-week consultation took place on further main modifications needed to ensure the Plan is in general conformity with the London Plan 2021 and on an updated sustainability appraisal and habitats regulations assessment. In some cases, I have amended detailed wording of the modifications to take account of representations made in response to the consultations. I have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessments and all the representations made in response to consultation on them.

The Main Modifications and Further Main Modifications can be summarised as follows:

- Set out the need for an immediate update of the Plan and explaining the relationship of the Plan to the London Plan 2021, to ensure the Plan is positively prepared and effective;
- Identify the policies which are superseded by the Plan to ensure the Plan is legally compliant;
- Amend the objectives and various policies to include the need to support greater use of the River Thames for freight and passenger transport in line with the London Plan and national policy relating to sustainable travel;
- Various modifications to amend policies to ensure general conformity with the London Plan 2021, including those relating to the housing requirement, affordable housing targets and parking standards;
- Set out the benchmark figure for older person's housing and identify the need from the most up to date needs report, in order to ensure that the Plan is positively prepared, justified and effective;
- Amend Policy 11 relating to Gypsies, Travellers and Travelling Showpeople accommodation to reflect updated needs assessment, identify additional sites to meet the need and remove those sites from the Green Belt, all to ensure the Plan is positively prepared, justified, effective and consistent with national policy;
- Amend policies 19, 20, 21 and 22 to clarify the criteria, to reflect evidence of the amount of land which can be released from employment use and to reduce the affordable workspace requirement, in order to ensure the policies are justified, effective, consistent with national policy and in general conformity with the London Plan;
- Inclusion of a monitoring framework to ensure the Plan is effective;
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Havering Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (NPPF) 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. A revised NPPF was published in July 2021. Paragraph 220 states that the policies in the original NPPF published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. The Havering Local Plan was submitted in March 2018. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound Plan. The Havering Local Plan, submitted in March 2018 is the basis for my examination. It is the same document as was published for consultation in August 2017.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2** etc.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MM schedule was subject to public consultation for eight weeks. An additional seven week consultation took place on further main modifications (FMMs) needed to ensure the Plan is in general conformity with the London Plan 2021 and on an updated SA and HRA. These further MMs are identified in the form **FMM1** etc in the report. Some of these FMMs supersede previous MMs. All MMs and FMMs are set out in full in the consolidated Appendix.
6. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the MMs and FMMs where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal/habitats regulations assessment that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Proposals Map Changes Booklet July 2017 (document LBHLP.2.1) and Addendum March 2018 (document LBHLP.2.2).
8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs / FMMs to the Plan's policies require further corresponding changes to be made to the policies map.
9. These further changes to the policies map were published for consultation alongside the MMs and are contained within the Proposals Map Changes Booklet Addendum December 2019 (document MMC02). The latter document supersedes some of the gypsy site allocations in the earlier documents.
10. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted proposals map to include all the changes proposed in Proposals Map Changes Booklet July 2017 (document LBHLP.2.1), Addendum March 2018 (document LBHLP.2.2)¹ and the further changes included in the Proposals Map Changes Booklet Addendum December 2019 (document MMC02) published alongside the MMs. This will become the policies map for the Havering Local Plan 2016-2031.

Context of the Plan

11. Havering is an Outer London borough and the Plan must therefore be in general conformity with the London Plan. The Local Plan was prepared, and much of the Examination was undertaken, under the former London Plan 2016. The London Plan 2021 (LP2021) was published on 2 March 2021.
12. Further MMs have been put forward to ensure general conformity with the LP2021. However, given that the LP2021 was adopted at a late stage in the examination, it has not been possible for the evidence base documents for this Plan to be updated. This would have resulted in considerable delay in the examination and adoption of the Plan.
13. The Plan includes a commitment to an immediate update² and it is considered pragmatic to allow this Plan to proceed to adoption on this basis. This is in

¹ Apart from those superseded and replaced by the changes in the Proposals Map Changes Booklet Addendum December 2019 (document MMC02)

² The NPPF 2021 paragraph 33 sets out that Plans should be reviewed to assess whether they need updating at least once every 5 years and should then be updated as necessary. The commitment in the Plan is to undertake an immediate update rather than simply reviewing the policies to assess whether they need updating.

line with the Government's deadline for all authorities to have an up-to-date plan in place by December 2023. The relative certainty that will be provided by finalising the Plan will be beneficial in terms of encouraging sustainable development.

14. In order to ensure that the Plan is effective therefore, a FMM (**FMM1**) is necessary to explain the relationship of the Plan to the LP2021. It also sets out the need for an immediate update of the Plan, in accordance with specified timescales, in order to ensure that the Plan has full regard to the LP2021 and latest Government guidance. I have made a minor alteration to this FMM to reference the 2021 NPPF which was published after the consultation on the FMMs began.
15. The current adopted Local Development Framework 2008 includes the Core Strategy and Development Control Policies document, the Site Specific Allocations document and the Romford Area Action Plan. Once adopted the Havering Local Plan will supersede the Core Strategy and Development Control Policies document. The Local Plan indicates broad locations for housing, employment, retail, leisure, transport, community services and other types of development. It also allocates sites for Gypsy and Traveller pitches, a matter which is addressed in detail below.
16. When the Plan was submitted, it was the Council's intention to prepare a future Site Specific Allocations Local Plan to identify individual sites for specific uses. It is currently the Council's intention to incorporate site allocations into the immediate update of this Plan. In the interim period, the existing allocations in the Romford Area Action Plan and Site Specific Allocations document remain extant.

Public Sector Equality Duty

17. The Council carried out an Equalities Impact Assessment to inform the preparation of the Plan (LBHLP.6). I have had due regard to the three aims expressed in section 149(1) of the Equality Act 2010 and in particular considered how the Plan's policies and proposals are likely to affect people from groups with "protected characteristics"³. This has involved my consideration of several matters during the examination including those relating to different types of housing need, including for people with disabilities, older people and travellers; achieving thriving communities; promoting economic development; supporting sustainable transport connections and achieving high quality places and green places. My findings in relation to those matters are set out in subsequent sections of this report.

Assessment of Duty to Co-operate

18. Section 20(5)(c) of the 2004 Act (the Planning and Compulsory Purchase Act 2004) requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. The Council set out the actions that they have undertaken in this regard in a Duty to Co-

³ Age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race; religion or belief; sex; and sexual orientation (section 149 of the Equality Act 2010).

operate Statement (LBHLP.4). This describes the activities that it has undertaken with other bodies in order to maximise the effectiveness of the Plan's preparation.

19. Co-operation has taken place with the Greater London Authority (GLA) and a number of London boroughs including the adjoining boroughs of Redbridge, Barking and Dagenham and Bexley. Havering also adjoins Epping Forest District Council to the north, Brentwood Borough Council to the east and Thurrock Council to the south-east. The Council have co-operated with these authorities and with Essex County Council. Co-operation has taken place in relation to a range of matters, including the homes and jobs required for the borough, the approach to the Green Belt and the infrastructure required to support the level of growth. A Statement of Common Ground with these and other authorities has been submitted in support of the Plan.
20. Essex County Council and the authorities of Basildon, Thurrock and Rochford object to the Plan due to concerns relating to Havering's unmet housing need, although they have confirmed that these objections relate to soundness matters rather than any failure of the duty to co-operate. Matters relating to housing need and supply are considered later in this report.
21. The Duty to Co-operate Statement sets out the GLA's view that individual London boroughs are not expected to identify where any unmet need is to be met either inside or outside of London. Whilst this was produced under the 2016 London Plan, it also reflects the London Plan 2021 which sets out that the Mayor will work with partners in the Wider South East to find solutions to shared strategic issues, including barriers to housing delivery. The London Plan does nevertheless promote the importance of engagement on locally specific cross-border matters between individual London boroughs and authorities beyond London.
22. The Council have worked in partnership with other relevant bodies in order to address other specific strategic matters. An example includes engagement with neighbouring local authorities, Transport for London (TfL) and Highways England in relation to the transport implications of the Plan. The Council have also been involved in the A127 Growth Corridor working group led by Essex County Council to assess the impact of cross-borough growth on this highway corridor.
23. Co-operation has also taken place with bodies such as Natural England, the Environment Agency, Historic England, the Local Enterprise Partnership and Local Nature Partnerships with regard to specific Local Plan issues.
24. No objections have been raised in respect of any failure to meet the duty to co-operate by any of the bodies prescribed in relevant legislation for the purposes of section 33A(1)(c) of the Act. While concerns of detail remain, notably in respect of the Local Plan's approach towards meeting housing needs and the proposed parking standards in the Plan, these relate to matters of soundness rather than any failure under the duty to co-operate. I return to these matters later in this report.
25. I am satisfied that where necessary the Council have engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

Consultation

26. Initial consultation on 'A New Local Plan for Havering' was undertaken in March 2015 in accordance with Regulation 18 (of the Town and Country Planning (Local Planning)(England) Regulations 2012), a 'Direction of Travel' document was consulted upon in November 2016 and consultation on the submission version of the Plan was consulted upon between August and September 2017, in accordance with Regulation 19. Consultation has subsequently taken place on the proposed MMs and FMMs. Consultation on the Plan and the MMs/FMMs was carried out in compliance with the Council's Statement of Community Involvement and the Regulations.

Sustainability Appraisal

27. The Plan was subject to a SA during its preparation and to inform the proposed MMs and FMMs. No statutory consultation bodies have raised any significant concerns about the SA process.
28. A number of options, or reasonable alternatives, for the spatial strategy in the Plan were assessed in the Sustainability Appraisal for the Havering Local Plan 2017 (LBHLP.8). The options considered alternative levels of growth and the spatial distribution of that growth. The alternative options included increased densities in specified areas to meet a higher housing target and two alternative options which considered limited Green Belt release, one of which would have facilitated more family and older person's housing by developing at lower densities.
29. The SA has not considered an option which seeks to meet housing need through large scale release of Green Belt land. However, the Council are only required to consider reasonable alternatives which are capable of meeting the objectives of the Plan to such an extent as that option is viable. One of the Plan's objectives is to protect and enhance Havering's Green Belt. I consider it reasonable for the SA not to have considered this option given the objectives of the Plan and the requirement to be in general conformity with the London Plan which also seeks to protect the Green Belt. This is consistent with the judgement in *R. (on the application of Friends of the Earth England, Wales and Northern Ireland Ltd) v Welsh Ministers [2015] EWHC 776 (admin)*.
30. The 2017 SA report did not make clear the assessment of the preferred option (option 1) against many of the SA themes, which reflect the range of effects being considered through the SA process. It was not therefore clear that the preferred option had been assessed against the reasonable alternatives and judged to be the most appropriate option to help achieve the environmental, economic and social objectives set out in the SA themes. A SA Report Addendum (LBHLP.56) was produced in December 2018 to address these concerns.
31. Together, the SA and SA Addendum set out the likely significant effects of each of the options, or reasonable alternatives. Each of the options is assessed against the SA themes and planning judgement has been used to determine the likely significant effects of each of the options and whether they

meet the objectives of the Plan. The Plan's objectives include increasing the supply of housing by a minimum of 17,550 dwellings over the Plan period and protecting and enhancing the Green Belt. Whilst some of the options considered against the SA themes included exceeding the London Plan target the SA concluded that these options would not achieve the objective of protecting and enhancing the Green Belt.

32. The SA process led the Council to determine that the most appropriate strategy having regard to the relevant objectives of the Plan was option 1 which seeks to meet the London Plan housing target, reflects current densities of development and which does not involve release of Green Belt land.
33. The SA was updated following the need for the FMMs (the SA Report Further Addendum June 2021)(FMMC02). The minimum housing figure which the Plan seeks to meet has been increased following the increase in the LP2021 housing target. However, the SA Further Addendum concludes that as neither the spatial distribution nor the supply over the first 10 years of the Plan period has changed, this FMM does not significantly affect the findings of the SA or SA Addendum. The majority of the remaining FMMs do not significantly affect the findings of the SA / SA Addendum. FMM24 (which relates to car parking and is discussed in detail below) has been the subject of further appraisal through the SA Further Addendum and found to be not likely to have a significant effect alone nor to significantly affect the findings of the SA / SA Addendum.
34. No statutory bodies have raised significant concerns about the SA process. Whilst there were a number of criticisms made by other representors, it is not unusual for there to be disputes about some of the findings of the SA. I am satisfied that the SA process, once clarified by the SA Addendum 2018 and SA Further Addendum 2021, has been carried out satisfactorily and that there is nothing which undermines the SA findings. The SA process has assessed the extent to which the emerging Plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Overall, I am satisfied that the SA process was proportionate, objective and the judgements reached were reasonable. The SA is compliant with legal requirements and relevant national guidance.

Conformity with the London Plan

35. Section 24(1)(b) of the Planning and Compulsory Purchase Act 2004 requires all development plan documents to be in general conformity with the London Plan. The GLA have confirmed that, subject to the FMMs, the Plan is in general conformity with the LP2021.

Other Legal Compliance matters

36. The Plan has been prepared in accordance with the Council's Local Development Scheme (LDS). The Council have confirmed that the LDS will be updated to reflect the timescales for the immediate update of the Local Plan.
37. The Habitats Regulations Assessment (HRA) June 2017 sets out that development in the Plan will not have a likely significant effect on any internationally designated site either alone or in combination. As such, an

Appropriate Assessment is not necessary. The MMs and FMMs were subject to further HRA. Both concluded that there would be no likely significant effects on European sites (now part of the national site network) from the MMs or FMMs.

38. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
39. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. In this respect the Plan includes policies relating to flood management, low carbon design, decentralised and renewable energy. Accordingly, the Development Plan, taken as a whole, achieves the statutory objective of S19(1A) of the Planning and Compulsory Purchase Act 2004⁴.
40. Regulation 8(5) of The Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations) require that where a plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. As submitted, the Plan does not identify which documents forming part of the Council's development plan would be superseded and which parts remain extant. A main modification (**MM1**) is needed to clarify this in order to ensure that the Plan is legally compliant. I have made a minor alteration to the wording of MM1 to clarify that the proposals map 2008 will be superseded by the policies map for this Local Plan. This will bring the terminology in line with the current Regulations. Subject to this modification, the Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

41. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 8 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Is the Plan's spatial strategy and approach to the Green Belt appropriate and justified? Is it in general compliance with the London Plan and consistent with national policy?

42. The Plan adopts a spatial strategy which seeks to meet the growth requirements for the borough in accordance with the London Plan. It also seeks to retain the suburban character of the borough and to protect the

⁴ As amended by the Planning Act 2008.

Green Belt. The Plan identifies the main town centre of Romford together with Rainham and Beam Park as Strategic Development Areas (SDAs). This is in line with the London Plan which identifies these areas as Opportunity Areas. These areas, together with the Council's housing estate renewal programme, will be the focus for growth in the Plan. Other options for different spatial strategies, including development in the Green Belt, were considered in the SA as set out above but were discounted as not meeting the aims of the Plan to protect the Green Belt and the character of the borough.

43. The Council carried out a Green Belt Study including a land parcel assessment in 2016 (LBHLP.26 and 26.1). This concluded that all of the Green Belt in Havering has value when considered against the purposes of the Green Belt. The majority of land parcels were assessed as making a fundamental or high contribution to the Green Belt, with only one parcel making a low contribution. This parcel contains recreational land, which is a beneficial use in terms of the NPPF paragraph 81, and a cemetery.
44. A further Sites Green Belt Assessment was carried out in 2018 (LBHLP.27, 27.1 and 27.2). This assessed a number of sites which had been put forward for potential Green Belt release against the Green Belt purposes and against a set of sustainability criteria. Whilst some sites were identified as having a low or moderate rating assessment of harm for release of the whole site (Table 5.1 LBHLP.27), none of the assessed sites have been released from the Green Belt. The Council set out (Matter 5 Green Belt hearing statement) that a low or moderate assessment of harm does not amount to exceptional circumstances for the release of Green Belt sites.
45. The NPPF states that the Government attaches great importance to Green Belts. Once established, Green Belt boundaries should only be altered in exceptional circumstances. The LP2021 states that the Mayor strongly supports the continued protection of London's Green Belt and the GLA have confirmed the Mayor's support for Havering's approach to the Green Belt (document LBHLP.14 and GLA letter dated 18 March 2021). The strategy of protecting the Green Belt complies with the NPPF and is in general conformity with the LP2021.
46. Main Modifications to the Plan have resulted in the allocation of existing Gypsy and Traveller sites and the removal of these sites from the Green Belt, a matter considered in detail later in this report.
47. The 2008 Core Strategy identified four Major Developed Sites in the Green Belt. The NPPF does not refer to Major Developed Sites in the Green Belt and the Plan does not specifically identify any such sites. However, the Housing Position Statement 2019: Technical Update (HPS 2019) (Document CHPDO25) identifies two previously developed sites within the Green Belt which have potential for housing development⁵. The Rowley Cardrome site was also identified in the Core Strategy but is not specifically identified in the HPS 2019 as contributing to the Council's housing land supply. Nevertheless, none of these sites are released from the Green Belt. Any development proposed on the sites would need to be justified having regard to the NPPF, local policy and

⁵ St George's Hospital and Quarles Campus

any other material considerations. The approach of the Plan to these sites is sound.

48. Other than the limited exceptions for Gypsy and Traveller site allocations, the Plan proposes no release of Green Belt land for general housing or employment purposes. I deal below in detail with the Council's housing land supply position. In summary, although it appears unlikely that a 5-year supply can be demonstrated in the Plan, the evidence demonstrates that there is likely to be sufficient housing supply to meet the requirement for the first 10 years of the Plan period.
49. The aim of Green Belt policy in the NPPF is to keep land permanently open and the essential characteristics of Green Belts are their openness and permanence. The lack of a 5-year housing land supply is a situation that can change over a relatively short period of time and the Council have committed to an immediate review of this Plan in order to reassess the options for increasing the housing land supply in the borough. Having regard to the support in the LP2021 and in Government policy for the protection of the Green Belt and the fact that the Plan can demonstrate a 10-year housing supply, I am not satisfied that the current lack of a 5 year housing land supply provides the exceptional circumstances necessary to alter the boundaries of the Green Belt as part of this Plan.
50. Aside from the protection of the Green Belt, the Plan also sets out the other aims and objectives it seeks to tackle the key issues facing the area. A modification (**MM2**) is proposed to add to the objectives the need to support greater use of the River Thames for freight and passenger transport. This modification is necessary in order to encourage greater use of sustainable transport options in line with paragraphs 29 and 35 of the NPPF and to ensure compliance with the London Plan. This objective follows through into modifications to specific policies (identified separately below) to support this overarching objective.
51. Policy 1 sets out the number of homes to be provided in the Romford SDA over the Plan period. A modification is proposed to update the housing figures to reflect updated evidence in the Housing Position Statement 2019 (MMC07, MMC08, MMC09.01-04, MMC10) (**MM3**). This is necessary to ensure the policy is positively prepared, justified and effective.
52. The policy also sets out the support for commercial development, to enhance connectivity, to ensure the delivery of infrastructure and promote good design and heritage conservation within the SDAs. **MM3** modifies the criterion which sets out the requirements for additional primary school provision over the Plan period in order to reflect updated information regarding school provision. This part of the modification is necessary to ensure that the policy is justified and effective. I have made a further change to the wording to reflect the fact that future site allocations are likely to be dealt with through the immediate update of this Plan. The modification also explains the requirement in the policy which seeks 'generous' floor to ceiling heights. This is required to ensure the policy is effective. I have made a further minor change to the wording of this part of the modification to allow flexibility in the application of this criterion.

53. In order to ensure clarity and effectiveness and so as not to unnecessarily burden smaller developments, **MM3** makes further modifications to Policy 1 and its justification to clarify that only major developments will be required to secure improvements to connectivity; to clarify the role of the Romford Masterplan and to emphasise the importance of mixed-use developments within the SDA.
54. The modification also alters and explains the requirements for tall buildings and removes a restriction on such buildings north of the railway line. The submitted policy restricts tall buildings within the conservation area but the modification to the justification paragraphs clarifies the considerations to be taken into account for such buildings elsewhere within the SDA. The modifications included in **MM3** are necessary to ensure that the policy is positively prepared, justified, clear and therefore effective.
55. Policy 2 relates to development within the Rainham and Beam Park SDA. It contains similar criteria to Policy 1 to guide development within the SDA. As submitted the wording of requirements for floor to ceiling heights and the need for a mix of uses is unclear. A modification is therefore necessary (**MM5**). Similar to Policy 1, I have made a further minor change to introduce some flexibility in the application of the floor to ceiling height criterion. The modification also introduces a criterion to ensure that development has regard to listed buildings and their settings. The modification is necessary to ensure that the policy is effective, justified and consistent with national policy.
56. Subject to the main modifications outlined above I conclude that the Plan's spatial strategy and approach to the Green Belt is appropriate, justified, in general compliance with the London Plan and consistent with national policy.

Issue 2 – Is the Local Plan's overall approach to the provision of new housing soundly based, having particular regard to the housing requirement and the desirability of there being a 5-year supply of deliverable housing land?

Housing Requirement

57. Havering forms part of the London-wide housing market area. The Havering Local Plan was prepared, and much of the Examination was undertaken, at the time when the London Plan 2016 was the published plan. The London Plan 2016 set a minimum target of 11,701 new homes for Havering over the ten-year period 2015 – 2025. This equates to an average annual housing target of 1,170 dwellings per annum (dpa) or 17,550 dwellings over the 15-year Plan period. This target is set out in Policy 3 of the submission version of the Local Plan and in the table within the Plan which sets out the 'Key features of the spatial strategy'⁶.
58. In March 2021, at a late stage in the Examination, the LP2021 was published and the 10-year housing target for Havering was increased to 12,850 homes between 2019/20 and 2028/29. In order to ensure that the Plan is in general

⁶ Chapter 5 of the Plan

conformity with the LP2021, modifications are required to the table within Chapter 5 and to Policy 3 and its justification, to reflect the adopted London Plan housing requirement. This is achieved through **FMM3** and **FMM6** respectively.

59. The 10-year target for Havering within FMM6 is 12,505 new homes. This reflects the fact that the Havering Local Plan straddles the two London Plan periods. The annual requirement for the period 2016/17 to 2018/19 is 1,170 dpa (in line with the 2016 London Plan) and for the period 2019/20 to 2025/26 the annual requirement is 1,285 dpa (in accordance with the LP2021).
60. In line with the 2016 London Plan, the Outer North East London (ONEL) Strategic Housing Market Assessment (SHMA) was undertaken jointly with the London Boroughs of Redbridge, Barking and Dagenham and Newham. The ONEL SHMA Update for Havering (November 2016) identifies a need for 30,052 dwellings within Havering over the period 2011-2033 or 1,366 homes per year. I have considered whether this should be the housing requirement in the Plan. However, the LP2021 makes clear that London should be considered as a single housing market area⁷ and that boroughs are not required to carry out their own housing needs assessment. The approach of the Plan as modified to seek to meet the LP2021 housing target is therefore sound.

Housing trajectory

61. The Plan is supported by the Housing Position Statement which was updated during the Examination by the 2019 Technical Update (HPS 2019) (document MMC07). The HPS 2019 is now in itself somewhat dated and the position of sites within the housing trajectory may have altered. However, the Council have been unable to provide a further update to that document within a reasonable timeframe. Even if this were to have been provided, any new information submitted would need to be subject to consultation and may necessitate further hearing sessions. Overall, this would result in considerable further delay in the Examination and ultimately would further delay adoption of the Plan.
62. The HPS 2019 sets out that the Council will adopt a stepped approach to housing delivery, with increased housing delivery in years 5-10 compensating for under-delivery in the first 5 years. This is in line with the LP2021 which acknowledges⁸ that boroughs may set out stepped housing delivery targets over a 10-year period where appropriate. Furthermore, national policy does not prevent a phased approach to the delivery of housing across a plan period.
63. The Plan sets out that construction on a significant proportion of new housing development will be on large sites within the Strategic Development Areas. It states that development in these areas is likely to be towards the end of the 5-year period and into the 10-year period. The Plan therefore aims to deliver its land supply over a 10-year period. However, the Plan as submitted does not make clear the stepped annual target the Council are seeking to deliver over the 10-year period. **FMM6** contains a modification to Policy 3 and its

⁷ Para 4.1.2

⁸ Para 4.1.10

explanatory text to explain the stepped approach to delivery. This is necessary to ensure that the Plan is positively prepared, justified and effective. **FMM6** sets out the phased delivery of the housing requirement as outlined in the following table. The figures in this FMM have been adjusted to take account of the higher housing requirement in the LP2021:

Years 1-5	2016/17 to 2020/21	700 dpa target
Years 6-9	2021/22 to 2024/26	1,801 dpa target
Year 11-15	2026/27 to 2030/31	1,285 dpa target

64. Under the phased targets the rate at which housing will be delivered across the Plan period will vary in each 5-year period. The 700 dpa target for years 1-5 of the Plan is significantly lower than the 1,170 dpa in the 2016 London Plan which was the published Plan during those years. However, completion figures for the previous 7-year period from 2012-2017 averaged 715 units. The lower target over the first 5 years of the Plan aligns with average annual net completions during the previous 7 years and with anticipated completions over the remaining period to 2020/21.
65. The figure for the first 5 years also reflects the fact that a significant proportion of the Council's housing land supply comes from large sites within the Romford and Rainham and Beam Park SDAs and from the Council's estates regeneration sites. These have long lead in times as a result of land assembly and infrastructure requirements. For the estates regeneration sites there is the need to engage with and move existing residents and the early years of redevelopment will include a number of demolitions, thus having a negative effect on housing supply. Consequently, anticipated net completions are predicted to be lower in the first years of the Plan period than later. There is predicted to be a significant increase in anticipated completions between 2020/21 and 2025/26, with particular 'spikes' in 2022/23 and 2023/24.
66. Furthermore, the first 5-year period up to 2020/21 has now elapsed. The annual target on adoption of the Plan will increase to 1,801 dpa. This target exceeds the 1,285 dpa annual target in the LP2021 in order to account for under-delivery in the early years of the Plan.
67. In the context of pre-plan period delivery averaging 715 dpa and the evidence relating to land supply, I am satisfied that 700 new dwellings per year for the first 5 years of the Plan period (to 2020/21), rising to 1,801 dwellings per year for years 6-10 would appropriately reflect the realities of delivery in the SDAs and the estates regeneration programme.

Housing land supply

68. The components that make up the housing supply are set out in the HPS 2019 and accompanying trajectories. The evidence does not identify sufficient land supply to cover the 15-year Plan period. Overall supply is likely to be 16,438 homes against a modified target of 18,930 homes over the Plan period (a total shortfall of 2,492 homes by 2031). The HPS 2019 demonstrates that there will be a supply of 13,095 homes to cover the 10-year period 2016/17 to

2025/26 against the target of 12,505 homes set out in Policy 3 as modified. The evidence therefore demonstrates a sufficient supply of sites to meet the target for the first 10 years of the Plan.

69. The NPPF at paragraph 47 does not require that a plan identifies specific sites to meet the housing requirement for the full plan period. It states that land should be identified for years 11-15 "where possible". The London Plan also sets its targets for boroughs over a 10-year period. This aspect of the Council's housing land supply position is therefore in accordance with the NPPF and the London Plan.
70. The HPS 2019 provides evidence regarding build-out rates, lead-in times and lapse rates locally and capacity studies are provided for some of the identified sites. The proposals for Crossrail to include a station at Romford is likely to be one of the key drivers for growth in the Romford SDA and gives credence to the Council's estimate of the number of dwellings likely to be developed in the SDA over the first 10 years of the Plan period.
71. Similarly, the Rainham and Beam Park SDA is linked to the delivery of a new railway station at Beam Park. It is also identified as one of the GLA's Housing Zones. Housing Zones attract a range of planning and financial measures to support house building within these areas.
72. The Council have presented detailed evidence regarding the timing and phasing of its estates regeneration sites. It is clear that the Council have had regard to the potential for needing to exercise their Compulsory Purchase powers and have factored this timescale into their assumptions. I am satisfied that the Council's evidence in terms of the number of dwellings likely to come forward in these areas is robust.
73. Criticism has been made that the Council have been ambitious in its expected completions, average build-out rates and lead-in times for some sites. However, the HPS 2019 incorporates the latest available information regarding the suitability, availability, achievability and deliverability of each of the sites based on planning application information, discussions with landowners and developers and the constraints affecting some sites. A discount rate of 10%, 20% and up to 35% has been applied to sites where there is a degree of uncertainty over its delivery. On other sites capacities have been reduced to accord with the Council's capacity studies. Whilst there are different views regarding the discount rates applied, it is likely that some of these sites will come forward at the higher, non-discounted, rates whilst others may not come forward within the timescale envisaged. Ultimately, this is likely to balance out.
74. A small number of sites gained planning permission some years ago and queries have been raised as to whether the sites are deliverable. However, the sites have planning permission⁹ and there is no evidence of any insurmountable constraints to their development. In accordance with the NPPF¹⁰, sites with planning permission should be considered deliverable until

⁹ At the time of the HPS2019

¹⁰ Footnote 11, NPPF 2012

permission expires, unless there is clear evidence that schemes will not be implemented within five years.

75. Some of the supply relates to prior approvals and whilst it is possible that not all of these will come forward, it is equally possible that other prior approvals not currently in the trajectory will materialise. This is even more likely having regard to recent changes to the Use Classes Order (UCO). A small sites and vacant units allowance of 1,500 dpa has been included over the first 10 years of the Plan period. This is justified by the evidence in the HPS 2019 which sets out the annual average for small sites and vacant units returning to use. NPPF at paragraph 48 confirms that authorities may make an allowance for windfall sites in the 5-year supply if there is compelling evidence. There is nothing in the NPPF which precludes this allowance being made over the Plan period.
76. It is argued by some that the Council have been overly optimistic for some sites, but there is also evidence that they have been conservative in their estimation for others. There is also some evidence that other sites may come forward which have not been included in the supply due to uncertainty over their delivery.
77. **FMM6** updates the figures for homes to be provided in the Romford SDA, the Council's housing estate renewal areas, other major sites and on small sites, including vacant units returning to use. It also modifies the supporting text to set out the supply from all sources for the Plan period. These parts of the modification are required to reflect the evidence in the HPS 2019 in order to ensure that the policy is justified.
78. To support housing delivery **FMM6** also inserts criteria into Policy 3 to indicate the Council's support for the re-use of brownfield sites and for residential development around stations, subject to design review. I have added a further change to include mixed-use development around stations where appropriate to ensure that best use can be made of land which is accessible by sustainable modes of transport, in line with the NPPF. These aspects of the modification and further change ensure that the policy complies with the London Plan and national policy.
79. I conclude that the overall housing supply position is reasonable when conservative and optimistic estimates from the various sources are balanced and should ensure a sufficient supply over the first 10-year period to meet the modified housing target in the Plan. An immediate update of the Plan is proposed, as explained below. This will provide the opportunity to update the housing supply position.

5-year supply

80. The Plan does not seek to allocate specific housing sites as this was to be done in the Site Specific Allocations Local Plan but is now intended to be included in the immediate update to this Plan. Nevertheless, the HPS 2019 provides information on the various sources of supply of housing land.
81. Due to the persistent under delivery of housing in the past, the Council have justifiably included within its 5-year supply calculations a buffer of 20% to provide a realistic prospect of achieving the planned supply and to ensure

choice and competition in the market for land. This buffer has been added to the shortfall. Using the 'Sedgefield' approach to addressing past shortfall, where the under-delivery in earlier years is made up in the first 5 years of the Plan period, the HPS 2019 identifies a 5.34 years' supply of housing on adoption of the Plan.

82. However, the 5-year supply figures in the HPS are based on a then anticipated adoption date of 2019 and on the 2016 London Plan requirement which was lower than the 5-year requirement moving forward from adoption in 2021/22. As set out above, I do not have an updated housing trajectory. Based on the housing supply identified in the 2019 trajectory (MMC10) the Council confirm¹¹ that they will not have a 5-year supply of sites on adoption later in 2021.
83. Whilst other sites which are argued to have potential for housing were put forward during the Examination, a number of these are in the Green Belt. In any event, it would not be possible for me to recommend inclusion of additional sites in the housing trajectory without further consideration by the Council of all alternative sites which may meet the need. This would be likely to involve further consultation on an updated trajectory and discussion at further hearing sessions. This process would lead to significant additional delay in the adoption of the Plan.
84. As a result of the housing land supply situation, **FMM6** includes the commitment that the Council will undertake an update of the Plan beginning immediately after adoption. This is necessary to ensure that the Council take into account the latest information relating to any shortfall in delivery and any updates to the housing supply position in seeking to meet the updated housing requirement in the LP2021.
85. Ordinarily, the demonstration of a 5-year supply of deliverable housing land is a prerequisite of a sound plan in terms of the need to deliver a wide choice of homes. However, in the circumstances of this Plan, where the housing requirement has increased at a late stage in the examination, I ultimately conclude that the Plan, as proposed to be modified, is sound in this regard subject to an immediate review.
86. This is a pragmatic approach which is consistent with the findings of the Dacorum judgement¹². It aims to ensure that an adopted plan is put in place in the interim period before the update is adopted and the 5-year housing land supply situation is established. Ultimately, there is no evidence to suggest that if the Plan was not to be adopted now, more housing would be delivered in the next 5 years and, indeed, the continuing lack of certainty resulting from this would potentially mean that fewer dwellings would be constructed. The consequences if the Council cannot demonstrate a 5-year supply will be that the presumption in favour of sustainable development, as set out in paragraph 11 of the NPPF 2021, will be applicable in decision-making on development proposals. In itself, this should help to boost housing supply.

Conclusion on Issue 2

¹¹ In document 'Five-year land supply at adoption in 2021'

¹² Grand Union Investments Ltd. V Dacorum Borough Council [2014] EWHC 1894 (Admin)

87. For the above reasons, and subject to the modifications included in **FMM6**, I conclude that the Plan's overall approach to the provision of new housing is soundly based, having particular regard to the housing requirement and the desirability of there being a 5-year supply of deliverable housing land.

Issue 3 – Does the Plan address the needs for all types of housing, including affordable housing and the needs of different groups in the community?

Affordable housing and the housing mix

88. The SHMA 2016: Update for Havering identifies a need for 10,520 affordable homes from 2011-33 or 478 affordable homes per year. In order to help meet that need, Policy 4 sets out that developments of more than 10 dwellings or more than 1,000 square metres site area should provide at least 35% affordable housing. This needs to be modified to 10 or more dwellings to ensure general conformity with the LP2021 (**FMM7**). To ensure that the policy is effective, **FMM7** also includes a modification to update the reference to the Mayor's Affordable Housing Supplementary Planning Guidance (SPG) to reflect the fact that it is now adopted SPG.
89. The policy was prepared at the time when the London Plan 2016 stated that boroughs should set their own overall targets for affordable housing taking account of overall housing targets and the need to ensure a total of 17,000 affordable homes in London were provided over the London Plan period.
90. The LP2021 includes a strategic affordable housing target of 50% of new homes across London to be affordable. The London Plan sets out that the strategic target is to be achieved, amongst other measures, by the threshold approach which requires major developments to provide a minimum of 35% affordable housing, 50% for public sector land and on land in certain specified industrial areas. Provided that a scheme accords with the minimum requirements without public subsidy no viability information needs to be submitted.
91. Whilst Policy 4 does not make reference to the overall strategic target, it does not conflict with that target and the target would still apply to development proposals in Havering through the application of the LP2021 policies. The 35% target and threshold approach set out in Policy 4 is in general conformity with the London Plan but the policy does not contain the higher 50% target for public sector land or industrial land. **FMM7** therefore includes the 50% target for such land and this is necessary to ensure general conformity with the LP2021.
92. The Viability Assessment (LBHLP.24) demonstrates that affordable housing of up to 50% would be viable for lower density scheme typologies. However, higher density typologies will only support between 25% and 35% affordable housing. Policy 4 allows for development proposals which do not meet the 35% or 50% thresholds to submit a detailed viability assessment in support of the development. The Viability Assessment concludes that the flexible approach in the policy will ensure that most developments will be likely to be viable over the Plan period. Thus, whilst affordable housing needs are unlikely

to be met in full, the policy sets out a proportionate approach, which is justified by the viability evidence and is in general conformity with the LP2021.

93. Policy H5 of the LP2021 makes clear that affordable housing should be based on gross rather than net residential development. **FMM7** includes this clarification to Policy 4. This is necessary in order to ensure that the policy is effective and in general conformity with the LP2021.
94. Policy 5 sets out the housing mix requirements based on housing need identified in the ONEL SHMA. To ensure that the policy is effective, a modification is required (**MM8**) to allow the requirements to be applied flexibly having regard to individual site circumstances and to clarify that the requirements do not apply to proposals for retirement, sheltered or extra care housing.
95. With the modifications set out above, the Plan's approach to affordable housing and the housing mix is sound.

Specialist, including older persons', accommodation

96. Policy 6 sets out the Plan's support for the provision of specialist accommodation which meets a number of criteria. Such accommodation is defined as that which is specifically designed and built to meet the needs of the elderly, disabled, young or vulnerable adults. This is line with national policy and the LP2021.
97. In relation to older persons' housing the LP2021 identifies indicative benchmarks which should inform local level assessments of specialist housing need. For Havering, the benchmark is 185 units per year. A modification is required to the justification for Policy 6 to reflect this approach (**MM9**). I have altered the wording of MM9 to delete reference to the 2016 London Plan.
98. The Council's local needs report Review of 2018 Review of Specialist Older Persons' Housing August 2020 (MMC06) identifies a need for 255 owner occupied / intermediate housing units per year for the 10 years from 2018 to 2028, or a total of 2,552 units over that 10-year period. **MM9** sets out this figure and includes a commitment to review the local needs report every 3 years to maintain an up-to-date understanding of need. This is necessary to ensure that the Plan is positively prepared, justified and effective. Whilst the frequency of review has been questioned, there is nothing in national or London Plan policy which requires a more frequent review and without such a commitment, the only requirement would be for the Council to review the Plan every 5 years to assess whether policies need updating¹³. It is also notable that the annual benchmark set out in the LP2021 has not increased from the 185 units per year set out in the 2016 London Plan.
99. In terms of supply, the evidence¹⁴ identifies a deficit in sheltered / retirement housing for people wanting to purchase or lease but a surplus of affordable sheltered housing schemes. Whilst the Plan does not identify specific sites for such accommodation it was envisaged, at the time of preparation and

¹³ NPPF 2021 paragraph 33

¹⁴ Further response from London Borough of Havering to Inspector January 2019 (CPHD0006)

submission of the Plan, that this would be the role of the Site Specific Allocations Local Plan. As set out earlier, the Council are currently intending to prepare a full Local Plan as an immediate update of this Plan. The London Plan policy requirement for boroughs to work with specialist providers to identify sites will be a matter for consideration at that stage. With the modification set out above, and the requirement for an immediate update of the Plan, the Plan's approach to specialist accommodation, including older persons' housing need, is sound.

Gypsies, Travellers and Travelling Showpeople

Background and Policy 11 of the Plan

100. Policy 11 of the submission version of the Plan indicates that 7 existing privately owned sites are allocated to provide a maximum of 33 pitches for Gypsy and Traveller accommodation. This was based on the London Borough of Havering Gypsy and Traveller Accommodation Assessment (GTAA) February 2017. A subsequent update of the GTAA in March 2018 resulted in an increase in the number of households who had been interviewed. On submission of the Plan therefore the Council proposed modifications to Policy 11 to increase the number of sites allocated to 11 providing a total of 70 pitches.
101. When assessed against national policy in Planning Policy for Traveller Sites (PPTS), the GTAA 2018 had a number of shortcomings which resulted in an underestimation of the need. It did not reflect an up-to-date assessment of existing gypsy sites, there was a low response rate to the survey undertaken to inform the GTAA at just 40% and in interpreting the GTAA into policy, need arising from 'proxy' interviews (those where Travellers from one household had answered on another household's behalf) had not been included.
102. The Council considered that they did not have sufficient information on the households who had not responded to the survey in person to determine whether or not they fell within the planning definition of a Gypsy or Traveller, set out in Annex 1 of PPTS. These households were determined to be 'unknown' households. Policy 11 of the submission Plan does not therefore seek to meet the need for those not meeting the planning definition of a Traveller, including the 'unknown' households.
103. Section 124 of the Housing and Planning Act 2016 sets out the duty of Councils to "*consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed*". PPTS requires planning authorities to identify and update annually, a supply of specific deliverable sites to provide 5 years' worth of sites against their locally set targets.
104. The Plan does not allocate sufficient sites to provide for a 5-year supply. Neither does it identify the supply or broad locations for the remaining years of the Plan based on a robust assessment of need in accordance with PPTS. In addition, not all potentially available sites had been assessed for allocation. Instead, the sites were allocated on the basis that the existing residents fell into the planning definition of a Gypsy or Traveller. Given the lack of a robust assessment of the need and planning status of existing residents in the first place, this is not a sound approach.

105. The sites which have been allocated in Policy 11 remain in the Green Belt. PPTS makes clear that Traveller sites are inappropriate development in the Green Belt. The application of national policy to these allocated sites would therefore make it difficult for planning permission to be granted, thus jeopardising the deliverability of the allocated sites to meet the need.
106. In addition, the GTAA 2018 concludes that there is no current or future need for plots for Travelling Showpeople and as such Policy 11 does not seek to meet a need or allocate any sites. However, the GTAA notes that overcrowding on the existing yard was identified by an existing resident of the site, as was a need to provide future plots for teenage children.
107. Finally, some of the criteria set out in Policy 11 for assessing Gypsy and Traveller planning applications are onerous and not in accordance with PPTS.
108. For the above reasons, the GTAA 2018 does not constitute a robust assessment of need and the approach to Gypsies and Travellers in Policy 11 of the Plan is not in accordance with PPTS. The approach is not positively prepared, justified or effective and is therefore unsound.

Updated GTAA 2019

109. The Council subsequently commissioned the GTAA Update Report July 2019. A further survey of the existing Gypsy and Traveller community was undertaken to inform the updated GTAA taking the response rate to the survey up to 96% which results in a much more robust assessment of the need. More accurate assessments have been made of the need arising on existing sites, the number of households meeting the planning definition, those who are undetermined¹⁵ and those who do not meet the definition. The number of undetermined households has significantly fallen (from 102 'unknown' to 6 'undetermined'). The majority of the previously 'unknown' households have either fallen within those meeting the planning definition or those who do not.
110. The updated GTAA identifies a need to 2031 for:
- 174 pitches for households that meet the planning definition;
 - 43 pitches for households who do not meet the planning definition;
 - 3 pitches for undetermined households;
 - 5 plots for Travelling Showpeople who meet the planning definition.
111. In total a need for 220 pitches and 5 Travelling Showpeople's plots has been identified in the updated GTAA 2019. The GTAA breaks down the need for Gypsy and Traveller pitches into the first 5 years of the Plan (171 pitches), years 6-10 (23 pitches) and years 11-15 (26 pitches). I am satisfied that the GTAA 2019 provides a robust assessment of need for the purposes of the Local Plan.

¹⁵ the term 'unknown' in the 2018 GTAA has been replaced by 'undetermined' to reflect the fact that the Council know that the households are living on existing sites but have not been able to contact them to determine their planning status, despite repeated attempts.

Proposed Modifications to Policy 11

112. The Council have put forward main modifications to Policy 11 (**MM12**) to reflect the updated GTAA 2019. The policy as modified sets out the need over the Plan period and identifies the allocated sites for Gypsies and Travellers and Travelling Showpeople. The need which is to be met on these allocated sites is for those who meet the PPTS definition, those who do not meet the definition and those who are undetermined. The modification results in a greater proportion of the need over the Plan period being accommodated on allocated sites.
113. The allocated sites for years 1-5 of the Plan (2016-2021) are set out in new Appendix X (included in MM12) and are shown on the Proposals Map Changes Booklet 2017, Addendum 2018 and Addendum August 2020. Sites are allocated for 162 pitches and 5 plots for Travelling Showpeople against a 5 year need for 171 pitches, although this must be seen in the context of comments I make below in relation to the size of some of the allocated sites to accommodate this number of pitches. In accordance with PPTS, the modification includes the identification of specific developable sites to accommodate the need for years 6-10 of the Plan (23 pitches).
114. The majority of existing sites on which Gypsies and Travellers currently reside have been allocated for Gypsy and Traveller pitches under modification MM12. However, some existing households reside on pitches where there are land ownership disputes. These sites have not been allocated as the uncertainties could prevent delivery of permanent pitches on these sites. MM12 sets out that the remaining need for 7 pitches in the first 5-year period is to be accommodated through the consideration of planning applications on the sites identified for accommodating growth in years 6-15 of the Plan. I acknowledge that this may not be effective at meeting the need for those families currently residing on the sites with land ownership difficulties as it is not clear that the identified sites, which are in separate ownership, would be available to those families in need. If this proves not to be possible, a criteria-based policy would provide the basis for any planning applications which come forward on unallocated sites if the families are unable to stay on the sites they currently occupy.
115. In terms of need later in the Plan period, PPTS states that "where possible" developable sites or broad locations for growth should be set out for years 11-15. The Council have not been able to identify land within the urban area for future growth and the urban area is tightly constrained by the Green Belt. Accordingly, no sites or broad areas have been identified to meet the need for years 11-15 of the Plan. The modified policy states that sites that come forward to meet the need in these years will be assessed against the modified policy criteria and national policy. The modification sets out reasonable criteria, which accord with PPTS, for the assessment of future planning applications. The justification to the policy explains the commitment elsewhere in the Plan (set out in **FMM6**) to undertake a review and to update

the Plan immediately after adoption. This will provide the opportunity to review how accommodation needs later in the Plan period will be addressed.

116. There are no national standards for design and layouts of Gypsy and Traveller sites. The Council have had regard to good practice guidance¹⁶ in determining the number of pitches each allocated site could accommodate. In some instances, the number of pitches would exceed that recommended in the good practice guide. This reflects the particular circumstances of the need, identified in the GTAA, for 40 pitches for teenage children in need of a pitch of their own in the next 5 years. Some households in these circumstances have expressed a preference to stay together on their existing sites and use smaller accommodation units and day rooms rather than splitting up their families to occupy larger units elsewhere.
117. MM12 includes an explanation of this approach in the modified policy. However, in order to further clarify that the allocated sites will not necessarily accommodate the specified number of full pitches (a pitch is defined in the Glossary of the Plan as accommodating a household and generally including a large static trailer, touring caravan, amenity building, parking and turning space), I have made a further change to the wording of MM12 to make this clear.
118. In the longer term, teenage children who may occupy the smaller accommodation units on some sites will be likely to form their own households and will be in need of a full pitch themselves. The immediate update of the Plan will provide the opportunity to address any future overcrowding and need for pitches for newly formed households. This is recognised in the justification to the policy in MM12. The immediate update of the Plan will also be required to be in general conformity with Policy H14 of the LP2021 which makes clear that boroughs that have undertaken a needs assessment since 2008 should update it as part of their Plan review process.

Site allocations - do exceptional circumstances exist?

119. MM12 and the updated policies map removes the allocated sites from the Green Belt and these are inset within it. This will ensure that applicants for planning permission for Gypsy and Traveller pitches on these sites will not need to demonstrate that very special circumstances exist in order for permission to be granted. This ensures that the allocated sites are likely to be deliverable.
120. PPTS states that local planning authorities can make exceptional, limited alteration to Green Belt boundaries to meet a specific identified need for a Traveller site. Exceptional circumstances must exist for any such alterations to Green Belt boundaries, both to accord with PPTS and NPPF.
121. There have been previous attempts in Havering to plan for the needs of the Gypsy and Traveller community. The Gypsy and Traveller Sites Development Plan Document was submitted for examination in 2012. That Plan was withdrawn following fundamental concerns expressed by the examining Inspector at that time. Since then, the need for pitches has increased and

¹⁶ Designing Gypsy and Traveller Good Practice Guide 2008 and Designing Gypsy and Traveller Sites Welsh Government Guidance 2015

there remains a significant level of unmet need in the borough for pitches / plots to accommodate the existing population of Gypsies, Travellers and Travelling Showpeople.

122. There is no public site provision in Havering. 21 pitches are currently located on sites with permanent permission, 7 pitches have only temporary permission and the vast majority of existing pitches (102 pitches) are sited on unauthorised sites, a small proportion of which are tolerated (5 pitches).
123. There is much competition for land in the urban areas due to the tightly drawn Green Belt boundaries in the borough. The only sites that have come forward as having potential for development for Gypsy and Traveller pitches are those owned and / or occupied by existing Gypsies and Travellers. The majority of these sites are in the Green Belt. It is clear from the length of time during which the allocation of sites has been unresolved in the borough, that there are currently no alternatives to the allocation of Green Belt land to meet the need. The Council acknowledge this and it is set out in the justification to the policy in MM12.
124. Regard must be had to the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. In addition, one of the aims of PPTS is to ensure fair and equal treatment for Travellers. The allocation of sites to meet the need will reduce the disadvantages that Gypsies and Travellers in the borough currently suffer through the lack of allocated sites to meet their accommodation needs. This would achieve the social role of sustainable development set out in paragraph 7 of the NPPF.
125. I am satisfied that removal of these sites will not cause significant harm to the Green Belt. Even had that been the case, given the very significant level of need, the social benefits of meeting that need as far as possible, the lack of alternatives and the length of time that this issue has remained unresolved, I consider that exceptional circumstances exist in this case to make exceptional, limited alterations to the Green Belt boundaries in order to inset the allocated sites within the Green Belt.

Conclusion in relation to Gypsy, Traveller and Travelling Showpeople's Need

126. There remain some limitations in the Plan's approach in that it does not identify a supply of pitches to meet the entirety of the identified need in the first 5-year period and in the allocation of sites which are smaller than good practice would suggest. However, I recognise that Havering has significant constraints to the provision of Gypsy and Traveller pitches. There is competition for land in urban areas and there is currently no evidence that pitches could be found in these areas. Much of the rural areas are constrained by Green Belt.
127. The Plan is to be updated immediately on adoption and this will provide the opportunity to further consider the need and the availability of suitable sites. Given the allocation of a significant number of Gypsy and Traveller pitches in Policy 11 as modified, it is important that this Plan is adopted to ensure that the Council move closer to complying with Government policy in PPTS and its duty under the Housing Act. It will also give greater certainty to those currently residing on the allocated sites, to the Council and other local residents.

128. For the reasons set out above, the submission version of the Plan is unsound in its treatment of Gypsy, Traveller and Travelling Showpeople accommodation. Main modification **MM12** is therefore necessary to ensure that the Plan is positively prepared, justified, effective and accords with national policy.

Other housing policies

129. Policy 7 sets out requirements for residential design and amenity. **MM10** removes references in the policy and supporting text to London Plan policies regarding 'Lifetime Homes' and 'Lifetime Neighbourhoods' which are no longer relevant. The modification includes encouragement for development to provide green infrastructure and notes its environmental benefits. This modification is necessary in order to reflect London Plan policy and NPPF. **MM10** also clarifies the requirement for dual aspect accommodation to be maximised, this is necessary to ensure the policy is effective and accords with standards in the London Housing SPG.

130. Policy 10 sets out criteria for garden and backland development. **MM11** introduces a criterion to ensure that such development does not result in significant adverse impacts on green infrastructure and biodiversity. This is required in order to ensure that the Plan is effective, consistent with national policy and in general conformity with the London Plan.

Conclusion on Issue 3

131. Subject to main modifications set out above, I conclude that the approach of the Plan to addressing the needs for all types of housing, including affordable housing and the needs of different groups in the community is sound.

Issue 4: whether policies in Chapter 8 - Thriving Communities are justified, effective, in general compliance with the London Plan and consistent with national policy?

132. Chapter 8 of the Plan includes policies relating to healthy communities (Policy 12), town centre development (Policy 13), eating and drinking (Policy 14), culture and creativity (Policy 15), social infrastructure (Policy 16), education (Policy 17) and open space, sports and recreation (Policy 18).

133. Policy 12 seeks to support development which contributes to healthy communities. Criterion iii of the policy seeks to manage uses that can have a negative health impact with specific reference to betting shops and fast-food take-aways. The general principles of the policy reflect London Plan policy although the latter does not specifically refer to betting shops. However, the evidence base for the Plan does not contain information which supports the blanket management of these specific uses. The policy is modified (**MM13**) so that the wording refers to managing the overconcentration of uses, rather than singling out specific uses. **MM13** also clarifies that only developers of major development proposals are required to consider wider health strategies. This will ensure that developers of smaller proposals are not burdened by unnecessary policy requirements. **MM13** is necessary to ensure that the policy is justified, effective and in general conformity with the London Plan.

134. Policy 13 sets out the Plan's approach to town centre development. The Plan is supported by the Havering Retail and Commercial Leisure Needs Assessment 2015 (LBHLP.21) and an Update 2018 (LBHLP21.4). These documents set out the quantitative need for comparison and convenience retail and leisure floorspace over the Plan period. The Update identifies a need for 8,179 square metres gross additional comparison retail floorspace from 2026, increasing to 20,722 square metres gross by 2031. Additional convenience retail floorspace of 8,299 square metres gross is required by 2026, increasing to 10,851 square metres gross by 2031.
135. Policy 13 sets out the sequential approach to site selection in accordance with the NPPF and supports appropriate development within town centres. Policy 1 supports a mix of uses, including retail and leisure, in Romford town centre. Policy 2 sets out the requirement for a new local centre adjoining Beam Park Station to deliver up to 4,000 square metres of retail and commercial floorspace. Whilst specific sites are not allocated in this Plan, they will be allocated if necessary in the Plan update which will take account of up-to-date needs assessments. The approach of the Plan to town centres accords with paragraph 23 of the NPPF.
136. A modification is necessary to Policy 13 (**MM14**) to refer to the 2018 Update and incorporate the updated need figures. The modification also clarifies, in accordance with the evidence base, that the need for further comparison floorspace will not arise until after the Plan has been updated. The modification is required to ensure that the Plan is justified and effective.
137. In September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force. This revoked many of the former use classes including A1 (shops), A2 (financial and professional services), class A4 (drinking establishments) and class A5 (hot food takeaway) and created a new 'commercial, business and service' use class (Class E).
138. Whilst Policy 13 sets criteria relating to the proportion of these former use classes in town centres, none of the policies in the Plan prevent the new Regulations taking effect. National policy in relation to town centres remains unchanged in the NPPF 2021, and whilst implementation of some of the policies in the Plan will be affected, the implications of these changes will need time to be considered.
139. These changes in circumstances came late in a process that has already taken a number of years to prepare. The Government believes that the planning system has a vital role to play in enabling the delivery of housing and economic growth that will support the UK's economic recovery. It therefore wants local planning authorities and the Planning Inspectorate to drive the planning process forward. Once adopted, the Plan will undergo an immediate update. That is the most appropriate way of dealing with the new Regulations.
140. Policy 15 relates to culture and creativity. It seeks to safeguard and encourage cultural, creative, sporting and entertainment activities and facilities. This is in accordance with NPPF. However, the policy criteria are onerous and unjustified in requiring major mixed-use developments to provide

arts and cultural facilities including by seeking financial contributions from developments to enhance existing facilities. These criteria are removed by **MM15** which is necessary to ensure that the Plan is justified and effective.

141. Policy 17 seeks to ensure existing education provision is safeguarded and sets out criteria for new education facilities. Other policies including Policy 1, relating to the Romford SDA, Policy 2, relating to the Rainham and Beam Park SDA, and Policy 16, Social Infrastructure, highlight the importance of developers providing education facilities to meet the requirements of the development where necessary. This is also set out in the Delivery and Implementation chapter of the Plan. A modification is necessary to Policy 17 to remove the need for drop-off and pick-up facilities for nurseries to be provided on-site. As long as these can be provided safely, there is no need for such facilities to be on-site. This modification (**MM16**) is necessary to ensure that the Plan is justified, effective and consistent with national policy.

142. Policy 18 relates to open space, sports and recreation. It is supported by a number of evidence base documents including the Open Space Study Standards Paper (LBHLP.37) and the Open Space Assessment Report (LBHLP.36). The policy seeks to protect existing provision and support improvement. The Plan does not seek to designate any new areas of open space but brings forward those allocated in the previous Core Strategy and identified on the Proposals Map. It may be the case that other sites in the borough could potentially be suitable for designation as open space. However, that does not mean that the Plan as submitted is not sound.

Conclusion on issue 4

143. Subject to the main modifications identified above, the policies within Chapter 8 - Thriving Communities are positively prepared, justified, effective, in general compliance with the London Plan and consistent with national policy.

Issue 5: Are the policies relating to employment sites and economic development justified, effective, consistent with national policy and in general conformity with the London Plan?

144. The Plan identifies Strategic Industrial Locations (SIL) in accordance with the LP2021 and Locally Significant Industrial Sites (LSIS) which support a range of local employment uses. Policy 19 is clear that such areas will be protected. The policy contains a number of criteria to direct and support office development and flexible business space. To ensure that the policy is effective, a modification (**MM17**) is required to qualify the requirement for residential proposals within Romford Town Centre to incorporate flexible business space to relate to the need for such space and individual site characteristics. The modification includes additional criteria to encourage greater use of the River Thames for freight and improve wharf infrastructure, and to support the growth of logistics activities in the borough. Both elements would be necessary to ensure general conformity with the London Plan.

145. The evidence regarding demand and supply of employment sites is included in the 2015 Employment Land Review (ELR) (LBHLP.20) and Addendum 2018 (LBHLP.20.1). The ELR concluded that of the 375 hectares of industrial land in the borough a total of 350 hectares was needed to meet demand over the Plan period. The ELR recommends the release of 24 hectares of employment land over the period. **MM17** includes a modification to the latter figure to ensure it reflects the ELR conclusions and is therefore justified and effective. The modification also clarifies that the need for employment land is to be kept under review in order to balance the protection of employment land with other land use objectives, including the need for housing. This ensures that the policy is effective and consistent with national policy.
146. Policy 20 sets criteria for the loss of industrial land. A number of modifications to the policy, and consequential modifications to the explanatory text, are necessary to ensure clarity regarding the application of the policy and relevant criteria to ensure the policy is effective. These modifications are incorporated into **MM18**. The modification includes a change to the title of the policy to reflect its application to LSIS and non-designated industrial land; changes to the policy to make clear that the provision of LSIS and non-designated industrial land will be kept under review; that wider land use objectives will be taken into account in considering release; to ensure the re-provision of non-designated industrial land in certain circumstances and to remove a criterion relating to conflicting uses.
147. The ELR also identifies a net additional demand for between 10,657 square metres and 17,132 square metres of office floorspace over the Plan period and that the most suitable location to accommodate this is Romford Town Centre. The Plan does not allocate specific sites to meet this need. However, Policy 1 encourages office development as part of mixed-use schemes and requires affordable office accommodation within or funded by new commercial and mixed-use developments. Policy 21 also seeks affordable workspace from major commercial and mixed-use developments. The Plan update can allocate specific sites to meet the need if necessary, having regard to updated needs assessment. The approach of the Plan accords with paragraph 21 of the NPPF.
148. A modification is necessary to clarify that the policy seeks to support local micro and small businesses and that affordable workspace will be sought in town centres, SIL and LSIS. The modification reduces the level of floorspace to be provided from 20% to 10% to reflect viability evidence; defines affordable workspace; provides flexibility for site circumstances and viability and clarifies the circumstances in which financial contributions in lieu of provision on site will be accepted. These are incorporated in **MM19** which also includes consequential modifications to the explanatory text. The modification is necessary to ensure that the policy is justified and effective.
149. Policy 22 seeks to encourage major development proposals to support employment, skills development and training opportunities for local people. A modification to the explanatory text is necessary (**MM20**) to define the meaning of 'local' within the policy. This is necessary to ensure that the policy is effective.
150. Whilst there are differences between the Plan policies and the employment policies in LP2021, the approach of the Plan does not prevent the application

of policies in LP2021. The policies, as modified, are therefore in general conformity with LP2021.

Changes to allocated employment sites

151. The policies map changes (set out in the Proposals Map Changes Booklet) removes Crow Lane Site 3 from the wider LSIS designation but retains the Royal Mail site as LSIS. It has been argued that the Royal Mail site should also be released as this is likely to cease being operational from 2022. The ELR concluded that this site could be retained as a Secondary Employment Area (renamed LSIS in this Plan) although I understand that at that time the Royal Mail had not confirmed any intention to vacate the site. Whilst things have clearly moved on in relation to this site since the ELR and Addendum were produced, the retention of this site within the LSIS does not make the Plan unsound. Policy 20 sets criteria for the loss of industrial land under which any proposal to change the use of the land could be considered. The immediate update of the Plan also gives the opportunity to further review the site having regard to the Royal Mail's current intentions.
152. A change to the policies map is also proposed by the Council to include the Freightmaster Estate as SIL. It has been argued that a composting facility on adjoining land should be included in this designation. The SIL boundary is defined in the London Plan and the designation as proposed in the Plan would allow the continued operation of the existing waste management operation within the SIL. The approach of the Plan to exclude the composting facility is sound and is in general conformity with the London Plan.

Conclusion on issue 5

153. Subject to the modifications identified, the policies relating to employment sites and economic development are justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 6: are policies relating to transport connections justified, effective, consistent with national policy and in general conformity with the London Plan?

154. Policy 23 sets out a number of ways in which the Council will work with partners and developers to improve transport infrastructure and connectivity in the borough. A modification (**MM21**) is necessary to include exploring opportunities to utilise the River Thames for freight and passenger transport. This is in line with earlier modifications (**MM2**, **MM17**) and ensures general conformity with the LP2021.
155. Policy T6 of LP2021 seeks to restrict car parking in line with levels of existing and future public transport accessibility and connectivity. The policy sets maximum residential car parking standards for areas with Public Transport Accessibility Levels (PTAL) 2-3 and PTAL 0-1 (the least accessible areas). In

places that are well-connected by public transport development is expected to be car-free or 'car-lite' (providing the minimum necessary parking).

156. LP2021 Policy T6 recognises that Outer London boroughs may adopt minimum residential standards, but these must be within the LP2021 maximum standards and should only apply to the least well-connected areas (PTAL 0-1). Within Outer London Opportunity Areas a maximum standard of up to 0.5 spaces per dwelling applies.
157. Policy 24 of the Havering Local Plan seeks to set minimum parking standards for residential development in all areas of the borough regardless of PTAL. The minimum standards for 3+ bedrooms in areas of PTAL 0-2 are also higher than the maximum standards in LP2021. Consequently, the policy is not in general conformity with the LP2021 and this view is supported by TfL and the GLA.
158. Prior to the publication of the LP2021, the Council proposed a modification to bring the policy in line with the 2016 London Plan. This would have required minimum parking standards in areas of PTAL 0-1 and limited areas of PTAL 2 which are 800 metres or more away from existing or planned rail and underground stations. However, the LP2021's parking standards are more restrictive than those in the 2016 London Plan, restricting minimum parking standards only to the areas with poorest connectivity levels (PTAL 0-1).
159. There is evidence which indicates that car ownership levels are high in the borough. The Council have also expressed concerns regarding north-south public transport connectivity which is not as good as connectivity into and out of central London. However, Policy 23 sets out a number of measures which aim to address this latter issue. Furthermore, the Plan notes that the borough suffers from issues of congestion and air pollution. The SA notes that the main source of air pollution is road traffic vehicle emissions (Part 8.6.1 LBHP.8). The expectation of minimum parking provision in areas with good public transport accessibility is incompatible with the objectives set out in the Plan to improve the health and wellbeing of the population, to support sustainable transport options and to improve and manage air quality. It could also undermine efforts to provide higher density residential development to increase housing delivery as more land would be needed for car parking.
160. A modification is therefore required to ensure that Policy 24 is in general conformity with the LP2021. This is set out in **FMM22** which supersedes the earlier proposed modification. The modification retains minimum parking standards, but these only relate to areas of PTAL 0-1. In addition, the minimum standards are within the maximum standards set out in LP2021 and they do not apply to the Opportunity Areas where LP2021 maximum standards will apply. This modification is necessary to ensure that the Plan is justified, effective and in general conformity with the LP2021. The GLA have confirmed that the modifications contained in FMM22 would ensure that the Plan is sound.

Conclusion on issue 6

161. Subject to the modifications identified, the policies relating to transport connections are justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 7: are the Plan's policies relating to high quality places and green places justified, effective and consistent with national policy?

162. The Plan contains a number of policies relating to the built and natural environment. A modification is required to Policy 28, which relates to heritage assets, to ensure that the wording is consistent with national policy in relation to the conservation and enhancement of the historic environment. This is achieved by **MM23**.

163. Policy 30 seeks to protect the natural environment. A modification is necessary (**MM24**) in order to ensure consistency with national policy including reference to the principles in NPPF of avoidance, mitigation and compensation of significant harm. I have made a further change to the modification to correct the reference to Sites of Special Scientific Interest.

164. The Sites of Importance for Nature Conservation (SINC) are listed in an Annex to the Plan and supported by evidence in the Havering SINC Review 2017 (LBHLP.28). It may be the case that other sites in the borough could potentially be suitable for designation as SINC. However, I am satisfied that the Plan as submitted is sound in this regard.

165. Policy 31 seeks to enhance the river environment by requiring developments in close proximity to a river to investigate and secure opportunities to restore and enhance rivers and their corridors in line with the Thames River Basin Management Plan. A modification is necessary (**MM25**) to clarify that this relates to major developments so as not to unnecessarily burden smaller developments. This will ensure that the policy is effective.

166. Policy 36 relates to low carbon design, decentralised energy and renewable energy. The Havering Local Plan Wind Resource Evidence Base (LBHLP.23) identifies suitable areas for wind turbine development and these sites are to be shown on the policies map. The policy contains a number of criteria which wind energy development on such sites will need to satisfy before planning permission would be granted. Modifications are required to the policy to make clear that the Council will follow the approach in national policy in determining applications, to clarify that there should be no unacceptable adverse impact on residential amenity or on highway safety. **MM26** incorporates these modifications and is necessary to ensure that the policy is effective and consistent with national policy.

Conclusion on issue 7

167. Subject to the above modifications the Plan's policies relating to high quality places and green places are justified, effective and consistent with national policy.

Issue 8: is the Plan's approach to minerals, waste and monitoring justified, effective and in general compliance with the London Plan?

168. LP2021 requires development plans to make provision for the maintenance of a landbank for aggregates of 7 years' supply. Havering is one of the few areas in London where resources of workable land-won sand and gravel exists. LP2021 apportions 1.75 million tonnes to Havering. NPPF requires minerals planning authorities to make provision for landbanks of at least 7 years' supply for sand and gravel. In order to ensure that the Plan is consistent with national policy and in general conformity with the LP2021, a modification (**MM27**) is required to make clear that at least a 7-year landbank will be retained and to set out the LP2021 apportionment. **MM27** includes alterations to the wording to ensure that the criteria are applied flexibly and as necessary in order to ensure that the policy is effective, and to include the requirement to consider use of the River Thames for transportation, in order to ensure general conformity with the LP2021.

169. The Plan does not include policies for dealing with the strategic waste apportionment as this is dealt with through the East London Waste Plan (ELWP). The Plan makes this clear at paragraph 12.7.2. In their response to the request for an opinion on general conformity with LP2021, the GLA have raised concerns with this approach. The Mayor points out that, as the ELWP only sets targets up to 2021, there is no plan which sets targets for the management of waste over the Plan period.

170. There is nothing to prevent the Council dealing with certain matters in a separate Development Plan Document (DPD) and the fact that the ELWP is in need of updating is not an issue of soundness or legal compliance for this Plan. Requiring this matter to be progressed through modifications to the current Plan would require significant further evidence and would result in further lengthy delay. I understand that the Council are working with adjoining authorities with the view to updating the ELWP. If this is not progressed within a reasonable time frame there remains the possibility for the matter to be dealt with in the immediate update of this Plan. The approach of the Plan in not dealing with strategic waste matters is not unsound and the GLA have confirmed that the Plan is in general conformity with the LP2021.

171. Turning to monitoring of the Plan, in order to ensure that the Plan is effective a modification is required (**FMM29**) to introduce a series of monitoring indicators against which the success of the policies in the Plan can be measured. This will ensure that the Plan, in the interim period prior to the adoption of the Plan update, can remain responsive and action can be taken if it becomes clear that the policies in the Plan are not achieving the aims of

sustainable development. **FMM29** sets out the policies to be monitored and the indicators to be used in the form of a table.

Conclusion on issue 8

172. Subject to the main modifications set out above the Plan's approach to minerals, waste and monitoring is justified, effective and in general compliance with the London Plan.

Overall Conclusion and Recommendation

173. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

174. The Council have requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended Main Modifications and Further Main Modifications set out in the Appendix the Havering Local Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

S Heywood

Inspector

This report is accompanied by an Appendix containing the Main Modifications and Further Main Modifications.