

## **Spitalfields Neighbourhood Plan Referendum Statement of Conformity and General Statement on Town and Country Planning**

On 9 August 2021 the Mayor agreed a resolution, in accordance with Schedule 4B of the Town and Country Planning Act 1990, to hold a referendum on the Spitalfields Neighbourhood Plan.

As the Spitalfields Neighbourhood Planning Area is designated as a business planning area, two referendums will be held on the same date. One will be a referendum of residents of the area, and one will be a referendum for businesses based in the area.

Both referendums will be held on Thursday 11 November 2021.

The Neighbourhood Planning (Referendum) Regulations 2012 requires the local planning authority to provide:

- A statement that the local planning authority are satisfied the draft plan meets those basic conditions and complies with provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004
- A statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum

This document serves to meet both of those requirements.

## Statement on Basic Conditions and Other Provisions

It is the opinion of the London Borough of Tower Hamlets that the Spitalfields Neighbourhood Plan meets the basic conditions required of neighbourhood plans and complies with all other provisions made under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. This position was confirmed by the Mayor in Cabinet on 16 December 2020 upon the submission of the neighbourhood plan to the Council (see decision at

<https://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?Cid=720&MeetingId=11329>

), and reaffirmed by the decision by the Mayor to send the neighbourhood plan to referendum (see decision at

<https://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?Cid=434&MId=12708>).

## General Statement of Information

Planning ensures that the right development happens in the right place at the right time, benefitting communities and the economy. It plays a critical role in identifying what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable.

Local government administers much of the planning system, preparing Local Plans, determining planning applications and carrying out enforcement against unauthorised development. Within London, there are two levels of local government that have responsibilities for planning policies and decisions – the Greater London Authority (GLA) and the London boroughs (such as the London Borough of Tower Hamlets). Additionally, the national government sets high level planning policy through the National Planning Policy Framework (NPPF), and local community groups can also influence the system through the neighbourhood planning process.

### National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The framework gives guidance to local planning authorities in drawing up development plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic aspects. The national Planning Practice Guidance (PPG) supports the NPPF and provides further guidance on planning issues, including neighbourhood planning.

The most recent updated to the NPPF was made in [July 2021](#).

### London Plan

The London Plan is prepared by the Mayor of London and sets out London-wide strategic policies. It provides guidance to London boroughs as to how they should prepare their local plans and sets out the Mayor's policies on making planning decisions on applications for development above a certain size, which can be 'called-in' and decided by the Mayor. The London Plan also identifies areas with high potential for development, which are known as Opportunity Areas.

The current London Plan was adopted in [March 2021](#).

### Local Plans

Local Plans are prepared by Local Planning Authorities and set out the strategic priorities and planning policies for the local authority area. The policies in a local plan set out to deliver key development including homes and jobs required, the provision of retail and

community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included. Local Plans must be positively prepared, justified, effective and consistent with national policy in line with s.20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF.

The current Local Plan for Tower Hamlets was adopted in [January 2020](#).

### Neighbourhood Plans

Neighbourhood planning was introduced under the 2011 Localism Act. It provides the opportunity for local communities to shape future development in their local area, through the development of a neighbourhood plan, which will be used alongside local and national planning policies when determining planning applications.

The development of a neighbourhood plan is led by a 'qualifying body', which can be a town or parish council, or a Neighbourhood Forum. The draft Neighbourhood Plan must be prepared through a process of consultation with local residents and businesses, and must be subject to two formal consultation periods, providing an opportunity for all interested parties to make comments.

Neighbourhood plans have to meet a number of 'Basic Conditions', as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, in order to proceed to referendum stage. An independent examiner must be appointed after the second formal consultation period to consider whether a neighbourhood plan meets the "Basic Conditions". A Neighbourhood Plan meets the Basic Conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
- the making of the Neighbourhood Plan contributes to the achievement of sustainable development
- the making of the Neighbourhood Plan is in 'general conformity' with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations
- the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

The independent examiner will produce a report recommending whether the plan should go to a referendum, and whether any modifications are needed to bring the plan in line with the basic conditions. The Council then makes a decision as to whether to accept these recommendations and hold a referendum.

People who are registered electors in the Neighbourhood Area will be entitled to vote in the referendum, which will be conducted following similar procedures to those used at local government elections. In the case of neighbourhood planning areas that are designated as business areas (such as the Spitalfields Neighbourhood Planning Area), a second referendum will be held for local business rate payers on the same date as the residential referendum.

If voters in the referendum support the neighbourhood plan, the Council is required to adopt it as a part of planning policy for the area, and to use it to help make planning decisions. If voters do not support the neighbourhood plan, it will be withdrawn and have no further weight in the planning process. For business areas where two referendums are held, if the referendums have different results, the final decision to adopt the neighbourhood plan or not rests with the Council.

For further information on neighbourhood planning in general, see the government's Planning Practice Guidance [here](#).

For details of neighbourhood planning within Tower Hamlets, see the Council's neighbourhood planning web pages [here](#).