

INDEPENDENT EXAMINATION OF THE SPITALFIELDS NEIGHBOURHOOD PLAN

EXAMINER: Jill Kingaby BSc (Econ) MSC MRTPI

James Frankcom
Chair – Spitalfields Neighbourhood Forum

Steven Heywood
London Borough of Tower Hamlets

Examination Ref:01/JK/SNP

23 March 2021

Dear Mr Frankcom and Mr Heywood

SPITALFIELDS NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Spitalfields Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area (subject to on-going Government advice relating to the COVID-19 outbreak) as soon as is reasonably practicable, following receipt of your replies to my questions concerning the consultation exercise.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process (and further respecting the current COVID-19 distancing arrangements).

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

3. Written Representations

At this stage I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. Nevertheless, I will reserve the option to convene a hearing should a matter or matters come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

I have a number of initial questions for Spitalfields Neighbourhood Forum seeking further clarification on points raised in the Regulation 16 consultation responses. These questions are set out in the Annex to this letter. I would be grateful if a written response could be provided by **6 April 2021**.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

However, in view of the additional information which I have requested I must provide the opportunity for you to reply. Consequentially, the examination timetable will need to be extended. Please be assured that I will seek to mitigate any delay as far as is possible. The IPe office team will keep you updated on the delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Neighbourhood Forum and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Jill Kingaby

Examiner

Annex

From my initial reading of the Spitalfields Neighbourhood Plan and the supporting evidence, I have a number of questions for the Neighbourhood Forum. I have requested the submission of a response by **6 April 2021**.

It would assist my examination if the Forum would respond to the following questions, and advise me whether they consider that modifications should be made to the submitted neighbourhood plan, in order to satisfy the basic conditions for neighbourhood planning. If modifications are considered necessary, please advise me exactly how it is considered that the policies and wording should be modified.

1. The responses to the Regulation 16 Consultation exercise elicited a number of comments on Policy SPITAL7: Affordable Workspace. I note that strong support for this policy was received from a significant number of local people and businesses. However, Zeloof LLP and Truman Estates Limited objected to the policy, and submitted a report from DS2 LLP which included a viability assessment to demonstrate that Policy SPITAL7 was not viable. Please would the Forum provide a response to the points made by these parties, notably that:
 - A 45% rent discount on affordable workspace would result in the majority of schemes being unviable;
 - The requirement for at least 10% of new employment floorspace to be affordable workspace, as expected in the Tower Hamlets Local Plan, would not be viable in many cases in the Spitalfields area; and
 - The COVID-19 epidemic could have a long term, negative impact on the commercial workspace market.
2. The London Borough of Tower Hamlets put forward some proposed wording changes to Policies SPITAL4 & 5, and to the supporting text of SPITAL7. It also made a number of comments relating to the Appendices and their role in relation to policies. Regarding Table 4.1 (6), the Council criticised the sentence “The seats should be designed to prevent people sleeping on them”. Would the Forum support changes to the Neighbourhood Plan to address these points?
3. Thames Water proposed additional text to refer developers to its free pre-planning advisory service. Should this be added?
4. Historic England proposed that additional information should be provided about undesignated historic assets, regarding the selection criteria and process of identification. A similar approach should be taken to help strengthen the policies protecting specific views, it was suggested. Also, the agency recommended the identification of heritage assets at risk, notably Wentworth Street Conservation Area, and the promotion of opportunities to address the risks. Should the neighbourhood plan be modified in response to these comments?