

STATEMENT OF COMMON GROUND

Between the London Borough of Tower Hamlets and Commercial
Estates Group (represented by GVA)

In respect of representations 101, 390, 392, 393, 395, 396, 397,
398, 400, 401, 402, 405, 406, 407, 408, 409, 411, 412, 413, 415,
417, 418, 421, 422, 423, 425, 426, 427, 429, 430, 431, 432, 433,
435, 436, 437, 440, 441, 442, 443, 444, 446

**London Borough of Tower Hamlets
Managing Development DPD
Local Development Framework**

Statement of Common Ground – Commercial Estates Group (represented by GVA)

LBTH Managing Development DPD Examination in Public

This Statement sets out at Appendix One the issues which Commercial Estates Group (hereafter 'CEG') seeks to address at the aforementioned Examination in Public. In doing so, it is considered to accurately represent the level of agreement which exists between both parties in respect of each element.

Julian Carter
For and on behalf of CEG

Michael Bell
For and on behalf of LB Tower Hamlets

NB: The outstanding issues to which this Statement relates were discussed at a meeting between CEG and LB Tower Hamlets on 23rd August 2012, at which the following representatives were present:

Peter Farnham	(LBTH)
Michael Bell	(LBTH)
Julian Carter	(GVA)
Jonathan Manns	(GVA)
Jonathan Kenny	(CEG)

Appendix One: Common Ground

Issue	Policy Reference	Position: CEG	Position: LB Tower Hamlets	Agreement
Off-site provision of affordable housing.	DM3: Delivering Homes.	<p>As per 'Position Statement One: Affordable Housing'.</p> <p>Summary: It is implicit through paragraphs DM3 (a) (i-v) that the Council will only accept off site provision in certain limited circumstances. The imposition of a requirement for a minimum of 50% off-site affordable housing also seeks to afford the Council even greater control. Applications seeking to make off-site provision which satisfy DM3 (a) (i-v) should be required to provide between 35%-50% affordable housing subject to viability.</p> <p>Proposed amendment: Reference to be made to viability at DM3 (3)(a)(iii).</p>	<p>LBTH propose amending the wording of paragraph 3.8 to read: "If affordable housing is proposed to be provided off-site there should be no over-concentration of one type of housing in any one place and a minimum of 50% affordable housing must be provided overall (<i>subject to viability</i>)" (insertion in italics).</p>	<p>It is recognised that the Borough's proposed amendment introduces reference to viability. It is also noted CEG seek that the amendment be made to policy rather than the supporting text.</p>

Appendix One: Common Ground

Issue	Policy Reference	Position: CEG	Position: LB Tower Hamlets	Agreement
Parking standards.	DM22: Parking. Appendix 2(1): Parking.	<p>As per 'Position Statement Two: Parking Standards'.</p> <p>Summary: The proposed standards are impractical and unjustified with reference to national policy, other boroughs, viability, the Borough's evidence base, congestion, car ownership and use.</p> <p>Proposed amendment: A range should be provided within which appropriate levels can be negotiated according to site specific circumstance.</p>	<ul style="list-style-type: none"> • LBTH maintains its position that the proposed parking standards strike the balance necessary to ensure development contributes to wider local and strategic sustainable transport priorities. The parking standards proposed in the MD DPD have been derived following an independent assessment of the current, available evidence on traffic growth in the borough. • LBTH maintain that the guidance in Policy DM22 and the parking standards in Appendix 2 are consistent with the NPPF, London Plan and the Adopted Core strategy, as well as being supported by evidence. No further amendments are considered necessary to provide further flexibility in the interpretation of Policy DM22. 	No position agreed.

Appendix One: Common Ground

Issue	Policy Reference	Position: CEG	Position: LB Tower Hamlets	Agreement
Local job creation and investment.	DM15: Local job creation and investment.	<p>As per 'Position Statement Three: Employment Vacancy'.</p> <p>Summary: The blanket requirement for 'approximately 12 months' marketing evidence is inappropriate for B1 Class Uses due to current and anticipated supply and impacts on the development process.</p> <p>Proposed amendment: DM15 is revised to state that 'the upgrading and redevelopment of employment sites outside of spatial policy areas will be supported. Outside of the Canary Wharf Activity Area, development should not result in the loss of active and viable employment uses in B2 or B8 use or B1 use where the unit is less than 2,500 sqm GEA, unless either it can be</p>	<ul style="list-style-type: none"> LBTH maintains its position taken in Policy DM15 regarding the marketing evidence that needs to be demonstrated regarding proposals where there is a loss of active and viable employment space, as detailed in Part 1 of Policy DM15 and the supplementary text in paragraph 15.3. 	No position agreed.

		<p>shown, through a marketing exercise, that the site has been actively marketed (for approximately 12 months) and that the site is unsuitable for continued employment use due to its location, accessibility, size and condition or where evidence is produced that demonstrates that a building is incapable of viable refurbishment or redevelopment for continued employment use.'</p>		
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Appendix One: Common Ground

Issue	Policy Reference	Position: CEG	Position: LB Tower Hamlets	Agreement
Building heights.	DM26: Building Heights.	<p>As per 'Position Statement Four: Building Heights'.</p> <p>Summary: The indicative building heights hierarchy is arbitrary and unjustified on the basis of national and best practice guidance, the Borough's evidence base and existing permissions.</p> <p>Proposed amendment: Either Figure 9 (and reference to it) is removed from DM26 or reference is made to implemented permissions being a material consideration.</p>	<ul style="list-style-type: none"> • LBTH maintains its position with regard to the wording of Policy DM26, and regards the policy, associated figures and Building Heights Evidence Note to provide an appropriate level of guidance. • As indicated in Figure 9, more detailed guidance may subsequently be provided to supplement existing guidance. • LBTH reiterate that the guidance provided in Figure 9 is indicative. It provides an indication of the heights likely to be acceptable in the absence of more detailed guidance. This figure does not 	No position agreed.

			<p>preclude development exceeding this height. Any proposal exceeding the heights suggested in Figure 9 would need to demonstrate how it meets each of the criteria set out in policy DM26. The guidance is provided to balance the requirements of statutory stakeholders such as English Heritage as well as developers, landowners and residents.</p>	
<p>Major Centre boundary.</p>	<p>DM1: Development within the town centre hierarchy.</p> <p>Proposals Map: Major Centre designation.</p>	<p>As per 'Position Statement Five: Major Centre'.</p> <p>Summary: The proposed Major Centre boundary is inconsistent and unjustified on the basis of the evidence base, national guidance, the application of Core Strategy policy and the changing nature of the area.</p> <p>Proposed amendment: The Major Centre boundary is redrawn to include West India Quay.</p>	<ul style="list-style-type: none"> LBTH maintains its position that the boundary of the Major Centre is appropriately drawn and that the West India Quay area is appropriately designated as an Activity Area following the definition and characteristics stated in the Core Strategy and Town Centre Spatial Strategy (2009). 	<p>No position agreed.</p>