

POSITION STATEMENT

Ayken Group – LBTH Response

In respect of issues 1, 2 & 6

DM3, DM1, DM26

**London Borough of Tower Hamlets
Managing Development DPD
Local Development Framework
11 September 2012**

Ayken Group – Position Statement

LBTH Response Statement

This statement provides the Council's response to the issues stated within the Ayken Group's Position Statement for the Managing Development Examination in Public. This statement does not seek to repeat information relating to the Council's position as stated elsewhere.

1: Housing (DM3)

Policy DM3 is unsound as it is not effective and is not consistent with national policy.

Summary

The approach taken in Policy DM3 provision of social rented homes alongside affordable rented homes is not sound as this is not deliverable as it fails to fully take account of viability issues, and is not compliant with national and regional planning policy.

Response

Disagree. Policy DM3 is consistent with current national and regional policy and provides additional guidance to address local circumstances. The Council maintains that the Core Strategy and Managing Development DPD provide a robust basis for the delivery of affordable housing that fully takes into account issues of viability. Core Strategy Policy SP02 states that 35-50% affordable homes are to be provided on sites providing 10 units or more, and that this is subject to viability. Policy DM3 seeks the provision of affordable homes to be 70% social rented, and 30% in intermediate tenures; where this is unviable affordable rent homes are to be provided alongside social rented homes to ensure 35-50% affordable housing is provided. The justification and evidence for this policy position is provided in the Council's updated Affordable Housing Viability Study (2011). In addition, the Council believes that in the majority of cases, it is feasible to deliver affordable housing on-site. This is justified by evidence contained within the Council's Affordable Housing Viability Study (2011). Part 3 A i-v of Policy DM3 sets out the circumstances where off-site provision will be considered. For off-site to be considered acceptable it must be demonstrated that all of the criteria can be met. Where it can be demonstrated that a suitable site cannot be found then in exceptional circumstances the Council will consider payments in lieu, ring fenced for additional affordable housing output.

Further evidence has been provided as part the Council's response to Position Statements. See "Response to Housing Issues – LBTH Response", attachment 1 – Briefing Note on Affordable Housing, Pod (September, 2012).

2: Canary Wharf Activity Area (DM1)

Policy DM1 is unsound as it has not been positively prepared.

Summary

The boundary of the Canary Wharf Activity Area fails to include the 'Cuba Street site', which Ayken Group considers to share the same characteristics as the Activity Area.

Response

LBTH maintains its position that the boundary of the Activity Area is appropriately drawn and maintain that Cuba Street is primarily within a residential area following the definition and characteristics stated in the Core Strategy and Town Centre Spatial Strategy (2009).

3: Building Heights (Policy DM26)

Policy DM26 Part 1 is unsound as it is not positively prepared, is not justified, and is not consistent with national policy.

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.

Response

Disagree. The Council views DM26 to provide an appropriate level of guidance to manage building heights across the borough in relation to the town centre hierarchy and through a series of detailed criteria. This approach has been confirmed by the GLA to be in accordance with the London Plan. The Council maintains that the Building Heights Evidence Note forms sufficient evidence to justify DM26 as a development management policy.

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 preclude development exceeding this height provided that any proposal exceeding those heights demonstrates a strong case in line with the policy DM26(2) criteria. The guidance is provided to balance the requirements of statutory stakeholders such as English Heritage as well as developers, landowners and residents.