

JHM/TJWH/DP3024

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Dear Sir,

POSITION STATEMENT IN RESPECT OF LB TOWER HAMLETS' MANAGING DEVELOPMENT DPD PUBLIC EXAMINATION

SUBMITTED ON BEHALF OF EXPRESS NEWSPAPERS (ID: 635844)

ISSUE 1 - HOUSING

On behalf of our client, Express Newspapers, we wish to submit the following position statement in advance of appearing at the examination of LB Tower Hamlets' Managing Development DPD.

It should be noted that previous written representations on the 'Proposed Submission' version of the Managing Development DPD were submitted on behalf of Express Newspapers, by CBRE, in a letter dated 8th March 2012. These previous representations provided comments on a number of policies including Policy DM3, and the representations within that letter remain valid in respect of this particular issue.

This position statement is provided in respect of Issue 1, which is as follows:

'Are the housing policies consistent with the NPPF, the London Plan and the Core Strategy and/or supported by clear and robust evidence; are they reasonable and realistic, clear, deliverable and appropriate to local needs and circumstances, including in relation to affordable housing?'



Policy DM3

Since submitting previous representations on the 'Proposed Submission' version of the DPD, the National Planning Policy Framework (NPPF) was introduced on the 27th March 2012. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both the plan-making and decision-taking process.

Paragraph 173 of the NPPF identifies that in order to pursue sustainable development, careful attention to viability and costs in plan making and decision taking needs to be made to make sure plans are deliverable. The NPPF continues that sites should not be subject to such a scale of obligations or policy burdens that their ability to be developed viably is threatened.

The current wording of Policy DM3 does not recognise that the level of affordable housing which can be delivered by a development is often influenced by individual, site specific circumstances. The policy also does not recognise that affordable housing delivery is subject to an assessment of development viability.

Both viability and the role that the individual circumstances of a site can have in affordable housing delivery are recognised within Policy 3.12 of the London Plan and within the NPPF. The current policy is therefore not consistent with either the NPPF or the London Plan.

Policy DM3 is also not considered consistent with the Council's current Core Strategy policy. The current wording of Policy DM3 seeks development to maximise the delivery of affordable housing on-site, whilst the Core Strategy identifies an overall strategic target of 50% affordable homes to be delivered until 2025, requiring 35-50% affordable homes to be provided on sites providing 10 or more units.

Policy DM3 identifies that development will be required to provide affordable housing in accordance with the Council's tenure split (70% social rent and 30% intermediate) as set out in the Core Strategy. Part 4 of Core Strategy Policy SP02 however identifies that the borough's target tenure split is an 'overall strategic target', rather than a site by site requirement. The Core Strategy provides flexibility, whereby if an excess of social rented or intermediate housing is being delivered in the borough, other development can look to provide an appropriate housing mix which seeks to achieve a balance towards the borough's strategic target.

In its current format the wording of Policy DM3 is considered unsound as the policy approach is not deliverable and is not consistent with regional, local or national planning policy as contained within the NPPF.

Proposed Change

To make the Policy sound it is suggested that the following changes be made to the wording of the policy:



'1. Development will be required to provide affordable housing ~~in accordance with~~ **which contributes towards** the Council's **overall strategic** tenure split (70% Social Rent and 30% Intermediate) as set out in the Core Strategy...

3. Development should seek to ~~maximise the delivery~~ 35-50% affordable housing on site, **subject to development viability.**

a. Any off-site affordable housing will only be considered in circumstances where it can be demonstrated that:

i. it is not practical **or viable** to provide affordable housing on-site....'

It is confirmed that we wish to attend the hearing session scheduled for Tuesday 18th September, at which this issue is to be discussed.

If you would like to discuss any aspect of these representations in more detail please feel free to contact Jonathan Marginson or Tim Holtham of this office, otherwise we look forward to discussing this issue at the upcoming examination.

Yours faithfully,

DP9
Enc.