

Neighbourhood Plan Decision Statement

Name of Neighbourhood Plan:

Isle of Dogs Neighbourhood Plan (in relation to Regulation 18 and 19 of the Neighbourhood Planning Regulations).

Consultation period:

Regulation 16 consultation: 11 January 2018 to 22 February 2018

Date of Decision:

27 June 2018

For further information please contact Strategic Planning on 020 7364 5009 or planmaking@towerhamlets.gov.uk

Decision

Notice is hereby given that Tower Hamlets Council, pursuant to a decision made on 27 June 2018 by the Mayor in Cabinet, has decided that the Isle of Dogs Neighbourhood Plan is refused and will not proceed to referendum. The Council considers that the Isle of Dogs Neighbourhood Plan does not conform to the Basic Conditions which must be met in order for the Plan to proceed to referendum.

As required under the Neighbourhood Planning (General) Regulations 2012 Part 6 Regulation 25(2), this decision statement, the Cabinet report and the examiner's final report on the Isle of Dogs Neighbourhood Plan can be viewed at the following locations:

- The Council's neighbourhood planning webpages
- Tower Hamlets Town Hall, Mulberry Place, E14 2BG
- The Canary Wharf Idea Store, Churchill Place London E14 5RB
- Cubitt Town Library, Strattondale Street London E14 3HG

Statement of Reason

The Isle of Dogs Neighbourhood Plan was submitted to the Council by the Isle of Dogs Neighbourhood Planning Forum on 25th October 2017. On 19 December 2017 the Mayor in Cabinet determined that it met the legal requirements to proceed to examination. Mr John Parmiter was appointed to undertake an independent examination of the Plan, with a public hearing held on 10 May 2018. The Examiner's final report was delivered to the Council and the Forum on 7 June 2018.

The Examiner's final report found that the submitted Isle of Dogs Neighbourhood Plan does not meet the basic conditions required of a neighbourhood plan (as set

out in the Town and Country Planning Act 1990, Schedule 4B, paragraph 8(2)), and therefore recommended that the Plan should not proceed to referendum.

The Examiner concluded that the evidence relating to infrastructure provision used in the development of the Plan was not robust or proportionate to support policy D1, and that as policy D1 was considered a key policy in the Plan, this lack of sufficient evidence constituted a fundamental flaw in the Plan. The Examiner also considered there to be insufficient evidence to support policies ES1 and 3D2. In addition, the Examiner also raised concerns about the drafting of all of the proposed policies, and some policy-specific matters relating to policies ES1, AQ1, CC1, CC2, CC3 and SD1. Because of these issues, the Plan does not meet the basic condition that it should be appropriate to make a neighbourhood plan having regard to national policies and advice contained in guidance from the Secretary of State.

A number of policies were considered not to meet the legal requirement that policies in a neighbourhood plan must relate to the development and use of land. The Examiner recommended that these policies be deleted or moved to an annex in order for the Plan to be legally compliant.

The Council is in broad agreement with the Examiner's conclusions in relation to the basic conditions and legal compliance of the Plan. The Council also maintains a concern as to whether the Plan meets the basic condition that a neighbourhood plan should seek to promote sustainable development, particularly with relation to policy D1.

It is considered that due to the fundamental flaw in the evidence base identified by the Examiner, and the cumulative nature of the policy drafting concerns he has raised, it would not be possible to overcome these issues through modifications to the Isle of Dogs Neighbourhood Plan, and therefore the Plan must be refused and cannot proceed to referendum.

Further information regarding the decision can be found in the report to Cabinet on 27 June 2018.