

**Table 1: Council Responses to Examiner’s Recommendations**

<b>Paragraph in Examiner’s Report</b>	<b>Examiner Recommendation</b>	<b>Council Response</b>
Summary para 1	Subject to the modifications, I recommend the neighbourhood plan should proceed to a referendum.	Agreed. With the proposed modifications, the plan meets the basic conditions and legal requirements.
4.3	I recommend all the current numbering be replaced by a much simplified system, including its removal from all policies.	Agreed - updated paragraph numbering is included in edited version of the plan, with policy clauses indicated by letters. This will ensure consistency with national guidance and the requirement for clear drafting.
4.7	I therefore recommend that section 1 - Glossary - be deleted. It could be replaced by a new section 1 - Context - comprising section 1 of the Evidence Base, as suggested above, followed by some new text (see suggestions in my edited version) covering the strategic planning policy context.	Partially agreed - Glossary deleted, but with a limited explanation of acronyms and some basic terms now included as an Appendix at the end of the plan for clarity. It is recognised that the introduction of the Context chapter is only a suggestion, but it has been taken on board - section 1 of the Evidence Base, and the examiner's additional suggestions have been included, with minor drafting changes for clarity.
4.7	I recommend that both appendices be removed from the plan. These can be available for reference on the Forum website, much as the evidence base for the Local Plan is on the Council's website.	Agreed. This provides clarity on which elements of the submission make up the formal plan.

4.8	<p>Section 3 - Summary - is problematic. It is states as 'for information only' but contains a number of confusing statements. Some are effectively advocacy regarding CIL spend. Others seek to upgrade the aspirations to almost material considerations [...] Placed within the body of the plan and ahead of the main policy sections these statements are very confusing; indeed, they are inappropriate as they go beyond the use and development of land and do not comply with the basic conditions. I therefore recommend that paragraphs 3.1 to 3.4.2 be deleted.</p>	<p>Agreed. This provides clarity on the status of the Annex.</p>
4.9	<p>The remainder of Section 3 is a set of summaries, in three parts: The Plan's Policies; the Annex Aspirations; and the Recommendation. These will need some editing in order to match the modifications recommended in this report; and may better be placed at the end of the Vision and Objectives section. I recommend the consequential changes, as set out in my edited version.</p>	<p>Edits to the text agreed. On discussion with the Forum about the purpose of the vision and objectives, that section has been combined with the new context section for clarity. The summary section has therefore been kept as a separate chapter. The examiner's suggested changes to the text of the vision and objectives have not been accepted, as it is considered that now these are clearly marked as contextual/historical, rather than being a set of live objectives applying to the final plan, it makes sense to retain them in their original form. These changes will ensure there is clarity over the status of each section of the plan.</p>
4.11	<p>An edited version of the Neighbourhood Plan, in tracked changes, containing my recommendations is attached, as a PDF; a Word version will be made available to the Council, as they take my report forward. I recommend that this is the version of the plan that is taken forward.</p>	<p>Agreed - the referendum version of the neighbourhood plan is based on the examiner's edited version. Where limited deviations have been made from the examiner's changes, these are explained in this document.</p>
5.6	<p>I recommend that Appendix 1 [Infrastructure Baseline Analysis] be removed from the plan and that any references to it in the supporting text make clear that it is for information only.</p>	<p>Agreed. The Infrastructure Baseline Analysis does not have suitable regard to the need for a proportionate, relevant and robust evidence base.</p>

5.12	I recommend that policies D1 and D2 be modified as follows [see report for details].	Agreed. These changes will ensure that the policies are in general conformity with the strategic policies in the development plan for the area, and have suitable regard to national policy and guidance on infrastructure contributions.
6.5	I therefore recommend that the policy [ES1] be modified as set out in Table 4 [of the Tower Hamlets Reg 16 consultation response], with the exception of the deletion of housing as a listed use. The supporting text will consequently require some re-writing - see my edited version.	Agreed with the change to the policy text. In terms of the supporting text, this has been modified in line with the examiner's edited version, but with the proposed text from Table 4 of the Tower Hamlets Reg 16 response also added to ensure the working of the reworded policy is clear, and that the plan therefore meets the basic conditions with regard to the need for clear drafting.
7.2	I therefore recommend that the supporting text at para 4.6.4.1.1 [underneath policy CC1] be modified in accordance with Table 5 in the Council's recommendations.	Agreed. It is noted that the Council and the Forum proposed a different change to the wording after the examination started, but that the examiner has preferred the wording in the original representation. It is also noted that the examiner's recommendation in the report and his edited version of the plan differ - he has recommended that the Council's suggested wording be used, but has used slightly different wording in the edited version. We have reverted to the wording used in the Regulation 16 consultation response, as this highlighted that consultation on CMP changes will be run by the Council and will be in line with 'the principles of the SCI', rather than adhering to a specific reference in the SCI (which does not contain any specific references to CMPs at this time). The possibility of a future update to the SCI to contain more detailed information has also been included.

7.3	I recommend that supporting paragraph 4.6.7.2 [underneath policy CC2] also needs some clarifying in terms of how the policy would operate in the context of the Council's Statement of Community Involvement, as per my edited version.	Partially agreed - the reference to the SCI is accepted, but the proposed sentence has been edited to explain which element of the SCI is relevant and to state that notification under this policy should 'consider' the SCI standards rather than 'comply' with them - this is because the policy puts the onus for notification on developers, whereas the SCI is a document applicable to consultations and notifications run by the Council.
8.4	To avoid the extent of duplication with higher-level policy, but to recognise the merits of the Home Quality Mark in the plan area, an approach the Council supports, I recommend that the policy [SD1] be modified as follows: [see report for details]	Agreed. This ensures that the policy has suitable regard to national guidance on requiring energy standards in new development.
9.5	Overall, I conclude that the policy [AQ1] represents unnecessary duplication and I recommend that it should be deleted; it follows that the supporting text needs to be deleted too. However, to retain the structure of the plan, as Air Quality will no longer contain a policy, I suggest that this whole section be transferred to the Annex, including a statement regarding the Council's commitment on the 'long plan' [to support the Forum in developing a climate change policy]. The deleted policy could be re-expressed as an aspiration.	The text has been transferred to the Annex. The policy text has been retained, reformatted and with minor textual changes in consistency with the rest of the Annex. After discussion with the Forum, a sentence has been added to highlight that this text was submitted as a policy and moved to the annex on the examiner's recommendation.
10.4	While the benefits of showing the interiors of tall buildings for other purposes is recognised, making it a requirement to display internal layouts I regard as excessive, given the prime purpose of 3D modelling into which individual models will fit. I therefore recommend that the policy [3D1] be modified as follows: [see report for details]	Agreed. This will ensure the policy has suitable regard to national policy and guidance.

11.7	<p>I consider that to comply with the Basic Conditions the policy cannot require a ballot but only encourage one. The suggested way of dealing with this, in the Council's proposed amendments - see Table 7 of their representations - commends itself to me. Taking all these points into account I recommend that the policy [RB1] and supporting text be modified as per Table 7 of the Council's representations.</p>	<p>Agreed. This will ensure the policy has suitable regard to national policy and guidance.</p>
12.4	<p>In order to meet the Basic Conditions and to achieve the clarity required by Guidance, I recommend that the Annex be moved to the end of the plan document and that the text be modified, in all cases, to replace 'provisions' or 'requirements' with 'aspirations' and to clarify elsewhere that the aspirations are not to be taken into account as part of the development management process. I have done this, for example by deleting some text and adding words like 'the Forum advocates...', in my edited version of the Plan.</p>	<p>Agreed. This will provide clarity on the status of the Annex, and therefore have suitable regard to national policy on the need for clear and unambiguous drafting.</p>
12.7	<p>I recommend that aspirations ER1-7 are modified in accordance with Table 8 of the Council's suggested amendments, with two exceptions: 1. Their first suggestion - in relation to paras 5.3.1 to 5.3.1.21, that they be moved to section 7: I have retained them and made appropriate edits within the Annex itself; and 2, in relation to their fifth suggestion - concerning the George Clarke Review - which I have deleted as these are unduly prescriptive.</p>	<p>Agreed. This will provide clarity on the relationship between policy RB1 and the Annex, and therefore have suitable regard to national policy on the need for clear and unambiguous drafting.</p>
12.8	<p>For clarity I recommend that the Aspiration [ER8] be modified to be framed as advocacy and to qualify tenant rights.</p>	<p>Agreed. This will provide clarity on the status of the Annex, and therefore have suitable regard to national policy on the need for clear and unambiguous drafting.</p>
12.9	<p>I believe it [Annex Aspiration ER9] can be retained and I recommend that the offending references be deleted and that Aspiration 9 is framed as advocacy.</p>	<p>Agreed. This will provide clarity on the status of the Annex, and therefore have suitable regard to national policy on the need for clear and unambiguous drafting.</p>

12.10	<p>Again, this [Annex Aspiration GR1] needs to be drafted as advocacy rather than a set of requirements (e.g. 'developers must') and I recommend that the text be modified to be expressed as such, as per the modifications in the edited version.</p>	<p>Agreed. This will provide clarity on the status of the Annex, and therefore have suitable regard to national policy on the need for clear and unambiguous drafting.</p>
12.11	<p>Again, it will be helpful for the text [CIL Spending Priorities] to be slightly modified to make it clear that what is being proposed is advocacy. I recommend the very minor modifications, as per my edited version. This chapter could remain as part of the main body of the plan but, given it is a set of recommendations, it may be better located as part of the Annex.</p>	<p>Agreed. The Council has always considered this section to be part of the Annex, as it does not function as a plan policy. It does not direct a developer or a planning decision-maker, but rather guides the council towards CIL spending priorities for the area. Therefore, while the Council will take it into account in allocating CIL, we do not consider it a planning policy, and the text will remain as part of the Annex.</p>
12.14	<p>Section 9 sets out the next steps from the Regulation 14 stage. Once the plan is made section 9.1-9.5 will no longer be relevant and I recommend they be deleted.</p>	<p>Agreed.</p>
13.2	<p>I therefore recommend that the Referendum Area be the same as the designated neighbourhood area, if the plan goes forward to referendum.</p>	<p>Agreed.</p>

**Table 2: Additional Changes to the Plan**

Final version para number	Change	Reason
2.1	Additional summaries added to summary section where they had not previously been included	Consistency of formatting
3.11	Removal of "which the forum considers are relevant planning considerations"	After discussion with the forum, this line has been deleted so that the paragraph now refers only to what is contained in the TH constitution, rather than positing a particular interpretation of what is or is not a relevant planning consideration. As a context paragraph, this is considered appropriate, and clarifies this paragraph.
3.17	"Applicants proposing relevant residential developments are required to provide an Infrastructure Impact Assessment explaining and justifying the impact of their proposal <b>will have on planned and delivered Infrastructure (as defined in the draft London Plan) serving the Area</b> <del>against the then current Infrastructure analysis, updated for further consented developments as at the time of their application,</del> together with other relevant information"	As written, the paragraph referred to the infrastructure analysis that was recommended for deletion. The replacement text refers to para 3.1.2 of the new London Plan as an appropriate approach for infrastructure impact assessments.
4.11	Paragraph added: "Such reasonable endeavours may include making the site available at an appropriate cost and for an appropriate length of time, and undertaking suitable marketing activities towards or engagement with suitable organisations that may be interested in delivering a meanwhile use on the site."	This paragraph was included in the council's regulation 16 response, but it was not clear that the examiner intended the supporting text to be changed in line with that response, rather than just the policy text. However, this paragraph explained the meaning of 'reasonable endeavours' and, after discussion with the forum, it was agreed that its addition would aid clarity.

5.7	Removal of "The Forum considers that"	This was added by the examiner, but is considered more appropriate for an aspiration; policy wording should not be based on what the Forum considers should happen, but rather what is required.
6.6	"This <del>policy is a reporting requirement and</del> does not mandate the use of these standards, <b>but developers should set out whether and how they meet the standards in a Design &amp; Access Statement or other suitable document as part of a planning application.</b> "	As written, following modification by the examiner, this paragraph referred to the policy as a reporting requirement, but the actual requirement to report was not set out in detail. This modification sets out the reporting expectations for clarity.
7.12	Removal of "The Forum considers that"	This was added by the examiner, but is considered more appropriate for an aspiration; policy wording should not be based on what the Forum considers should happen, but rather what is required.
Annex 1.23	Paragraph added: "In addition to policy RB1 in this Neighbourhood Plan relating to GLA funding and resident ballots, other issues arise in the context of estate regeneration. The Forum therefore advocates that the following aspirations should also apply to estate regeneration."	Added as a transition from the discussion of ballots in the preceding paragraphs, to the remaining Annex Aspirations, which are unrelated to ballots. The Annex Aspirations relating to ballots have been removed on the recommendation of the examiner, hence the need for this transitional paragraph.