

Key actions arising from hearings – Week 3 (update provided to Inspectors 16.07.2024)

Please find detailed below the Council's record of actions/proposed changes arising from discussions during hearing sessions in week 3. Where proposed changes are set out below it is intended that the Council will update and publish a Schedule of Modifications in due course, using a prefix EH to identify they have arisen from discussions during hearing sessions. These will be for the Inspectors to consider, and inform a future Main Modifications public consultation.

Hearing 9 (09/07/2024) – Main Matter 18 – Improving design, delivering beautiful buildings and high-quality places, Main Matter 19 – Reducing the need to travel and improving the choices for more sustainable travel and Main Matter 20 – Securing new social and community infrastructure to support a growing population

- Further to discussion in Hearing 9 about the reference in Policy 45 Tall and Mid-Rise Building Zones in relation to the reference to avoiding overlooking in reference to the River Thames Frontage at part B.3, it was raised whether this should also reference overshadowing. The Council considers that overshadowing is a distinct issue that would be sufficiently covered by Policy 46 Amenity and Living Conditions, as well as Policy 39 Biodiversity and Geodiversity and Policy 40 Rivers and River Corridors with regards to ecology. We have therefore not suggested a change to Policy 45.
- Further to discussions in Hearing 9, the Inspectors directed that Policy 45 part A9 (which as submitted states tall buildings will not be permitted outside the identified zones) should be looked at, to ensure consistency with the London Plan and to give scope for consideration. The Inspectors asked the Council to work on an amendment to Policy 45, to form the basis of proposed modifications that will later be subject to public consultation.
- The Council will continue to publish their weekly summary of actions arising, to be set out as a [separate section](#) in the Examination Library.
- A proposed modification was discussed, this is set out below.

The following changes are proposed by the Council:

Change ref.	Policy section or heading	Page/ paragraph	Proposed change	Reason for change
Securing new social and community infrastructure to support a growing population				
TBC	Policy 50	357, Paragraph 24.40	Amend the cross-reference in paragraph 24.40:	As referred to in Hearing 9, to correct a typographical error in the supporting text.

			...The obligation set out in part B D of the policy for an LEA between the developer and the Council will therefore apply to...	
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Hearing 10 (10/07/2024) – Main Matter 3 – Reconvened discussion - Affordable Housing Policy (Fast Track), Main Matter 21 – Creating safe, healthy and inclusive communities and Main Matter 22 – Implementation, Delivery and Monitoring

- During the discussion on Main Matter 22, the Council suggested a modification to the Monitoring Framework (SD-018), following up discussions during week 1 around seeking clarity in relation to Policy 10 and housing delivery, to outline that the Council's annual Authority Monitoring Report on Housing (which currently collates data by wards), report on spatial areas and will also track housing permissions and completions by 'place', to reflect the place-based strategies. The Council considers this should allow for data to be reported by 'place' in the future, and consider whether this is an appropriate geography for further monitoring in the future.
- In the reconvened discussion in relation to the affordable housing policy and fast track viability threshold, the Council outlined further discussions that had taken place with the GLA including providing further information to the GLA to outline the borough's position of maintaining a 50% affordable housing target within Policy 11 (as submitted). The GLA and other participants further outlined their positions. The Inspectors advised after careful consideration that Policy 11 must align with Policy H5 in the London Plan and the 35% threshold for the fast track route (or 50% on public sector land or employment sites), to give developers certainty and to aid housing delivery. The Inspectors asked the Council to work with the GLA to agree amendments to Policy 11, to form the basis of proposed modifications that will later be subject to public consultation.
- The Inspectors directed that, further to discussions in Hearing 7 and after careful considerations, a modification would be needed to align the borough's minimum Biodiversity Net Gain requirements with national minimum requirements at 10% (rather than 20%) to ensure no confusion and to aid housing delivery. The Inspectors asked the Council to work on amendments to Policy 39, to form the basis of proposed modifications that will later be subject to public consultation.
- The Council will liaise further with the Inspectors on the outstanding actions and to enable the Inspectors to issue a final Schedule of Main Modifications to the Council, which will be subject to public consultation – likely to be after the summer/early Autumn. The Inspectors requested the Council confirm the Committee and full Council dates with lead-in times around early 2025, to inform the possible timing of the Inspectors' Report, subject to their resources and confirmation.
- The Council's Closing Statement to be added to the Examination Library.
- A proposed modification was discussed, this is set out below.

The following changes are proposed by the Council:

Change ref.	Policy section or heading	Page/ paragraph	Proposed change	Reason for change
Creating safe, healthy and inclusive communities				
TBC	Policy 54 Basements	371	Amend the policy wording:	Further to discussions in Hearing 10, to clarify the

	and Subterranean Developments, part C		Proposals for subterranean and basement developments, including extensions, as well as lightwells and railings, will be assessed considered against the advice set out in the Council's SPDs ...	reference to SPD in the policy.
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