

LONDON BOROUGH OF REDBRIDGE
Examination of Redbridge Local Plan 2015-2030

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Dear Ms Whelehan

POST HEARING ADVICE – PART 1

1. As indicated in my closing comments at the final hearing session on 20 July 2017 and as confirmed by the subsequent note IED009 I am writing to set out some advice about any further modifications needed or steps that should be taken to make the Redbridge Local Plan 2015-2030 (RLP) sound.
2. It has not been possible to entirely complete this exercise because Sport England have made further observations (CED055) in response to the evidence provided about playing pitch provision in different scenarios (CED050). I am allowing the Council the opportunity to make a final response to this.
3. Therefore at this stage I shall only provide advice in respect of certain individual policies within the RLP. I have given full consideration to all the representations made about them including the verbal contributions at the hearings. My final conclusions regarding soundness and procedural compliance will be given in the report to be produced following consultation on the proposed main modifications. Nevertheless, having regard to the criteria for soundness and to assist for now, I shall give brief explanations for my preliminary advice.
4. Nevertheless further evidence may emerge and I will need to take account of any representations received via the consultation process. My views are therefore given here without prejudice to the conclusions that will appear in the report. This will also cover other main soundness issues that arose during the examination but which are not dealt with in this letter.
5. Whilst not commenting on or inviting representations about the further evidence provided by the Council after the end of the hearings I shall draw attention to it to assist those following the examination. This has been submitted in response to the two other substantive matters raised in my update of 27 June 2017 (IED007). In particular, the development opportunity sites update of 11 August comprising a further review of Appendix 1 (LBR2.06), revised schedules of sites (LBR2.06.1, CED015 and CED016), an updated Table 3 (CED017) and Figure 12 and a housing supply update (CED053) as well as CED049 concerning housing capacity in neighbouring Boroughs.

Individual policies

6. The Council has previously agreed to address the wording of the policies listed in paragraph 4 of IED009. In addition I have the following observations on four policies that were discussed during week 3 of the hearing sessions.

Before commenting in detail it is worth pointing out that I can only recommend main modifications if the original policy in the RLP is unsound. Furthermore that the National Planning Policy Framework provides that restrictions on the change of use of buildings should be supported with a clear explanation.

Policy LP5: Dwelling mix

7. It is recognised by the Council that not all housing development will be able to meet the preferred unit size mix in Table 4. This is particularly in the light of the expectation that much new development will be flatted and not necessarily suitable as family housing. Given the significant identified need for larger homes in the Borough the policy should be more prescriptive in expecting that the preferred mix will be achieved in full on any greenfield allocations. Based on the work done in connection with the Concept Masterplans (LBR2.78) this should be achievable. Whilst I appreciate the intention to have a Borough-wide policy the reliance on a site-by-site assessment alone would be ineffective in achieving the wide choice of homes sought by the National Planning Policy Framework. The Council should therefore include such a provision within the policy.

Policy LP10: Managing Town Centres and Retail Uses

8. The policy seeks to maintain 50% of retail uses in secondary frontages. However, this threshold is currently only exceeded in one centre in the Borough. Having regard to how this is intended to operate such a restriction would be unduly prohibitive especially given the absence of any existing policy provisions for secondary frontages. Based on the evidence provided a figure of 40% would be more realistic and more likely to be justified.
9. Furthermore, because some centres are already under the relevant thresholds exception provisions are required to avoid units becoming unoccupied for lengthy periods. These should be added to proposed criterion (d) and could refer to the period of any vacancy, the attempts made to find a retail occupier and the size and position of the unit within the centre. These factors should be assessed first before any potential re-generation benefits in terms of the attractiveness of the proposed use are taken into account.

Policy LP11: Managing Clustering of Town Centre Uses

10. The policy seeks to resist the proliferation and over concentration of hot food takeaways, betting/gambling shops, money lenders and shisha bars for reasons of health and amenity. There is no evidence to justify the preclusion of further uses within 50m of an existing unit of a similar type or the 400m limitation on shisha bars.
11. For hot food takeaways the policy seeks to limit Class A5 uses to no more than 5% of units within the primary and secondary frontages. In the light of survey data from the Borough's town centres of existing proportions of takeaways it is proposed to modify this figure to 7% based on the current overall average. There is some public unease about the number of such uses and the Planning Practice Guidance on *Health and Wellbeing* indicates that policies can be brought forward which limit the proliferation of certain use classes in identified areas. However, there is no clear evidence that saturation point has been reached in some centres or that adverse planning

consequences would inevitably result if a certain proportion were breached elsewhere. This is particularly bearing in mind the other criteria within the policy including the proposed separation by at least two other units and the distance required to schools. Furthermore Policy LP10 sets an overall limit on non-retail uses within the primary and secondary frontages. Criterion (a) in relation to hot food takeaways is therefore unsound and should be removed.

12. Similar considerations apply to the 2% threshold that the Council has brought forward for betting/gambling shops, money lenders and shisha bars and this proposed modification would not be sound. The functions of these uses are very different but given the other modifications intended it may be effective to group them together. However, it is not apparent why the Council proposes to remove both criteria (a) as there is no obvious soundness issue in requiring town centre locations for all of these uses. The Council should further revise this policy to take account of the above.

Policy LP27: Tall Buildings

13. The policy identifies Tall Building Zones which are derived from the existing Area Action Plans for Ilford, Gants Hill and the Crossrail Corridor. There is no clear evidence that these zones are not justified as a 'starting point' for the identification of areas that are appropriate, sensitive or inappropriate for tall buildings in line with Policy 7.7 of The London Plan. In particular, the Tall Buildings Study (LBR2.77) which followed the publication of the RLP recommends the consideration of an alternative spatial hierarchy but does not indicate that the Zones are fundamentally flawed. Rather it corroborates their locations and does not show conclusively that the policy approach should be jettisoned in favour of an alternative building height gradient map.
14. In other respects modifications 124 and 125 are necessary to ensure that the policy is properly aligned with the London Plan in order that it is effective. However, those changes should be pursued on the basis of the existing structure and content of the policy with its reference to Tall Building Zones shown on the Policies Map since there is insufficient evidence that this concept is unsound. The Council should therefore adjust the proposed modifications to relate to the Zones defined in the Plan.

Progressing main modifications

15. I also consider that it would be useful to provide an outline of how main modifications to the RLP should be progressed. Throughout the examination process the Council has maintained a schedule of modifications that it proposes. The latest version is dated 30 June 2017 (LBR1.01.2).
16. Taking on board the contents of this letter and any subsequent advice the ultimate aim is to produce a consolidated list of main modifications for the purposes of consultation and possibly sustainability appraisal. My concern is solely with main modifications required to remedy any unsoundness in the RLP. Main modifications can be taken to be changes that materially affect the policies. They will therefore be likely to comprise changes to the policies themselves or to the supporting text which have a bearing on the interpretation of that policy. This excludes minor factual updates.
17. Additional modifications are those that (taken together) do not materially affect the policies of the Plan. Before any consultation takes place it will be

necessary to distinguish between main and additional modifications. The Council may therefore wish to embark on that exercise now with a view to finalising the schedule of main modifications after receipt of any further advice I may have. Before it is published the Council should allow me to see it in order to ensure that it reflects my understanding of the discussion at the hearings and to avoid any obvious soundness issues. Others may have a different opinion about these proposed changes but that will be a matter for me to resolve in due course.

18. Additional modifications need not be the subject of consultation. However, should the Council wish to include them in the schedule for clarity then the distinction with main modifications should be clearly spelt out and they should be presented separately.
19. The period of consultation should be for a minimum of 6 weeks. In carrying this out can I ask that the Council makes it clear that comments should solely be addressed to the main modifications and the implications arising from them. It may assist participants if a short summary is given of the main changes and details given of the examination documents that have been provided by the Council since the hearings. It is preferable for any representations to be made by individual letter or e-mail rather than the model form included in the Planning Inspectorate's *Procedural Practice* guidance. The Council should also bear in mind the possible need for further Sustainability Appraisal and any necessary assessment under the Habitat Regulations. My advice is any such documents are published alongside the schedule of main modifications so that they can also be addressed, if necessary. The Council should keep me informed of progress and particularly the date of the close of the consultation period.
20. I will then need to consider the consultation responses before finalising my report. At the moment it is difficult to give definite guidance about when this will be produced but I expect that it would be about 6-8 weeks after the close of the consultation period. A firmer date will be given to the Council nearer the time.
21. In order for the Council to adopt the Plan I can only recommend main modifications if asked to do so by the local planning authority under section 20 (7C). If the Council wishes to make this request then this should be done before my report is finalised and I will indicate when I consider this to be appropriate.

Finally

22. I should emphasise that none of the above should be taken as pre-judging the contents of the final Report which will take into account all relevant matters and representations.

David Smith

INSPECTOR

18 August 2017

