

**London Borough of Hammersmith and Fulham  
Local Plan Examination 2017**

**Statement of Common Ground**

**As Agreed by:**

**London Borough of Hammersmith and Fulham**

**Berkeley Group and St William Homes LLP**

**Dated 6<sup>th</sup> June 2017**

## Introduction

This Statement of Common Ground has been prepared jointly between Hammersmith and Fulham ("the council") and Berkeley Group and St William Homes LLP ("Berkeley Group"). The purpose of this Statement of Common Ground (SoCG) is to inform the Inspector and other parties about the areas of agreement between the Council and Berkeley Group.

## Background

In response to the Regulation 19 Proposed Submission Local Plan consultation, Berkeley Group submitted a representation and have also provided follow up comments in a written statement on 22<sup>nd</sup> May 2017.

Following a meeting with Berkeley Group, the council have agreed the following areas of common ground prior to the public examination of the Local Plan. The further changes agreed below are additional to those changes outlined in the Minor changes schedule (KD4). The Inspector is asked to consider these further changes which are acceptable to both parties.

Subject to the agreement of the following changes, Berkeley Group do not consider there any outstanding issues in respect of the Local Plan and it is considered to meet the necessary tests of soundness of the NPPF.

## Agreed Changes

Section/Policy	Common Ground	Reason for change
Policy DEL1 – Delivery and Implementation	<p>Additional wording to the proposed policy, as follows:</p> <p>The Council will implement the policies and proposals of the Local Plan by: ...</p> <ul style="list-style-type: none"> <li>• Having regard to the financial viability of development in the following ways: <ul style="list-style-type: none"> <li>○ Plan-making;</li> <li>○ CIL charge-setting; and</li> <li>○ Negotiating Section 106 agreements ('106s'), including for affordable housing,</li> <li>○ applying the principles set out in the Viability Protocol in Appendix 9</li> <li>○ Site specific circumstances including site specific infrastructure;</li> <li>○ Site size, constraints and characteristics.</li> </ul> </li> </ul>	<p>The Council has agreed to include the proposed wording by Berkeley Group, so that the balance is made clear for the purposes of decision making. The proposed wording seeks to ensure the delivery of development and outlining the flexibility the Council will accept in relation to the site specific circumstances.</p>
HO3 (e) – Affordable Housing	<p>Additional wording to the proposed policy, as follows:</p> <p>e. in negotiating for affordable housing</p>	<p>The Council has agreed to include the following wording proposed</p>

	<p>in a proposed development, the Council will seek the maximum reasonable amount of affordable housing and take into account:</p> <ul style="list-style-type: none"> <li>• site size and site constraints; and</li> <li>• financial viability, applying the principles set out in the Viability Protocol (Appendix 9);</li> <li>• individual circumstances and characteristics of the site;</li> <li>• site specific infrastructure;</li> <li>• availability of public subsidy;</li> <li>• CIL charge.</li> </ul>	<p>by Berkeley Group. The additional wording seeks to clarify the key considerations when negotiating affordable housing.</p>
<p>HO4 – Housing Quality and Density</p> <p>6.39</p>	<p>6.39 The London Plan and the Mayor's Housing SPG... Therefore the higher density ranges of the London Plan (2016) 'Central' setting will only be appropriate in those parts of the regeneration areas <u>and strategic sites</u> identified in the Local Plan as being suitable for higher density development.</p>	<p>Berkeley Group sought clarification of the use of policy HO4 in relation to the London Plan policy 3.4 and the Regeneration Areas.</p>

#### Other matters of discussion

##### Strategic Policy- Regeneration Areas, SFRRRA and SFRRRA1

Berkeley Group's representations requested additional changes to be made to policies: Strategic Policy – Regeneration Areas, SFRRRA and SFRRRA1 with reference to viability. Following a discussion with Berkeley Group, the Council outlined that this inclusion does not seem appropriate in the Strategic Policies; that there is a level of flexibility built into the Proposed Submission Local Plan as a whole and other policies more appropriately deal with this specific issue. Both parties are in agreement.

##### SFRRRA – minimum targets

Berkeley Group expressed support for the inclusion of minimum housing figures in policy SFRRRA. In the Schedule (KD4), (MC61) The Council has proposed the additional word of 'minimum' to be added to HO1: '...to exceed the London Plan (2016) minimum target of 1,031 additional dwellings a year...'

Both parties are in agreement that this is an appropriate inclusion that clarifies the Council's position in seeking to go beyond the London Plan target, where possible.

##### HO11 - Detailed Residential Standards

Berkeley Group's representations included comments requesting for an addition to follow HO11 a), to include: 'unless it can be shown that not building to those standards is justified by the circumstances of a particular site.'

The Council acknowledges that this is identified in HO4, however, for the purposes of HO11 the Nationally Described Space Standards are outlined as a list of considerations for applicants and decision makers when considering detailed design standards and how high quality design can be achieved. It is not considered appropriate to add this to HO11 which is also framed with 'will be taken into account' which indicates a level of flexibility.

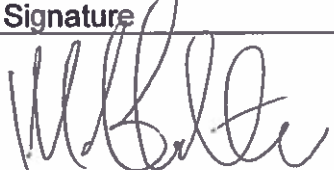
Furthermore, paragraph 6.65 in the Proposed Submission Local Plan (KD1) provides more detail as to how flexibility should be applied – 'but a level of flexibility is appropriate to take into account on-site circumstances.' The Council considers this provides adequate flexibility.


#### Viability Protocol

Both parties are in agreement the Viability Protocol is seeking to achieve greater transparency and is within the Council's remit to introduce such a protocol. This is notwithstanding Berkeley Group's overarching concerns of commercially sensitive information being available to the public.

Following a discussion on this matter, no further additional changes have been proposed, beyond those already outlined in KD4 (MC221).

#### Signatures

Signed on behalf of the London Borough of Hammersmith and Fulham		
Name and position	Signature	Date
Matt Butler Head of Policy and Spatial Planning		8 <sup>th</sup> JUNE 2017

Signed on behalf of the Berkeley Group and St William Homes LLP		
Name and position	Signature	Date
Simon Lewis Development Director		8 June 2017