

**THE LONDON BOROUGH OF TOWER HAMLETS**  
**CHRISP STREET, LONDON E14, REGENERATION SCHEME**  
**COMPULSORY PURCHASE ORDER 2021**

**THE TOWN AND COUNTRY PLANNING ACT 1990**  
**AND**  
**THE ACQUISITION OF LAND ACT 1981**

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**STATEMENT OF REASONS**

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## **1. Background and Introduction**

- 1.1. The London Borough of Tower Hamlets (the "Authority" / "LBTH") has made The London Borough of Tower Hamlets (Chrisp Street) Compulsory Purchase Order 2021 (the "Order"). The Order was made pursuant to the Authority's resolution of 26 September 2018.
- 1.2. The Authority's purpose in seeking to assemble land and associated rights in its ownership is to facilitate the redevelopment and improvement of Chrisp Street District Centre and its immediate environs by means of a comprehensive mixed-use redevelopment scheme known as the Chrisp Street Regeneration Scheme (the "Scheme"). The Scheme comprises (inter alia) housing and affordable housing, retail, leisure, commercial, existing market enhancement, refurbishment of retained listed buildings, new open space, public realm and play space, cycle parking and disabled car parking.
- 1.3 The Order was made by the Authority on 2 February 2021 under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) (the "1990 Act") and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) (the "1976 Act").
- 1.4 The Order has been made and submitted to the Secretary of State for confirmation. Confirmation of the Order will enable the Authority to compulsorily acquire the existing interests in land (the "Order Land") and create new rights over land (the "New Rights") that are included within the Order. These interests are more particularly listed in Section 4.
- 1.5 Objections can be made to the Secretary of State in accordance with the details set out in the Notice of Making of the Order. Provided that the Order is confirmed the Authority will either serve Notices to Treat followed by Notices of Entry or execute General Vesting Declarations, the result of which will be to vest title to the Order Land in the Authority.

- 1.6 This document is the Statement of Reasons of the Authority for the making of the Order. It explains why the Authority considers that it is necessary to use its powers of compulsory purchase as contained in the Order and why there is a compelling case in the public interest for making the Order, in line with the "Guidance on Compulsory purchase process and The Crichel Down Rules" issued by The Ministry of Housing, Communities and Local Government in July 2019 (the "Guidance"). This Statement of Reasons has been prepared in compliance with that Guidance.
- 1.7 The Statement will go on to describe the Scheme and explain the planning position and policy context within which the Authority's planning decisions have been taken. This Statement also explains the human rights and equalities considerations taken into account by the Authority when making the Order and sets out the Authority's view of how the use of its compulsory purchase powers and the Scheme will secure the promotion or improvement of the economic, social and environmental well-being of its area.
- 1.8 On 24 July 2018 the Authority considered an application for planning permission for a development proposal that would enable the delivery of the Scheme (Ref. LBTH PA/16/01612/A1) (the "Planning Application"). The description of development is as follows:

"Comprehensive redevelopment of the site (including existing car park) comprising the demolition of existing buildings with the exception of the Festival of Britain buildings, Clock Tower and Idea Store; erection of 19 new buildings ranging from 3 to 25 storeys (up to a maximum AOD height of 88m) providing 643 residential units (C3 Use Class) (including re-provision of 124 affordable residential units); existing market enhancement, including new canopy and service building; refurbishment of retained Festival of Britain buildings; reconfiguration and replacement of existing and provision of new commercial uses including new cinema (D2 Use Class); alterations and additions to existing Idea Store for community use and multi-function space (D1 Use Class); flexible affordable workspace/community (B1/D1 Use Class); office space (B1 Use

Class) retail, financial and professional services and cafe/restaurant floor space (A1 - A3 Use Class), including A1 food store; public house (A4 Use Class); hot food takeaway floor space (A5 Use Class); upgrade and provision of new public open space including child play space; new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking); and provision of disabled car parking spaces.”

- 1.9 The Authority resolved to grant planning permission in accordance with the Planning Application, subject to conditions and the completion of a legal agreement pursuant to Section 106 of the 1990 Act (a “Section 106 Agreement”), and to referral to the Mayor of London. Following the Mayor of London’s confirmation on 11 February 2019 that he was content for the Authority to grant planning permission and the subsequent completion of a Section 106 Agreement, the Authority granted permission for the development described in the Planning Application on 25 March 2019 (the “Planning Permission”).
- 1.10 Listed Building Consent for the essential repairs of the clock tower had been granted earlier, on 11 April 2018.
- 1.11 The Authority is satisfied that the Order will facilitate the carrying out of development, redevelopment or improvement of the Order Land in accordance with the requirements of section 226(1)(a) of the 1990 Act. Additionally, the development will satisfy the test in s226 (1A) by contributing to the objects of achieving the promotion or improvement of the economic, social and environmental well-being of the area.
- 1.12 In order to secure the implementation of the Scheme the Authority has agreed to work in partnership with development company Chrisp Street Developments Limited ("CSDL") and Poplar HARCA.
- 1.13 The final stages of preparation for the making of this CPO were conducted during the Covid-19 pandemic, including during the periods of national and local lockdown.

- 1.14 Regard has been had to the procedural guidance issued by MHCLG on 13 May 2020 (as last updated on 27 May 2020) in relation to the service of documents and the time period for receipt of any objections to the Order.
- 1.15 The Authority will keep under close review any changes necessary to the administrative processes associated with the making and confirmation of the order, in light of current guidance.

## 2. STRUCTURE OF THE STATEMENT OF REASONS

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### **3. PURPOSE OF AND NEED FOR THE ORDER**

- 3.1 The Order Land (see CPO plan at Appendix 1) is required in order to secure the carrying out of the Scheme. The Order will enable the Authority to assemble in its ownership the land and interests required to facilitate the comprehensive regeneration of the Chrisp Street District Centre pursuant to the Scheme, which has been devised by CSDL and Poplar HARCA, with significant input from the Authority, as the best means by which to meet the Authority's regeneration objectives. These objectives are supported by a strong national and local policy background, which is set out in more detail in section 8.
- 3.2 Under section 226(1)(a) of the 1990 Act, a local authority may be authorised to compulsorily acquire any land in its area if the authority thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. This power may be exercised by the local authority provided that the authority thinks that such development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objectives:
- 3.2.1 the promotion or improvement of the economic well-being of their area;
  - 3.2.2 the promotion or improvement of the social well-being of their area;
  - 3.2.3 the promotion or improvement of the environmental well-being of their area.
- 3.3 Section 13 of the 1976 Act enables a local authority to be authorised to create new rights over land. To the extent that it is practicable and appropriate in any individual case, the acquisition of new rights is sought so as to avoid or limit the extent of permanent land acquisition. For this reasons, the Order is also made pursuant to section 13 of the 1976 Act for the purpose of acquiring New Rights. .
- 3.4 The Authority is satisfied that, in line with the requirements of section 226(1)(a) of the 1990 Act and section 13 of the 1976 Act, comprehensive redevelopment of the Order Land will positively contribute to the achievement of the promotion or improvement of the economic, social and environmental wellbeing of the locality and the wider borough. The Authority is satisfied that the Scheme reflects the aspirations



of LBTH through compliance with planning policy requirements and improving the physical environment, accessibility, vitality and viability of the local area through improving opportunities for the local community, businesses and its residents. Moreover, the Authority is satisfied that the Scheme is crucial for delivering the regeneration of the Crisp Street District Centre and preventing further decline. This is explored in further detail in section 7.

3.5 It is essential that all of the remaining third-party land interests within the Order Land are brought into single ownership so that the whole site is made available for comprehensive redevelopment. A comprehensive approach is required to enable the phased delivery of the whole Scheme and to deliver all the economic, social and environmental benefits identified in section 7 of this statement of reasons.

3.6 A significant part of the freehold of the Order Land is already in the ownership of LBTH as well as Poplar HARCA and CSDL who, through ongoing negotiations, are seeking to acquire the remaining interests in the Order Land by agreement with the relevant third-party landowners. CSDL and Poplar HARCA have already entered into discussions and negotiations with all of the owners of these interests for their acquisition by agreement. However, a number of interests still need to be acquired and given the number of third-party interests identified in the Order Schedule, it is unlikely that CSDL, Poplar HARCA or LBTH will be able to acquire all necessary interests by agreement within a reasonable timescale without the exercise of powers of compulsory acquisition. Without the certainty that would be provided by the existence of the powers contained within the Order, there is a risk that comprehensive land assembly could not be achieved, putting the timely delivery of the Scheme and its benefits at risk. By contrast, compulsory purchase will enable the redevelopment to take place in accordance with a managed programme.

3.7 The Authority has given careful consideration to the need for the Order Land and New Rights included in the Order. All of the Order Land and New Rights included within the Order are required to deliver, construct or operate the Scheme. The Authority supports the Scheme and wishes for it to be brought forward in accordance

with the planning policies for the borough which aim to facilitate the regeneration of Chrisp Street District Centre.

- 3.8 The use of compulsory purchase powers is therefore considered by the Authority to be necessary and justified by reference to a compelling case in the public interest, as described in the remainder of this statement.

## **4. Location and Description of the Order Land**

### **Location**

- 4.1 The Order Land comprises the Chrisp Street District Centre, which is situated within the Lansbury ward, Poplar, E14 and is shown on the map referred to in the Order (the “Order Map”). In this Statement, the Order Land is also referred to as the “Site”.

### **Description of the Order Land**

- 4.2 The Order Land comprises an area of approximately 3.7ha. It covers an area bordering Cordelia Street to the north, Chrisp Street to the east (including the Co-op car park (now owned by CSDL), east of Chrisp Street which is bounded by the DLR line, Brownfield Street and Willis Street), East India Dock Road to the south and Kerbey Street to the west. The Order Land and interests to be acquired within it are shown and described in the Schedule of Interests.
- 4.3 The existing buildings currently located on the Site were built in various phases between the 1950s and late 1970s. The Site currently consists of a series of buildings in various uses, including approximately 18,000 sqm of non-residential space including, retail shop spaces, offices, community spaces and leisure space. There is also a market, public amenities, seven blocks of residential accommodation, a community hall and play space, and various statutory utilities and interests.
- 4.4 The main elements comprising the Order Land are described below:
- 4.4.1 212 homes forming part of the Lansbury (South) Estate (this consists of 169 to be demolished and 43 Festival of Britain properties being retained);
  - 4.4.2 a 100 pitch Street Market;
  - 4.4.3 31 lock up premises and associated WC & Service block;

- 4.4.4 a total of 68 small to medium sized commercial units and other premises providing a range of retail, café, food;
- 4.4.5 four larger business units, principally the bank, post office (including associated office space), and two major supermarkets, one of which has the benefit of an associated car park (now owned by CSDL) at street level to the east of Crisp Street.
- 4.4.6 Community uses comprise:
  - 4.4.6.1 the Authority's Idea Store (a modern day library) visited by 230,339 people in 2019/20
  - 4.4.6.2 One Stop Shop providing general advice on Authority services and the Street Market trading services providing licenses for traders using the 100 available pitches;
  - 4.4.6.3 a Children's Centre (formerly known as the Sure Start Centre), split over two sites, providing advice and support for parents of children under four years old;
  - 4.4.6.4 the former Poplar Boys and Girls Youth Club;
  - 4.4.6.5 Neighbourhood Police Unit; and
  - 4.4.6.6 Market service building which includes public toilets.

Apart from the Idea Store, which is being retained in situ and extended, community services are being either relocated to sites within the Order Land, or adjacent to it.

- 4.5 The Site also contains buildings of significant architectural merit. Older buildings in the northern part of the Site were designed by Sir Frederick Gibberd and built as part of the Festival of Britain in 1951. The Festival Inn and the Clock Tower have been Grade II listed since 31 October 2017 and the whole Site is within the Lansbury Conservation Area. None of these features will be lost: the existing 43 Festival of

Britain homes; 43 shops; 2 pubs and the Clock Tower in the Market Square are all proposed to be retained as part of the Scheme.

### **Land ownership within the Site**

- 4.6 The Authority is a landowner within the Site and provides a number of public services from it but is not the freehold owner of any of the residential properties (as to which see below). The Authority owns the freehold of the Street Market itself and the land on which the Idea Store is located. There are no changes proposed to the Authority's freehold ownership in respect of these two sites as a result of the Scheme.
- 4.7 The freehold of the residential units within the Site was transferred to Poplar HARCA in August 2006. This followed a ballot of local residents and was intended to improve the quality of the homes, the environment and to achieve wider regeneration outcomes. The part of the Lansbury (South) Estate falling within the Order Land totals 212 homes, comprising 124 social rent homes and 45 leasehold homes (as of May 2013 when the initial demolition notice was served), and 43 Festival of Britain homes, comprising 21 social rent, 22 leasehold homes.
- 4.8 Other interests are held within the freehold and leasehold ownership of a number of third-party landowners, principally residential and commercial interests.

### **Interests affected by the Order**

- 4.9 Those commercial premises included within Table 1 of the Order are listed below:
- Nos 159 – 185 East India Dock Road
  - Nos 1 – 20 Vesey Path (excluding 1 – 15 odd Vesey Path)
  - Nos 8 - 34 Market Square
  - Nos 1 – 27 and No 52 Market Way
  - Nos 1 – 27; Nos 63A - 63D Market Square – lock up units
  - 57 to 73 Chrisp Street - Co-Operative Foodstore

- 75 Chrisp Street - Poplar Boys' and Girls' Club
- The Young Prince – former Public House in Market Way

4.10 Those residential properties included within Table 1 of the Order which are to be demolished, comprising 169 dwellings, are listed below:

- Nos 1 - 73 Fitzgerald House
- Nos 2 – 30 (Even) Kerbey Street
- Nos 1 - 8 Aurora House
- Nos 1 – 16 Clarissa House
- Nos 35 – 59 Market Square
- Nos 1 – 16 Ennis House
- Nos 1 – 16 Kilmore House

4.11 Ancillary buildings which are to be demolished are listed below:

- Garage block on Kerbey Street
- Garages and store sheds situated to the east of 60 Cordelia Street
- Toilet block in Market Square

4.12 In addition there are 43 homes, known as the Festival of Britain homes, which are to be retained:

- Nos 40 – 84 (Even) Kerbey Street
- Nos 26 – 50 Market Way
- Nos 1 – 7 Market Square

4.13 Other land interests to be acquired / extinguished pursuant to the Order are:

- Electricity Sub stations at base of Fitzgerald House
- Rights of way

- Wayleaves
- Rights to Light

4.14 New Rights that will need to be acquired through the CPO will include:

- Oversailing rights. Crane oversailing of residential and commercial units to be retained within the Scheme will take place and it is anticipated that oversailing of the public highway will also be required.

## 5. THE SCHEME AND ITS RATIONALE

### **General Description**

- 5.1 The Order is required to support the delivery of the Scheme within the Order Land.
- 5.2 The Scheme consists of redevelopment to provide a revitalised and rejuvenated district centre, intended to include new and improved retail floor space, new evening economy for Poplar, a multi-use function/community centre and new residential dwellings.
- 5.3 The Scheme will also involve significant public realm improvements and enhancements to the existing market square, new and improved public routes through the Site, new public spaces across the Scheme and will significantly enhance the public realm experience, both at the site entrances and the view from the listed Poplar Baths opposite the southern side of the Scheme. It is important to note that the Scheme is predicated on the retention of the existing Festival of Britain architecture, hosting 67 commercial premises (including 3 pubs, 1 of which is no longer in use); Post Office and former sorting rooms used as office units; former Poplar Boys and Girls Youth Club; 31 Lock Up premises located on/near to the Market Square; 43 residential homes and the Clock Tower. Both the Clock Tower and one of the Pubs - The Festival Inn - were listed by Historic England on 31 October 2017.
- 5.4 As set out in the Introduction, the Scheme is proposed to be implemented substantially in accordance with the development consented by the Planning Permission. The number of new dwellings that will be provided by the Planning Permission is 643, a net gain of 474 allowing for the demolition of 169 existing homes.
- 5.5 The overall aim of the Scheme is to comprehensively revitalize and improve retail, housing, leisure and community uses to modern standards. There are two inter-



dependent reasons which have informed rationale for the Scheme and approach for its delivery:

### **(1) Approach to existing buildings**

- 5.6 Many of the existing buildings on the Order Land are structurally defective or cannot be readily reconfigured to achieve the objectives of the Scheme. The Scheme therefore anticipates that all of the existing residential and commercial buildings (excluding the Festival of Britain buildings, Clock Tower and the Idea Store) will be demolished. The largest residential building, Fitzgerald House, is considered to be structurally defective as evidenced by a Structural Survey undertaken by RPS (2012) (which can be accessed via Appendix 2). Defects include vertical cracking and rotation of reinforced concrete cantilever beams at 2nd floor level; water penetration in end wall panels; vertical cracking to pre-cast concrete wall panels; spalled concrete; water staining of external facades from overflow pipes. Poplar HARCA considered that investment through refurbishment was neither economic nor warranted and so this block, regardless of what overall site design option was chosen, was earmarked for demolition. More detail on the housing stock condition and the decision to demolish the stock is set out in Appendix 4 to this Statement of Reasons
- 5.7 A wider view was taken to demolish the remaining residential and commercial buildings (excluding the buildings identified above in order to retain local heritage features) as the post-Gibberd architecture made any attempt to reconfigure the layout of the buildings to create a modern, accessible district centre, compliant with local planning policy, unduly challenging. This approach also mitigates against potential future repairing (and possible future demolition) costs associated with retained combined retail and residential buildings which, in design terms, would not contribute to a policy compliant vision for the Site. Details on the contribution this Scheme is making to energy efficiency; reduction in carbon emissions; and improvement in air quality is detailed in Section 7 of this document.

## **(2) Generating revenue to fund the project**

- 5.8 In order to generate revenue to fund the key objectives of the Scheme (namely, public realm improvements, additional affordable housing, significant enabling costs to decant/relocate existing occupiers, and maintaining a viable district centre during the construction phase), it is necessary for the Scheme to maximize revenue by using land capacity to increase housing supply on the Site.
- 5.9 As well as meeting national, regional and local planning policies intended to optimise housing density on urban sites with good transport infrastructure, additional homes on the Site will also help maximize footfall for the improved district centre. With the successful implementation of the Retail Management Strategy, (as has been secured in the Planning Permission, a link to which can be found in Appendix 2), together with both the new residential population onsite and that accommodated in new developments such as those adjacent to Langdon Park DLR and that being built out at Blackwall Reach, the Scheme represents a significant opportunity to arrest and reverse the decline of the Chrisp Street District Centre.

More detail on how the preferred option was arrived at is provided at Appendix 4.

### **Summary of development proposed**

- 5.10 The Scheme is the mixed-use redevelopment to provide a revitalised and rejuvenated district centre. It is intended that the Scheme will be delivered through the implementation of the development proposal that is the subject of the Planning Permission includes the following:

#### Demolition of:

- a) Existing buildings, with the exception of the Festival of Britain buildings, Clock Tower and Idea Store including 12,142 sqm of existing non-residential floorspace; and
- b) The former Poplar Boys and Girls Youth Club building.

Construction of:

- a) 19 new buildings ranging from 3 – 25 storeys;
- b) 643 residential properties including new open market homes and the provision of 200 affordable housing units;
- c) 13,363 sqm new leisure/business/community/retail floorspace across the Site including a new cinema (D2 Use Class), flexible affordable workspace/community space (B1/D1 Use Class); retail, financial and professional services and café/restaurant floorspace (A1-A3 Use Class), including a A1 food store; public house (A4 Use Class); hot food takeaway floorspace (A5 Use Class) which with retained commercial space of 6,055 sqm will lead to a total of 19,534 sqm, an increase of 1,360 sqm on existing provision of 18,174 sqm;
- d) Alterations and additions to the existing Idea Store for community use and multi-function space (included in the above floorspace);
- e) Child play space, new public realm, landscaping works and new lighting; and
- f) Increased cycle parking provision.

Refurbishment of:

- a) The existing market, including new canopy and service building
- b) The retained Festival of Britain commercial premises and new podia deck access (with new lifts) for the 43 residential premises
- c) The Clock Tower

Relocation of:

- a) Poplar HARCA offices to refurbished premises (completed in March 2019) fo the former George Green School, East India Dock Road, adjacent to the redline boundary
- b) Children’s Centre to new premises on Kerbey Street (adjacent to the redline boundary)

- c) Poplar Boys and Girls Club to premises (completed in July 2019) at Trussler Hall, Kerbey Street (adjacent to the red line boundary)
- d) Prior to the demolition of the lock ups, six of the businesses will relocate into permanent provision in Cygnet House, on the east side of Chrisp Street in late 2021. The remaining businesses in lock-up premises will relocate into temporary provision to facilitate the provision of the new market area (planned relocation end of 2023). Permanent relocation of those businesses in temporary provision will occur in 2025.

Note: The One Stop Shop in Market Square is relocating to the ground floor of the Idea Store, the decision for which was made by the Authority independently of the proposed Scheme.

5.11 In addition to the construction and development within the red line of the Planning Permission, as a consequence of the wider Scheme objectives additional provision has been separately authorised and is being created outside of the Order Land as set out in Table 5.1:

**Table 5.1**

<b>Description of property</b>	<b>Sq m</b>
Children’s Centre - new provision	355
Cygnet House - brought into use	213
George Green Building - brought into use	1,996
<b>Total</b>	<b>2,564</b>

Total non-residential provision generated by the Planning Permission is set out in Table 5.2.

**Table 5.2 – Non-residential floor space generated by the Planning Permission**

Description of property	Sq m
Non-residential schedule of new and retained units (an increase of 1,360 sqm on existing provision)	19,534

5.12 A fuller description of what is proposed under the Planning Permission is set out in the documents accompanying the Planning Application and LBTH Strategic Development Committee Report which can be accessed via Appendix 2 - List of Documents.

**Composition and Design of the development proposal**

5.13 The new build development authorised by the Planning Permission will be of high quality in terms of design and construction materials, resulting in qualitative improvements over the existing commercial and residential accommodation.

5.14 In respect of the residential provision, particular points to note include that:

- There will be the delivery of 643 homes, a net increase of 431 homes (excluding the retained 43 Festival of Britain homes), which will be a significant boost for Tower Hamlets’ housing supply .
- The re-provision of the existing affordable housing with much higher quality accommodation that meets modern housing standards.
- High quality market homes that meet national, regional and local space standards.
- Dwellings will be of mixed tenure, with 89% meeting Part M(2) of the Building Regulations 2013 and with 11% of units wheelchair accessible or adaptable (Part M(3)). The range of dwelling types and sizes available will

meet the needs of the borough and assist in the delivery of housing choices for people living in, or moving to, the borough.

- All new homes will have private external amenity space plus access to residential communal 'podium' gardens, a large and high quality communal open space and child play space.

5.15 The development for which Planning Permission has been granted and which would enable the delivery of the Scheme has been designed to regenerate the Chrisp Street District Centre to revitalise the local economy. This would include:

- Revitalising and rejuvenating the existing district centre and market at Chrisp Street by maintaining, enhancing and increasing the supply of town centre activity, including creating 339 equivalent full time new jobs, creating an estimated annual spend of £14.1m and the Scheme generating approximately 20,631 sqm commercial floor space in accordance with the Site Allocation<sup>1</sup>.
- Providing a new evening economy for Poplar through the provision of a multi-screen cinema, food premises and a multi-use function / community centre at the heart of the Site.
- Construction of a new anchor food-store situated at the northern end of the Site to promote activity and permeability across the Site.
- Designing the Scheme to celebrate and enhance the heritage features of the Site, namely the existing Festival of Britain housing, the Clock Tower and the original 1950s Gibberd masterplan for the market. In this way, the proposals are heritage led.
- Enhancement and improvements to the existing Festival of Britain retail units.

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<sup>1</sup> Site Allocation No. 9 - LBTH Managing Development Document (2013)

- Significant public realm improvements and enhancements to the existing market square, new and improved public routes through the Site, new public squares and spaces across the Site and significantly enhancing the public realm experience both at the Site entrance and adjacent to the listed Poplar Baths.
- Opening up views into the Site and the market square and heritage feature of the existing Clock Tower which encourages development that preserves and enhances heritage value. It will also remove the existing unsympathetic canopy over the existing market replacing this with a high quality and well-designed canopy.
- Reinstating the existing fragmented streetscape, particularly along Chrisp Street and Kerbey Street, by consolidating and reducing the number of vehicular access and servicing points .
- Creating a landmark building opposite the All Saints DLR will create a clear marker from the station entrance for the wider area and a focal point at the entrance to the Site.
- Utilising sustainable and energy efficient building techniques and aiming to achieve BREEAM Excellent for the new non-residential elements, Building Regulations 2013 sustainability standards for the residential element, provision of on-site energy centres together with carbon dioxide emission reductions of 37% above Part L 2013.

### **Existing and Proposed Residential Accommodation Schedules**

5.16 The existing accommodation schedule for the Scheme (as implemented through the Planning Permission) is set out in Tables 5.3 and 5.4 below:

**Table 5.3 – Existing Residential Accommodation Schedule of properties to be demolished – Unit by Tenure**

	B/sit	1BR	2BR	3BR	4BR	5BR	6BR	Total
Social Rent	4	35	20	38	27	0	0	124
Private	0	8	3	16	14	3	1	45
Total	4	43	23	54	41	3	1	169

**Table 5.4 – Existing Residential Accommodation Schedule of properties to be retained – Unit by Tenure**

	2BR	3BR	Total
Social Rent	17	4	21
Private	18	4	22
Total	35	8	43

Explanatory Note: See end of Appendix 4 for Housing Tenure Definitions.

5.17 The proposed accommodation schedule is set out in Tables 5.5 and 5.6 below. Table 5.5 shows the number of properties by tenure and property size. Table 5.6 shows the habitable rooms and tenure mix. This is an important distinction as the social/affordable rented homes will consist of a greater number of habitable rooms in order to recognise the need for a range of differently sized homes within the social rented sector.



**Table 5.5 – Proposed Residential Accommodation Schedule – Unit by Tenure**

	1BR	2BR	3BR	4BR	Total
London Affordable / Rent / Social Rent	41	33	40	22	136
Tower Hamlets Living Rent	17	7	3	0	27
Shared Ownership	18	11	8	0	37
Private	222	127	94	0	443
Total	298	178	145	22	643

Explanatory Note: See end of Appendix 4 for Housing Tenure Definitions.

**Table 5.6 – Proposed Residential Accommodation Schedule - Habitable Rooms by Tenure**

	Private	Low Cost Rent	Shared Ownership	Total
Unit Size	Habitable Rooms	Habitable Rooms	Habitable Rooms	Habitable Rooms
1 Bedroom	443	116	36	595
2 Bedroom	382	120	33	535
3 Bedroom	376	212	32	620
4 Bedroom	0	122	0	122
Total	1,201	570	101	1,872

5.18 The above tables illustrate that the affordable component of the proposed accommodation is skewed toward providing a greater quantum of family accommodation to meet local housing needs (approximately 44.5% of the Social/London Affordable rented and Shared Ownership properties combined are 3 bedroom and 4-bedroom properties). As such, although there is only a modest increase in absolute numbers of affordable units provided, the re-provided units better address the local need that exists.

## **6 FUNDING AND DELIVERY**

- 6.1 This section explains how the Scheme (as implemented by the Planning Permission) is proposed to be funded and delivered.
- 6.2 In summary, Poplar HARCA has entered into a development agreement to deliver this regeneration Scheme in partnership with CSDL. CSDL is a wholly owned subsidiary of Telford Homes Ltd . In the sub-sections that follow, we describe each of those parties in greater detail.
- 6.3 It is intended that CSDL will proceed with the estate regeneration programme substantially in accordance with the Planning Permission. The phasing of the authorised development is allows new commercial units to be constructed and/or reconfigured while ensuring that existing businesses can be relocated within the Scheme with continuity of trade. It will also allow a number of residential decants and leaseholders from existing properties located in phase 2 to relocate into a new home in phase 1 if that is their preference.
- 6.4 The Scheme is to be funded by a combination of grant funding available to Poplar HARCA, private funding available to CSDL via Telford Homes, and using the receipts generated by the development itself.

### **Poplar HARCA**

- 6.5 The Scheme is being promoted by Poplar HARCA following the transfer of the Chrisp Street Estate (part of the Lansbury South Estate) into its ownership in 2006 as part of the Authority's Housing Choice programme. This freehold transfer excluded the Street Market area and Idea Store owned by the Authority. It also excluded freehold transfer of the Cooperative shop (and car park) and Iceland Store, which were owned privately, but are now owned by CSDL.

- 6.6 Poplar HARCA is a Registered Provider and a Charity that owns and manages circa 9,000 homes in the Tower Hamlets E3 and E14 postcodes.
- 6.7 Poplar HARCA was the first stock transfer housing association set up by the Authority in 1998, with the specific remit of regenerating estates across the Poplar area which had been transferred into its ownership, as well as investing in local communities.
- 6.8 Poplar HARCA's regeneration and investment approach has led to over £681m of investment in regenerating its housing stock and the local environment since the organisation's creation. Of this £681m, £115m was sourced from public subsidy with the remaining £566m sourced from private finance and HARCA balances. It has built over 1,000 new homes in partnership with the community and leading developer partners and is actively pursuing further estate regeneration initiatives to improve the quality of life, economic opportunities and environment for its residents.
- 6.9 In the late 1990s a nationwide large-scale voluntary stock transfer scheme was introduced by government as many local authorities had insufficient financial resources to bring all of its properties to the Decent Homes Standard. In Tower Hamlets a 'Housing Choice' programme was further developed which introduced ballots to estates to decide transfers to registered housing associations.
- 6.10 The stock transfer of estates to Poplar HARCA enabled the former Council owned properties on the estates to benefit from improvements to refurbish the properties. . Poplar HARCA subsequently developed proposals for a much more extensive regeneration programme which delivers the following benefits:
- a) Investment into the refurbishment of retail provision, increase in commercial, community and leisure spaces and improved market area;
  - b) Replacement of units nearing the end of their useful life with new high-quality residential development built to current design, space and sustainability standards;

- c) Delivery of mixed bed sized units to meet current housing needs, including larger family sized homes, which are more environmentally sustainable;
- d) Promotion of a more cohesive and mixed communities with a wider range of tenures;
- e) Improved environmental and landscaped amenity areas including play spaces;
- f) Creation of new employment opportunities.

6.11 Poplar HARCA has advised that it has invested significantly in bringing the properties on the wider Chrisp Street estate and residential properties within the Scheme that are being retained up to Decent Homes Standards, along with external refurbishment and environmental improvements. However, the properties affected by the CPO are to be demolished to meet current and future housing needs as, they are costly to run due to energy inefficiencies and do not meet current design standards.

6.12 Poplar HARCA has secured an increase in grant allocation from the GLA's Affordable Housing Programme to £13,040,000 to fund the 124 re-provided new homes at London Affordable Rent, plus an additional 39 London Affordable Rent homes.

6.13 Poplar HARCA has also secured funding from the GLA's 2016/21 Affordable Housing Programme of £1.036m to fund the provision of 37 Shared Ownership affordable homes.

6.14 The increase to grant funding will require minor amendments to the s106 agreement accompanying the Planning Permission. It is proposed that these will be dealt with by CSDL negotiating a Deed of Variation with the Authority which will facilitate implementation of the Planning Permission.

## **Chrisp Street Developments Limited (CSDL)**

- 6.15 CSDL is a wholly owned subsidiary of Telford Homes Ltd. CSDL has entered into a development agreement with Poplar HARCA to deliver the Scheme.
- 6.16 The Scheme (as implemented by the Planning Permission) has an estimated gross development value of £320M. More detail on their financial capacity to undertake this project is set out further below.
- 6.17 Scheme income will derive from three sources:
- 6.17.1 Residential sales
  - 6.17.2 Commercial sales
  - 6.17.3 Affordable Homes sales to Poplar HARCA
- 6.18 While gross development value will be in excess of £320M, this will not be the level of financial exposure at any stage of the development process, as the development is being delivered in phases. As such, while borrowing from the Telford group is likely to be required for delivery, sales and rental incomes will be used to defray and repay the cost of borrowing.

## **Telford Homes Ltd**

- 6.19 Telford Homes Ltd is a leading London-focused residential and mixed-use property developer. Telford Homes is a property developer that specialises in creating, designing and building innovative landmark developments in some of the most desirable and affordable locations in the capital.
- 6.20 Established in 2000, Telford Homes has grown to become one of London's largest residential developers. The company has over 330 employees dedicated to developing the homes and creating the places that London needs.

- 6.21 The company's goal is to significantly increase the output of new homes over the next few years to help address the chronic shortage in London. Telford's success is driven by keeping promises and being a trusted partner. Meeting the needs of their customers and the local community on each development is the central focus, from initial concept to final delivery.
- 6.22 Telford Homes Limited is now part of the CBRE group. Upon acquisition CBRE repaid the company's revolving credit debt facility and thus Telford Homes Limited now operates on a debt free basis with net assets of the Company in excess of £300 million..
- 6.23 The business has traditionally focused on East London and is skilled in all aspects of London development. The company develops in non-prime locations to maintain an affordable price point for individual customers and the strategic move into build to rent which provides scope to work with investment partners across London.
- 6.24 Telford Homes Limited reported on 31st December 2019 net assets of £332 million and an annual revenue of £187 million. There is significant headroom to fund this project which has a gross development value of £320 million. Telford Homes has the financial capability and experience to complete this project over the eight year projected programme.

#### **Investment to date**

- 6.25 CSDL and Poplar HARCA have advised they have invested significantly in order to progress the Scheme through the planning process and in preparatory land assembly works so as to be ready to commence on site.
- 6.26 CSDL and Poplar HARCA have advised they have incurred costs in relation to:
- Land Assembly (acquisitions/ buys backs/ lease renewals etc)
  - Professional fees (legal/design/ planning/ surveying/ land referencing etc)

- Internal staff costs (project delivery team)

6.27 The total cost incurred to end of October 2020 was £48,252,201. Expenditure for the following 12 months is expected to be £22m.

## Delivery

The following table sets out the proposed phasing of delivery of the development.

6.28 While the development is being delivered in two main phases, there are a number of sub-phases within this that are shown in the below table:

Phase	Start	Complete
<b>Enabling Phase</b>		
LBTH Children's Centre	2018	2020
Enabling works to phase 1	Mar 2021	Jul 2021
<b>Phase 1 (North Side)</b>		
Demolition of Aurora and Cordelia Houses; Kerbey St Garages; Supermarket; Site Welfare Established	August 2021	
Development of Blocks D & E	Oct 2021	Nov 2023
Development of Block A, B and C	Oct 2021	Jan 2025
Street Market and Public Realm (with Street Market works expected to take 12 months during this time)	Jan 2024	Nov 2024
Development of Block M	Sep 2021	Apr 2024
Development of Block H	Feb 2022	Jul 2025
<b>Phase 2 (South Side)</b>		
Development of Blocks J, K and L and Community Hub Building	Jun 2023	Mar 2027
Development of Blocks F & G	Jun 2024	May 2027
<b>Scheme Completed</b>		May 2027



## **Viability Methodology**

- 6.29 The Authority has been satisfied through the determination and grant of the planning application that the iteration of the Scheme granted Planning Permission is capable of being fully delivered as envisaged.
- 6.30 As part of the planning application process a detailed financial viability statement was submitted. The Authority has entered into an indemnity agreement with CSDL under which it must be satisfied that funding will be available to CSDL to deliver the Scheme. The Authority has completed its due diligence exercise and is satisfied that CSDL and Telford Homes Ltd can deliver the Scheme.
- 6.31 A viability review mechanism has been built into the Section 106 Agreement that accompanies the Planning Permission. The Agreement requires viability to be reviewed at various points during the carrying out of the development, including to test whether the second phase can deliver a greater proportion of affordable homes on-site or provide a capital contribution towards off-site affordable housing. This is in line with LBTH's Development Viability SPD and the Mayor of London's Housing and Viability SPG7.

## **7 JUSTIFICATION FOR THE ORDER – CONTRIBUTION TO ACHIEVEMENT OF THE WELLBEING OBJECTIVES**

7.1 This section, together with section 9 present the Authority's position that there is a compelling case in the public interest for the use of CPO powers.

7.2 As set out above, the Authority is promoting the Order pursuant to the powers contained in section 226 of the 1990 Act. Specifically, it is relying upon section 226(1)(a), which applies where the Authority thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. Pursuant to section 226(1A), the Authority is additionally required to be satisfied that the development, re-development or improvement will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.

7.3 Paragraph 106 of the Guidance provides that, in determining whether or not to confirm an Order pursuant to section 226(1)(a) of the 1990 Act, the Secretary of State will have regard to "the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area".

7.4 The Authority considers that regeneration of the Chrisp Street District Centre, including the development of new modern homes, will help to achieve wider social, economic and environmental benefits. In particular, the Scheme will:

- Better integrate new housing with an improved retail and community area;
- Create new space for community and leisure activity and promote greater social inclusion;
- Significantly improve the landscaping and visual appearance of the built environment; and
- Introduce new children's play areas and revitalised public spaces.

7.5 The economic, social and environmental benefits to which the Scheme will give rise (as evidenced by the requirements of the Planning Permission) are set out in more detail below.

### **ECONOMIC BENEFITS**

7.6 The headline economic benefits to which the Scheme will give rise are:

- a) Enhancement of the District Centre, ensuring its continued diversity and vitality;
- b) A wide range of employment opportunities, including for local people; and
- c) Increased spending in the local economy.

### **Enhancement of the District Centre**

7.7 The proposed development is focused on the regeneration of the district centre to ensure its continued vitality and viability to the benefit of the local economy. The development will provide new and enhanced commercial space to the benefit of both existing traders as well as new businesses in the area. Through implementation of the Planning Permission, it is proposed that total provision will be 19,534sqm of retail, leisure, community and other space – a net increase of 1,360 sqm. This is proposed to include a new multi-screen cinema, an anchor supermarket of similar size to the existing provision, and up to 32 food and drink premises. In addition, the Planning Permission (S106 Agreement, Schedule 18) requires that 12 units be permanently retained for use by local independent retailers. This will diversify the centre, ensure the continued presence of local independent retail opportunities, and provide an evening economy, which the District Centre is currently lacking.

7.8 Of the 19,534 sqm of non-residential space, phased construction means that a significant amount of this (8,847 sq m) will be delivered in Phase 1 to enable relocation of existing retailers, with the balance being constructed following the works to the market square. The phased delivery of the development will ensure

that the Site will not be without a retail centre at any point during the redevelopment. This will enable the decanting and relocation of existing retail businesses, assisting with business continuity, and minimise disruption to residents and other users of the retail services by maintaining the retail amenity throughout the construction period.

- 7.9 Indirect benefits will arise from increasing footfall attracted by the regenerated local centre e.g. increased shopper numbers generating increased revenues in the wider local area.

### **Employment opportunities**

- 7.10 The commercial proposals for the Site will provide enhanced employment opportunities during both the construction and end-use phases, thereby contributing to economic growth.
- 7.11 Construction of the development would directly support approximately 100 full time equivalent jobs of a c.10-year delivery period, along with indirect support to additional jobs in the supply chain associated with contracts, services and supplies needed by the contractors. The construction works would provide both full and part-time jobs in a range of sectors and skills and at a range of occupational levels including unskilled or labouring jobs to more senior positions, as well as across a range of professional disciplines. Such opportunities have been acknowledged by the Government as a key driver for boosting housing delivery as required by the National Planning Policy Framework (NPPF).
- 7.12 Consequently, the Scheme alongside other planned major schemes in the area should, in combination, help facilitate the growth of and sustain the local construction industry. This is considered likely to result in a beneficial effect on the economic wellbeing of the area.

7.13 In addition to direct employment, the presence of the construction workforce would also have an indirect beneficial impact on the local economy associated with their expenditure in local businesses.

7.14 Based on the Savill's report at Appendix 5 the operational phase of the development is estimated to provide the following number of employment opportunities:

- 550 full time equivalent total additional operational phase jobs
- the proposed development providing 760-940 gross direct operational jobs
- 970 net direct and indirect operational jobs

which equates to a range of 2280 – 2460 new on-site full-time equivalent jobs along with the creation of around 1,000sqm of net additional employment space and local facilities. This will take the total number of full-time equivalent jobs after the scheme is completed on and off site to c 550 full time equivalent jobs. This is detailed in Savills' Economic Benefits Assessment Report (May 2019; updated October 2020) of the Crisp Street Regeneration Scheme, which is provided as Appendix 5.

7.15 The Scheme will in particular provide additional employment opportunities accessible to local people. The Planning Permission (S106 Agreement, Schedule 7) secures the provision of 40 construction phase apprenticeships and 3 end-user phase apprenticeships, and require 20% local goods and services procurement, and 20% local jobs during the construction phase. The Planning Permission (S106 Agreement, Schedule 15) also secures the provision of Affordable workspace within the Hub building and (Schedule 5) secures financial contributions of £338,232 towards employment, skills, training and enterprise during the construction phase, and £256,377 towards employment skills and training to access employment in the end-user phase.

7.16 The Scheme (as implemented by the Planning Permission) could therefore accommodate a range of people who can be employed in, and support, local

businesses. It is therefore considered that this aspect of the Scheme would result in a major beneficial effect on the local economy.

### **Increased local spending**

- 7.17 The growth in population will increase spend in the local area which will be of economic benefit to the local retail sector as well as other local services. It is estimated that the gross additional spending that would be generated by the proposed Scheme (as authorised by the Planning Permission) would be approximately £14.1m. This is based on an assumption that the development is fully occupied and that residents and people outside the scheme demonstrate spending patterns that reflect averages for London as a whole.
- 7.18 This estimated gross spend of £14.1m per annum within the local economy would assist in sustaining the local services and infrastructure in the wider area.
- 7.19 The figures in the above sections are extracted from Appendix 5, the Savills' Economic Benefits Assessment Report.

### **Other economic benefits**

- 7.20 The proposals will also contribute to the economic role of sustainable development by delivering land to improve choice and competition in the residential market place.
- 7.21 Furthermore, the investment in this Site as a key regeneration area, will act as a catalyst for future growth, to the benefit of the wider Poplar area, in line with the Authority's aspirations.<sup>2</sup>

### **SOCIAL BENEFITS**

- 7.22 The regeneration proposals for the District Centre envisaged by the Scheme will provide new and enhanced facilities for the benefit of the wider community. The Planning Permission demonstrates one way of achieving this. As well as an

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<sup>2</sup> Extract from the Chrisp Street, Poplar, London – Planning Statement Poplar HARCA & Telford Homes (June 2016) including an amendment to the estimated number of jobs which reflects a figure totalling existing jobs that will be sustained and new jobs that will be created.

enhanced retail offer, the proposals include the provision of leisure facilities, including restaurants, cafes and a cinema, as well as a new community hub as an extension to the existing Idea Store, which will provide much needed space for community events. The residential proposals for the Site comprise both a quantitative and qualitative improvement in the housing offer to help meet local housing needs, including the re-provision of high-quality affordable housing to compensate for the loss of the existing poor-quality housing stock. The proposals will also introduce new residents to the area and expand the local community. The provision of a range of dwelling sizes will meet the needs of different occupiers and will assist in creating a strong and balanced community.

7.23 The headline social benefits secured by the section 106 agreement accompanying the Planning Permission are:

- A total of 200 new Affordable homes, comprising 136 London Affordable Rent/Social Rent<sup>3</sup> homes; 27 homes at Tower Hamlets Living Rent, 37 homes for Shared Ownership; representing a net increase of 76 Affordable homes onsite from the current 124 Social Rent homes;
- A significant increase in Private homes from 45 homes to 443 homes, improving choice in the market and expanding the community.

7.24 Other social benefits to be provided by the implementation of the Planning Permission include:

- All new homes will meet modern day living standards;
- 66 wheelchair accessible homes;
- New and improved open space;

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<sup>1</sup> Extract from the Chrisp Street, Poplar, London – Planning Statement Poplar HARCA & Telford Homes (June 2016)

<sup>3</sup> Poplar HARCA has advised that the rents charged for these homes will be either GLA Affordable Rents or Social Rents, whichever the lower.

- A new community hub building which will include a proposed extension of the Idea Store<sup>4</sup>; affordable workspace on the second floor; and event space on the third floor pursuant to the s106 agreement;
- Improved, safer public realm space for socialising; and
- Replacement new purpose-built children’s centre and improved youth club provision.

7.25 More detail on the housing and open space offers, as well as the health/healthcare benefits associated with the Scheme (as implemented by the Planning Permission), is set out below.

### **New and improved housing provision**

7.26 New and improved housing provision is a key objective of the Scheme and the Planning Permission shows how this can be achieved. The Planning Permission will deliver 643 new homes which includes replacement London Affordable Rent / Social Rent properties; and Tower Hamlets Living Rent; and shared ownership properties. This is an increase of 431 homes over existing provision, with 169 existing units being replaced. The new development comprises:

- 163 Social/Affordable rented units – 58 one-bed, 40 two-bed, 43 three-bed, 22 four-bed units
- 37 Shared ownership homes – 18 one-bed, 11 two-bed, 8 three-bed units
- 443 private units consisting of 222 one-bed, 127 two-bed and 94 three-bed units.

7.27 In addition, the 43 Festival of Britain units will be retained, consisting of 18 no two bedroom and 4 no three bedroom of private housing, and 17 no two bedroom and 4 no three bedroom of affordable housing.

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<sup>4</sup> CSDL is offering the Authority an option to acquire a long lease on the first floor of the proposed Community Hub building at a peppercorn rent.



- 7.28 There is an increase in the overall number of affordable housing units from 124 to 200 (or 222 including the retained Festival of Britain homes). Poplar HARCA has provided for a more balanced provision of smaller properties and family homes to be provided than exists within the current affordable provision. Of the approved new affordable provision, 84.9% on a habitable room basis will be at social/affordable rents.
- 7.29 The Scheme will positively contribute to wider estate regeneration and community cohesion by providing modern housing of the right quality, tenure and affordability to help meet people's needs.
- 7.30 The Scheme has been designed to improve the housing quality and offer, enhance the local area and provide a desirable destination to live in, visit and make use of the retail and community facilities on offer. In particular, new modern homes will replace outdated accommodation and will:
- Achieve or exceed national, regional space standards.
  - 89% will meet Part M(2) of the Building Regulations 2013 and 11% of units will be fully wheelchair accessible or adaptable (Part M(3)).
  - All new homes will have private external amenity space plus access to residential communal 'podium' gardens.
- 7.31 The range of dwelling types and sizes available will meet the needs of the borough and assist in the delivery of housing choices for people living in, or moving to, the borough.
- 7.32 Members of the local community who currently live in homes that are proposed to be demolished will have options to return to the Site as set out in the tenant and leaseholder June 2018 offer brochure documents as referenced in Appendix 2 – List of Documents.

- 7.33 The delivery of new housing also supports the Authority and the Mayor's strategic housing and planning objectives. It will encourage the expansion of a local community whose residents are supported to take stewardship of their neighbourhood, through the use of the existing Estate Board and new management arrangements for the area and by inviting new residents to participate in these arrangements.
- 7.34 This Scheme thus presents a key regeneration opportunity to support these wider strategic aims of both the Authority and Poplar HARCA.

### **New and improved open space**

- 7.35 New and improved open space is a further core objective of the Scheme.
- 7.36 Based on the delivery of 643 dwellings, the Scheme is required to deliver 638sqm of communal open space. However, the proposed Scheme significantly exceeds the required amount of communal open space with a total of 1,442sqm of communal amenity space provided across podiums and roof tops across the Site for the benefit of new residents. Children's playspace is also provided at rooftop level.
- 7.37 In addition to the communal open spaces across the Site, all dwellings are provided with high quality private outdoor amenity space in the form of a balcony, winter garden or terrace, in accordance with the Mayor of London's Housing Supplementary Planning Guidance (SPG) requirements.
- 7.38 Open space will play a significant part in creating a high-quality distinctive development. To deliver this aim, an innovative approach is required to open space provision with extensive public realm and oversized amenity space for the majority of the buildings.
- 7.39 Play spaces have been designed to be fully inclusive and provide stimulating activity for all ages within an attractive landscape setting. Equipped areas include the

provision of wet pour safety surfacing, boulders and logs, balancing equipment and climbing structures.

- 7.40 The play space provision on Site includes approximately 355 sqm of play space within the proposed publicly accessible open spaces in Cordelia Square, 93sqm in the market square and 243sqm in the proposed pocket park adjacent to Block M. This will increase the play space on site which is available to the wider community.

### **Improved health and healthcare**

- 7.41 The Scheme will also result in wider physical improvements together with the many other proposed recreational uses, which should encourage greater activity and thereby promote good health. This is supported by research from the Design Council which advocates that healthy placemaking can make a significant difference to health, helping to tackle preventable disease through the environments in which people live. Investment in future of towns, cities and villages must have a focus on creating healthy places not only to improve health but to deliver sustainable communities that boost local economic growth and improve people's lives.

### **ENVIRONMENTAL BENEFITS**

- 7.42 The environmental benefits of the Scheme fall into two broad categories:
- The improvements to the public realm and landscaping, which will make the locality a more pleasant and safer environment to live within; and
  - The environmental sustainability of the proposed Scheme.
- 7.43 Headline improvements falling into the first category are:
- Redevelopment of the Site will remove the existing poor-quality buildings and extensive hard surfacing, and will provide new buildings of high-quality design that will improve the contribution of the site to the local townscape;

- Introduction of a variety of soft landscaping areas to the Site which will deliver ecological and environmental benefits to the Site and surrounding area;
- New street market canopy; new street market service building (including WCs); new paving with services for the Street Market; new public realm, landscaping works and lighting;
- Retention of the heritage features of the Site, namely the existing 43 Festival of Britain homes (excluded from the above figures) and a refurbished Clock Tower;
- Retail provision at ground floor level in the northern half of the Site; and
- Other environmental improvements which will include provision for a new child play space.

7.44 Headline environmental benefits falling within the second category are:

- New homes will be built to modern day living and building standards which will reduce negative environmental impacts, e.g. resulting from energy inefficiency;
- New cycle parking spaces (including visitor cycle parking);
- A car free development but with provision for 10 disabled car parking spaces 24-hour onsite management presence with onsite security and Closed-Circuit TV (CCTV) coverage
- Redevelopment provides a sustainable pattern of development, re-using previously developed land in a more comprehensive and effective manner.

7.45 Detail on the energy efficiency and sustainability of the Scheme can be found in Sections 11.287 – 11.295 of the 24 July 2018 planning report to Strategic Development Committee referred to in Appendix 2 - List of Documents.

7.46 The Scheme seeks to achieve as high a level of sustainability as possible, in the following ways:

## **Sustainable Transport Strategy**

- 7.47 The Site has a high Public Transport Access Level (PTAL) rating ranging from a PTAL of 5 (Very Good) and the majority having a PTAL of 3 (Moderate) and the site and the surrounding area is well served by Docklands Light Railway stations (All Saints to the south, Langdon Park to the north both in short walking distance) and bus services serving Chrisp Street and East India Dock Road.
- 7.48 The Site has a low number of existing car parking spaces. The Scheme aims to further reduce dependency on the car through the promotion of a range of alternative forms of transport – rail, bus, cycling and walking. Provision is being made for secure storage and parking for cycles across the entire estate as well as additional Mayoral cycle hire provision.
- 7.49 The proposed net increase in development is in line with relevant planning policies as detailed in Section 8 and Appendix 4, as it will (except for 10no. accessible bays) be a car-free development, which should therefore reduce the capacity implications of the site on the road network when compared to the existing use of the Site.

## **Proposed Energy Strategy**

- 7.50 The estimated energy consumption for the residential, retail, cinema and other non-residential elements of the proposed development has been based on the National Calculation Methodology 2013 using approved software IES Virtual Environment 2015 and Elmhust Energy 2012.
- 7.51 The residential units will be highly insulated and achieve low air permeability.
- 7.52 Mechanical ventilation heat recovery or mechanical extract ventilation (as required) units will provide the apartments' minimum fresh air requirements whilst recovering heat from the stale exhaust air.

- 7.53 The heating and hot water for the individual dwellings will be provided by a communal system, connected to the communal heating network via individual heat interface units with heat meters.
- 7.54 The communal space heating system will be served by a centralised boiler room, containing CHP units and high efficiency boilers.

### **Low and Zero Carbon Energy Strategy**

- 7.55 The feasibility of connecting to an existing or proposed heating district network has been investigated for the Site in accordance with the Mayor's Energy Hierarchy. The London Heat Map indicates that there are no operational district heating networks within the vicinity of the Site. In order to facilitate a future connection should a network become available; space will be available in the energy centre to accommodate the plate heat exchanger required.
- 7.56 Due to the presence of significant existing utility infrastructure running through the Site that serves the wider area, it will not be possible to provide a single Site wide heating network. As such it is proposed to provide two heating networks on site, the first serving the northern section of the Site and the second serving the southern section. This approach will ensure all areas of the development can be provided with a connection from a heating network with the ability to install CHP and facilitate future connection to a district heating scheme.
- 7.57 A preliminary analysis of the CHP sizes to serve the two energy centres proposed indicates that the combined application of the proposed CHP units could provide a 24.6% reduction in the site's CO<sub>2</sub> emissions.
- 7.58 The Scheme (will deliver a total CO<sub>2</sub> emission reduction of 35.9% improvement on the minimum Building Regulations 2013 Part L requirements, as required by planning condition 21 of the Planning Permission.

## **Summary**

- 7.59 The overall strategy for the Scheme will ensure that it will have a significant contribution on improving the economic, social and environmental well-being of the area, as described above.

## **8. COMPLIANCE WITH PLANNING POLICY**

- 8.1 Paragraph 106 of the guidance provides that, in determining whether or not to confirm an order pursuant to section 226(1)(a) of the 1990 Act, the Secretary of State will have regard to "whether the purpose for which the land is being acquired fits in with the adopted local plan for the area or, where no such up to date local plan exists, with the draft local plan and the national planning policy framework".
- 8.2 The merits of the planning application for the development by which it is proposed to implement the Scheme were considered by the Authority's Strategic Development Committee on 24 July 2018, when it resolved to grant the Planning Permission. Following referral back to the Mayor of London for stage 2 consideration and his confirmation that he was content for LBTH to determine the case itself and the completion of a legal agreement to secure a number of planning obligations, the Authority granted planning permission for the scheme on 25 March 2019. Listed Building Consent for the essential repairs of the clock tower had been granted earlier, on 11 April 2018.
- 8.3 On the 23 March 2020, the Authority approved various Non Material Amendments relating to Blocks ABC in Phase 1 of the development. In summary these comprise:
- 8.3.1 Minor residential reconfiguration including the conversion of a 1 x 2-bed 3 person private sale adaptable unit to 1-bed 2 person adaptable unit. This unit would be oversized to include private amenity within the unit as is consistent with other approved dwellings throughout the scheme;
  - 8.3.2 Refined residential access to building A, increasing the active frontage to the north;
  - 8.3.3 Redistribution of retail floor space including a reduced footprint of food store 101, enabling the applicant to satisfy the requirements of a long-term tenant. This further enables a new unit to open onto market way (note there is no change to the overall quantum of retail floorspace);



- 8.3.4 Relocation of the loading bay entrance one bay to the south, enabling core b2 to be accessed from ground floor level;
  - 8.3.5 Relocation of energy centre to the south; and
  - 8.3.6 Cycle parking consolidated at ground floor enhancing accessibility (no change to cycle parking provision).
- 8.4 The changes are by definition 'non material' and do not affect the red line boundary of the application, description of development, proposed uses, amount of development (there is a *de minimis* reduction from 5,622sqm gia to 5,621 sqm gia) of amount of car and cycle parking. The Planning Permission must be read alongside the approved non-material amendments.
- 8.5 The S106 Agreement that forms part of the Planning Permission will need to be the subject of a deed of variation to ensure that the permission is consistent with the current GLA grant provision referred to in Section 6.
- 8.6 Although the merits of the development proposal subject of the Planning Permission were accepted by the Authority when resolving to grant that permission, this section of the Statement of Reasons and Appendix 3 nonetheless outline how and why the Scheme remains compliant with currently adopted and emerging planning policy and guidance.

### **The Development Plan**

- 8.7 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan for the area unless material considerations indicate otherwise. In determining whether to resolve to grant planning permission for the planning application, the Authority was required to have regard to local and London-wide planning policy, other relevant planning policy and guidance together with any other material considerations.

8.8 At the time the Authority resolved to grant planning permission, for the purposes of Section 38 (6) the development plan for this part of LBTH comprised:

- The London Plan (published March 2016 consolidated with alterations since 2011);
- Tower Hamlets Core Strategy 2015-2025 - adopted September 2010;
- Tower Hamlets Managing Development Document (hereafter referred to as MDD) - adopted April 2013; and
- The Adopted Policies Map.

8.9 Applicable development plan policies were taken account of by Poplar HARCA and CSDL when developing the development proposals and are addressed where relevant in the documents submitted in support of the Planning Application.

8.10 In addition, at that time the Mayor of London had published his draft replacement London Plan (December 2017) and the Authority had published its draft 'Regulation 19' Tower Hamlets Local Plan 2031 (October 2017). When the Authority resolved to grant permission, the weight that could be given to relevant policies in emerging plans when determining planning applications was guided by paragraph 216 in the 2012 NPPF. Taking account of this guidance, whilst the Strategic Development Committee had regard to these emerging plans, the Authority attached limited weight to them.

8.11 In the intervening period, the Tower Hamlets Local Plan has completed its journey through the plan-making process and was adopted in January 2020. Currently, for the purposes of Section 38 (6) the development plan for this part of LBTH comprises:

- The London Plan (published March 2016 consolidated with alterations since 2011);
- Tower Hamlets Local Plan 2031 (January 2020); and
- The Adopted Policies Map.

8.12 In addition, following an Examination in Public of the draft new London Plan (December 2017) (including minor suggested changes dated August 2018),

consideration of the recommendations of a panel of Inspectors and having addressed Directions from the Secretary of State in relation to an Intend to Publish London Plan (December 2019), on 21 December 2020, the Mayor of London approved the 'Publication London Plan (December 2020).' Taking account of guidance in paragraph 48 of the 2019 NPPF, the policies in the Publication London Plan (2020) are considered to have significant weight..

- 8.13 Given the above, Appendix 3 sets out an assessment of the development that is subject to the Planning Permission that would deliver the Scheme against development plan policies that were in place at the time the Authority's Strategic Development Committee resolved to grant planning permission as well as those adopted and emerging policies that exist today.

## **London's Spatial Development Strategy**

### The London Plan

- 8.14 A full list of the relevant policies in the published London Plan are set out in Appendix 3.
- 8.15 London Plan Policy 2.14 and Map 2.5 identify the Order Land as lying within an Area for Regeneration. **Policy 2.14** states:

*"Within the areas for regeneration shown on Map 2.5 the Mayor will work with strategic and local partners to co-ordinate their sustained renewal by prioritising them for neighbourhood-based action and investment."* (Policy 2.14 - Areas for Regeneration, Part A)

- 8.16 **Policy 2.15** promotes the inclusion of residential development within town centres. The majority of the Site is within the Chrisp Street District Centre, identified in Annex 2. Specifically, on planning decisions, the policy calls for:

*Development proposals and applications for retail to residential permitted development prior approval in town centres should conform with Policies 4.7 and 4.8 and:*

- a) sustain and enhance the vitality and viability of the centre*
- b) accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations*
- c) support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services*
- d) be in scale with the centre*
- e) promote access by public transport, walking and cycling*
- f) promote safety, security and lifetime neighbourhoods*
- g) contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure*
- h) reduce delivery, servicing and road user conflict.*

8.17 **Policy 3.3** seeks the provision of 42,000 additional homes per year across London. It also identifies a housing provision target of 39,314 additional homes to be completed between 2015 and 2025 in LBTH. This translates to an annual requirement of 3,931 dwellings per year for the Borough. Importantly, Policy 3.3 states that boroughs should seek to exceed their housing targets.

8.18 **Policy 3.14** resists the loss of housing, including affordable housing, unless the housing is replaced at existing or higher densities with at least equivalent floorspace.

8.19 **Policy 4.7** states that the scale of retail, commercial, cultural and leisure development should be focused within town centres and should be related to the size, role and function of the town centre and its catchment.

8.20 **Policy 4.8** seeks to support a successful, competitive and diverse retail sector and supports the provision of convenience retail in particular within district centres.

Publication London Plan (December 2020)

8.21 A full list of the relevant policies in the emerging London Plan are set out in Appendix 3.

8.22 Publication London Plan **Policy SD10** and Figure 2.19 identify the Site as a Strategic Area for Regeneration. Amongst other things, the policy encourages boroughs and other stakeholders to develop locally sensitive policies and initiatives and support development proposals that contribute to the renewal of town centres in Strategic Areas for Regeneration.

8.23 Part A of Publication London Plan **Policy SD6** calls for the vitality and viability of London's varied town centres to be promoted and enhanced by the following measures:

- 1) *encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses*
- 2) *identifying locations for mixed-use or housing-led intensification to optimise residential growth potential, securing a high-quality environment and complementing local character and heritage assets*
- 3) *delivering sustainable access to a competitive range of services and activities by walking, cycling and public transport*
- 4) *strengthening the role of town centres as a main focus for Londoners' sense of place and local identity in the capital*
- 5) *ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy*

6) *supporting the role of town centres in building sustainable, healthy and walkable neighbourhoods with the Healthy Streets Approach embedded in their development and management.*

8.24 Other parts of **Policy SD6** support adaptation and diversification, the potential for a diverse range of new housing, the redevelopment of surplus office space to housing, the promotion of a vibrant daytime, evening and night-time activities, the delivery of a barrier-free and inclusive environment, the provision of social infrastructure and the provision of active frontages to help safety and security.

8.25 Publication London Plan **Policy SD8** calls for the changing roles of town centres to be proactively managed in relation to the town centre network as a whole. The majority of the Site is within Crisp Street District Centre, which is identified in Annex 1. Specifically, Part E of the policy states:

*District centres should focus on the consolidation of a viable range of functions, particularly convenience retailing, leisure, social infrastructure, local employment and workspace, whilst addressing the challenges of new forms of retailing and securing opportunities to realise their potential for higher density mixed-use residential development and improvements to their environment.*

8.26 Publication London Plan **Policy E9** promotes a successful, competitive and diverse retail sector by, amongst other things providing additional retail and particularly convenience shopping in District Centres and supporting street markets, including delivering complementary measures to improve their management and offer and their contribution to local identity.

8.27 Publication London Plan **Policy H1** sets out ten-year housing targets, with the Authority having the highest target in London at 34,730. To ensure that these targets are achieved, boroughs are required to allocate sites that are suitable for mixed-use development and intensification and optimise the potential for housing delivery on

brown field sites, especially (amongst others) sites with existing or planned public transport accessibility levels (PTALS) 3-6 which are located within a town centre.

- 8.28 Publication London Plan **Policy H8** makes clear that demolition of affordable housing, including where it is part of an estate redevelopment programme should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace and that affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants. The Scheme complies with this.

### **Local planning policy**

#### Tower Hamlets Core Strategy 2015-2025 and Tower Hamlets Development Management Document (April 2013)

- 8.29 A full list of the relevant policies in the former Core Strategy and Development Management Document that was in place at the time that the Authority's Strategic Development Committee resolved to grant planning permission, is set out in Appendix 3. These policies have now been superseded by policies in the Tower Hamlets Local Plan 2031.

#### Tower Hamlets Local Plan 2031 (January 2020)

- 8.30 The Local Plan sets out a spatial vision for the borough up to 2031. This is underpinned by two key objectives ('managing growth and shaping change' and 'sharing benefits of growth') and a series of strategic and detailed policies arranged around 10 themes. The relevant policies are identified in Appendix 3.
- 8.31 Policy S.SG1 is the key spatial policy, under the 'achieving sustainable growth' theme. It makes clear that new development will be directed to, amongst other places, the Isle of Dogs and South Poplar Opportunity Area and highly accessible locations with good links to public transport, walking and cycling networks and local

services. It also states that significant amount of new housing will be delivered in the Lower Lea Valley and that town centres will continue to be the focus of shopping, leisure, cultural and community activities. Policy S.SG2 identifies what is meant by sustainable growth in Tower Hamlets and what will be expected from development so that it contributes towards delivering the Local Plan vision and objectives.

8.32 Section 4 of the Plan identifies a vision, objectives and development principles for different sub-areas of the borough, with the Site falling within the Central sub-area. To help implement these, two areas of land are formally allocated for development, including 2.2. Chrisp Street Town Centre. This allocation includes the whole Site, in contrast to Site Allocation 9 that was in the former Local Plan, Managing Development Document (see Para. 8.27 above). The Site Allocation sets out the following design principles that development will be expected to deliver and some of the key structuring principles are illustrated in Figure 30 (Chrisp Street Town Centre). The design principles are as follows:

- a. Deliver a regenerated town centre for Poplar with a range of unit sizes, (including those suitable for independent and small local retailers), a market square and a re-provided Idea Store located on East India Dock Road.
- b. Respond positively to the existing character, scale, height, massing and urban grain of the post-war architecture and surrounding built environment, specifically the Lansbury Estate to the west and Poplar Baths to the south.
- c. Protect and enhance heritage assets on site and in the surrounding areas, including the grade II listed buildings: Festival Inn, Clocktower and Poplar Baths and the Lansbury Conservation Area.
- d. Improve walking and cycling connections to, from and within the site - specifically to Langdon Park and All Saints DLR station. These should align with the existing urban form and grain to support east-west connectivity and wider permeability.
- e. Integrate the site with the green grid route, helping to improve access from East India Dock Road to the north and Bartlett Park.



- f. Improve the public realm with active site edges, specifically along East India Dock Road and towards all surrounding and internal streets and public spaces.
- g. Reinforce and complement local distinctiveness and create a positive sense of place with improved visual connections to, from and within the site - specifically to Langdon Park and All Saints DLR station and the characteristic clock tower.

8.33 The Site Allocation also identifies the following delivery considerations;

- a. Development should re-provide the Idea Store and ensure it is located within a central position.
- b. Effective engagement between landowners, developers and leaseholders will be needed to facilitate potential land assembly and comprehensive redevelopment. Local residents should also be fully consulted on any future proposals within this area.
- c. Development should ensure sufficient and well-integrated access arrangements for highways and servicing.
- d. Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.

8.34 Other policies that are of particular relevance to the Scheme are based around the following themes: 'creating attractive and distinctive places', 'meeting housing needs', 'delivering economic growth', 'revitalising our town centres' and 'protecting and managing our environment'.

8.35 Policy S.DH1 requires development to meet high standards of design, layout and construction that positively responds to its context etc. and Policy S.DH2 requires proposals to preserve or, where appropriate, enhance the borough's designated and non-designated heritage assets. These are supported by seven detailed policies

relating to streets and spaces, shaping and managing views, tall buildings, density, amenity, shopfronts and advertisements etc and telecommunications.

- 8.36 Policy S.H1 requires the delivery of at least 58,965 new homes across the borough (equating to 3,931 new homes per year) between 2016 and 2031. This includes focusing the majority of new housing in opportunity areas and site allocations (which include Chrisp Street Town Centre) and housing estate regeneration schemes which meet housing need and provide improved social facilities and environmental amenity as two ways of achieving this target. Table 1 in the justifying text identifies the minimum required additional homes from the Central sub-area that includes the Site, over this period as being 7,597. The policy also expects development to contribute to creating mixed and balanced communities, including requiring the provision of at least 35% affordable housing on larger sites (subject to viability). This policy is supported by detailed policies relating to, amongst other things, affordable housing and housing mix and housing standards and quality.
- 8.37 Policy S.EMP1 identifies District Centres, such as Chrisp Street Town Centre, as providing opportunities for purpose-built office buildings with ground-floor retail and leisure to help support investment and jobs, including accommodating a range of workspaces and unit sizes.
- 8.38 Policy S.TC1 designates Chrisp Street as a District Centre and requires development to contribute positively to the function, vitality and viability of centres and support their role and function within the town centre hierarchy. The whole of the Site falls within the designated District Centre, in contrast to the designation in the former Local Plan Policies Map, which excluded that part of the Site on the east side of Chrisp Street. This policy is supported by detailed policies relating to, amongst other things, financial and professional services, food, drink, entertainment and night-time economy and markets. Policy D.TC7 (Markets) makes clear that development proposals impacting existing markets will only be supported where:

- a. they demonstrate that the overall quality of the market and public realm will be improved;
- b. the capacity for existing numbers of pitches is maintained; and
- c. they protect or re-provide appropriate storage and servicing facilities.

## **Other Material Considerations**

### National Policies

- 8.39 Local planning authorities must have regard to the National Planning Policy Framework (the "NPPF"), which is a material consideration setting out the Government's national objectives for planning and development management. The NPPF is supported by Planning Practice Guidance on how to interpret and implement the NPPF.
- 8.40 The planning application that led to the Planning Permission was considered by the Authority's Strategic Development Committee on the basis of the original 2012 NPPF. This identified 12 core planning principles. The key relevant principles can be summarised as follows: proactively driving and supporting sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; seeking to secure high quality design and a good standard of amenity; supporting the transition to a low carbon future; encouraging the effective use of brown field land; conserving heritage assets; actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling; and supporting local strategies to improve health, social and cultural wellbeing for all, and delivering sufficient community and cultural facilities and services to meet local needs. The 2012 NPPF (Para. 23) stated that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

8.41 The current NPPF was published on 19 February 2019<sup>5</sup>. It makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (economic, social and environmental) and establishes a presumption in favour of sustainable development. It is organised around the following relevant topics:

- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Ensuring the vitality of town centres;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Supporting high quality communications;
- Making effective use of land;
- Achieving well-designed places;
- Meeting the challenge of climate change, flooding and coastal change; and
- Conserving and enhancing the historic environment.

8.42 The current NPPF (Para. 85) makes clear that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

8.43 The Authority considers that the development subject of the Planning Permission is consistent with both the 2012 and current NPPF, as highlighted in 'conclusions' below.

#### Mayor of London Guidance

8.44 Key relevant adopted Supplementary Planning Guidance (SPG) and other guidance that was in place and material when the planning application for the Planning Permission was considered by the Authority's Strategic Development Committee include:

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<sup>5</sup> The February 2019 NPPF replaces the first NPPF published in March 2012, and includes minor clarifications to the revised version published in July 2018.

- a) Good Practice Guide to Estate Regeneration (February 2018)
- b) Affordable Housing & Viability SPG – August 2017;
- c) Housing SPG – March 2016;
- d) Social Infrastructure SPG - May 2015;
- e) Accessible London: Achieving an Inclusive Environment SPG – October 2014;
- f) Town Centre’s SPG - July 2014;
- g) The Control of Dust and Emissions during Construction and Demolition SPG – July 2014;
- h) Shaping Neighbourhoods Character and Context SPG - June 2014
- i) Sustainable Design and Construction SPG - April 2014;
- j) Use of planning obligations in the funding of Crossrail and the Mayor’s CIL SPG – April 2013;
- k) Shaping Neighbourhoods: Play and Informal Recreation SPG – September 2012; and
- l) Planning for Equality and Diversity in London SPG– October 2007.

8.45 Of particular relevance from the list above, the Mayor published his Housing SPG in March 2016. It provides updated Guidance on a range of London Plan policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability appraisals.

8.46 The SPG focuses on London Plan Policy 3.3 and the use of minimum targets and relates this to national planning policy, Local Plan preparation and borough housing trajectories. Guidance is provided to boroughs on how they should seek to achieve and exceed minimum housing targets in order to address local and strategic housing need and ensure general conformity with the London Plan.

8.47 The Mayor’s ‘Shaping Neighbourhoods: Play and Informal Recreation’ SPG June 2014 is relevant to the assessment of open space and play space provision within the Scheme.

8.48 Paragraph 23 of the Mayor of London's Stage II Report confirms that the Mayor considers that the proposed development accords with the Mayor's Good Practice Guide to Estate Regeneration.

8.49 In addition to the guidance listed in 8.32 above, since the Authority's Strategic Development Committee resolved to grant the Planning Permission, the Mayor and the Authority has since adopted the Isle of Dogs and South Poplar Opportunity Area Planning Framework (September 2019), which refers to physical, social and economic connections between this Opportunity Area, immediately to the south of East India Dock Road, and Chrisp Street District Centre. The proposed development would help to improve such connections.

#### Tower Hamlets Guidance and Strategies

8.50 The Authority has prepared a number of Supplementary Planning Documents (SPD). The most relevant are:

- Planning Obligations SPD (September 2016); and
- Development Viability SPD (October 2017).

8.51 The Authority's Strategic Plan 2018-21 sets out the Authority's key strategic priorities. Priority 2 is achieving: "A borough that our residents are proud of and love to live in." One of the identified outcomes for this priority is that people live in good quality affordable homes and well-designed neighbourhoods – with action 3 being to deliver a programme of regeneration on the Ocean Estate, Blackwall Reach, Chrisp Street and Poplar Riverside.

8.52 The Tower Hamlets High Streets & Town Centres Strategy 2017-2022 (adopted October 2018) includes the following vision:

*"By 2022 Tower Hamlets' competitive and dynamic high streets and town centres will be at the heart of the community. They will celebrate our East End*

*heritage, support local economic growth and enhance the health and well-being of people who live in, work in and visit our borough.”*

*By 2025 Tower Hamlets will be refocusing on its Town Centres, ensuring they are places at the heart of civic life, which are vibrant, inclusive and accessible. The role of each town centre will differ, in order to serve all members of the community, according to character and function. Each of the Town Centres will form part of a rejuvenated, interconnected network of hubs for shopping, leisure, civic and associated housing uses.*

8.53 Other Tower Hamlets’ strategies that are material to the Scheme include:

- Tower Hamlets Green Grid Strategy Update 2017, which aims to create a framework for the design and delivery of appealing walking routes and associated green infrastructure to secure a healthy and attractive environment. It identifies proposals for a north-south route across the Site from Cordelia Street to East India Dock Road, along with opportunities to provide natural features as part of public realm works. Parks & Open Spaces – An Open Space Strategy for the LBTH 2017-2027. This identifies the market and East India Dock Road frontage as ‘civic’ spaces. It recognises the limited ability to create new space within development sites in Poplar – but proposes pocket parks (where possible) through implementing the Green Grid Strategy.
- Tower Hamlets Infrastructure Delivery Plan (October 2017). This identifies the refurbishment of Chrisp Street Idea Store as a project to help meet the need for ‘Local Presence Community Facilities’. It also identifies the need for improvements to north-south connections and public realm within East India Dock Road and investment in affordable workspace in areas with commercial concentrations.

- Lansbury Conservation Area Character Appraisal and Management Guidelines (March 2008). This highlights the Crisp Street market square and shopping precinct as a significant open space and the distinctive Clock Tower as one of the most recognisable features of the Conservation Area.

## **Conclusions**

- 8.54 This section and Appendix 3 demonstrate that the development proposal subject of the Planning Permission complies with adopted and emerging planning policy and guidance that that was in place at the time that the authority resolved to grant permission and that the Scheme remains compliant with currently adopted and emerging planning policy and guidance.
- 8.55 Appendix 3 includes a full appraisal of the Planning Permission against planning policy. This demonstrates that Scheme complies with the relevant adopted and emerging spatial, site-specific and topic-based policies relating to town centres, social infrastructure, housing supply, affordable housing, housing quality, residential density, design, heritage, neighbour amenity, highways and transport, energy and environmental sustainability and other environmental considerations.
- 8.56 In addition, Appendix 3 demonstrates that the Planning Permission complies with guidance in both the current NPPF (2019) and the original NPPF (2012), together with relevant planning guidance published by the Mayor of London and relevant planning guidance and broader strategies published by the Authority.



## **9 SOCIAL AND HOUSING CIRCUMSTANCES IN TOWER HAMLETS**

### **Introduction**

- 9.1 The Authority has set out in section 7 above the social, economic and environmental benefits to which it considers the Scheme will give rise. It is important to note the significance of regenerating the Chrisp Street Market as a revitalised District Centre to the broader agenda of regenerating Poplar itself. Located on the edge of the Isle of Dogs and South Poplar Opportunity Area, it will provide a retail, residential and leisure destination that will be smaller in scale to that on offer in Stratford and Canary Wharf. The Authority expects the completed scheme to offer a competing attractive, human scale and accessible destination that has a wide range of uses available in a relatively small area.
- 9.2 The Opportunity Area vision, (set out in the Mayor of London's Isle of Dogs and South Poplar Opportunity Area Planning Framework – September 2019), envisages the development in the Opportunity Area of a minimum of 31,000 homes for 72,500 people and the creation of 110,000 jobs up to 2041. The Authority expects that a significant number of the new population within South Poplar will visit Chrisp Street Market for retail and leisure purposes in the future if the Scheme is successfully delivered and vision realised.
- 9.3 The Authority expects circa 500 end user jobs to be sustained and created as part of the Scheme (in addition to construction jobs) and has secured financial contributions to help ensure that these are accessible to local people as local unemployment in the Lansbury ward remains a challenge. By way of example, in comparing Lansbury Ward to the rest of Tower Hamlets, the ward is statistically more deprived than the rest of the borough, partly because it has not had the impacts of redevelopment and regeneration that the south, west and north of the borough has experienced. While significant regeneration has occurred in parts of the area many of which have been led by Poplar HARCA, many of the people who live in the area still suffer from deprivation and poverty.

- 9.4 In 2019, Tower Hamlets was the 50th most deprived local authority area (of 317) based on its Rank of Average Score.<sup>6</sup> It was the 14th most deprived local authority area based on Income Deprivation Affecting Children and the most deprived area in the country based on Income Deprivation Affecting Older People.
- 9.5 Lansbury Ward has very high levels of deprivation compared to the Borough as a whole and the London region. According to Greater London Authority analysis of the 2019 Indices of Multiple Deprivation, Lansbury ward was the most deprived ward in Tower Hamlets. It was the 12th most deprived ward in London out of 633 based on rank of score, placing it within the most deprived 2% of wards in the capital.
- 9.6 Lansbury ward was the 5th most deprived in London based on Income rank (within the most deprived 1% of wards) and the 12th most deprived based on Employment rank (within the most deprived 2% of wards). Lansbury was the most deprived ward in Tower Hamlets based on both Income and Employment.
- 9.7 In terms of Income Deprivation Affecting Children, Lansbury ranked as the 27th most deprived ward in London – within the most deprived 5%. In terms of Income Deprivation Affecting Older People, it ranked 13th in London – within the most deprived 3%.
- 9.8 Tower Hamlets had a median household income of £30,760 in 2019. Median incomes in Tower Hamlets are below the median for inner London and very similar to the median for London as a whole. However almost 50,000 households (38% of all households) had an income below £25k per year and almost 19,000 households (14% of households) had an income below £15k per year.
- 9.9 Lansbury has the lowest median household income of all wards in the borough, averaging only £22,683. It also has the highest concentration of households with incomes less than £30,000 (69%) and a quarter of households in the ward have

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<sup>6</sup> The Rank of Average Score is a measure within the *Indices of Deprivation* that summarises the average level of deprivation across an area, based on the scores of all the neighbourhoods contained within.

incomes less than £15,000; again, the highest proportion across all the borough's wards.

- 9.10 In September 2019, the average house price in Tower Hamlets was £481,00, just above the London average of £468,330 and twice the national average of £240,000,
- 9.11 How in practice regeneration schemes such as the Chrisp Street Regeneration Scheme can make inroads into reducing deprivation to local and preferably London levels will depend partly on agents for change, such as Poplar HARCA, connecting people with local job opportunities and health awareness initiatives in the context of the above statistics. The Council understands that Poplar HARCA will continue the economic and social inclusion initiatives it has undertaken since its inception in 2006 and will apply those to residents in Chrisp Street to help ensure economic, social and environmental benefits, detailed in Section 7 of this document, are applied to those who most need them.
- 9.12 The significance of the benefits described above need to be considered in the context of meeting housing need within the borough and how the Scheme contributes towards the Authority's vision of making Tower Hamlets a borough which is clean and well looked after, with streets and estates that feel safer, a fairer place with more access to affordable housing and where residents achieve their potential. The remainder of this section focuses on how this Scheme helps meets this vision and contributes towards meeting the Borough's housing needs against regional and local policy criteria.

### **Meeting housing needs in London and Tower Hamlets**

- 9.13 The significance of the benefits described in this statement need to be considered in the context of meeting housing need within the borough. The remainder of this section focuses on how this Scheme helps meet housing need against regional and local policy criteria.

- 9.14 Delivery of the Scheme by implementation of the Planning Permission, (including existing Festival of Britain homes), will lead to the number of homes increasing from 212 to 686, with the number of affordable homes increasing from 151 to 227.
- 9.15 Section 8 of this Statement (Compliance with Planning Policy) demonstrates how London-wide and borough-specific minimum planning policy housing targets have increased over time. It also sets out how the national planning policy has been strengthened over time to address the growing need to provide additional homes, including affordable housing
- 9.16 Despite these increasing planning policy housing targets, and assuming that these targets were met, household survey data (Strategic Housing Market and Needs Assessment, LBTH (2014) and the 2017 Update to the same) suggests that there will still be a very significant shortfall of delivered new dwellings against housing need. The Assessment concluded that *“The total scale of future delivery would require a very significant increase in dwelling numbers to meet all needs”*.
- 9.17 The London Mayor’s London Housing Strategy (May 2018) sets out the origins of the current housing crisis in London and how the Mayor, through his Housing Strategy, is endeavouring to address key issues, as follows:
- *The lack of new construction, and the resulting shortage of accommodation, has become particularly acute in recent years. The 2013 London Strategic Housing Market Assessment (SHMA) identified a need for 49,000 new homes each year, yet just 33,000 homes a year were built between 2013/14 and 2016/17. The new 2017 SHMA, published alongside the draft London Plan, found that London now needs 66,000 new homes a year, of which around 65 per cent should be affordable to fully meet needs. The 2017 SHMA indicates that the increase in the total housing need and in the affordable share are explained by a combination of faster population growth, an ageing population requiring more separate homes, a greater backlog of unmet need, and the worsening of affordability in the intervening years.*

- *The failure to match new supply to rising demand has not stemmed population growth, which has accelerated in line with very rapid jobs growth. Instead, more and more Londoners are left with little choice but to put up with less space and more overcrowding. Until the 1990s, the average number of people in each household in London had been falling continuously since the end of the 19th century – but this has now gone into reverse. After falling to 2.3 in 1991, London’s average household size started to increase again, and according to one survey has now climbed to 2.79. Much of this increase is due to the growing number of unrelated people sharing accommodation, with the number of households containing two or more distinct family units rising from around 300,000 in 1996 to around 470,000 in 20167.*

9.18 MHCLG data on the dwelling stock records for the borough show a figure of 121,539 for 2019. The MHCLG data allows the opportunity to break down the tenure types of these properties, which the Council Tax system cannot fully provide. Of these dwellings, 9% were identified as local authority stock, 26% identified as being private registered provider stock and 64% in the private sector (comprising both owner occupier and the private rental market). As a comparison, the private sector (owner occupier and privately rented accommodation) represents 77% of all housing stock in London.

9.19 The Office for National Statistics (ONS) sub-national dwelling stock estimates by tenure for 2018 substantiates the reliance on stock in the private sector from within the Borough with a total of 76,740 dwellings in the private sector. Broken down further, 33,374 (43%) were owner occupied while 43,366 were privately rented.

9.20 Private rent levels across London are high and disproportionate to the income levels of many private tenants, particularly in Tower Hamlets. According to the English Housing Survey (*Housing costs and affordability - 2018-19, published in July 2020*), on average private renters spent 40% of their income paying rent. This compares to

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<sup>7</sup> Chapter 2, London Housing Strategy, May 2018

mortgagors who spend approximately 20% of their income meeting their housing costs and 30% of income spent by local authority or registered provider tenants.

- 9.21 With the private rented sector providing the highest occupation tenure of housing within the Borough, the need for affordable/social housing is acute. Between September 2014 and March 2019, private sector rents increased by 17% and are now the 9<sup>th</sup> highest of all the London Boroughs. The average (median) monthly private sector rent in Tower Hamlets was £1,647 compared to £695 nationally (*Source: Valuation Office Agency - Average Private Rents by Borough: Summary of monthly rents recorded per 12 months to Q1: 2019*).
- 9.22 As previously highlighted in paragraphs 9.4 – 9.9, the regeneration of Chrisp Street Market will benefit not only the residents of Lansbury Ward but the Borough as a whole. Lansbury ward is the most deprived ward in the Borough in term of income and employment, and the provision of more social/affordable homes, community space and retail and office space which the scheme will yield; by replacing out-dated and unsuitable housing and increasing to the supply of affordable housing within the Borough, it will contribute to the Authority's target of new homes and to the creation of new homes that those on low incomes can afford. The mixed tenure of accommodation from this scheme will also advance and improve cohesion within the communities in this area.
- 9.23 In terms of housing numbers, the borough is the fastest growing borough in London with circa 3,000 new homes of all tenures built each year. As a result of the consistently high delivery of new housing, the borough accounts for the highest level of 'New Homes Bonus' in the country. The Council has delivered over 9,314 new affordable homes between 2010 and 2020 and aims to deliver another 2,000 by 2021. However, while the Council is successfully delivering a large number of new homes each year, the demand and need still significantly exceed supply.

- 9.24 Demand for affordable homes in particular still far exceeds supply. The borough needs to deliver 1,965 affordable homes each year to meet housing need. This figure has been calculated from the council's Local Plan 2031 that sets out the borough's overall housing supply target of 58,965 new homes to be delivered between 2016 and 2031, of which 50% to be affordable.
- 9.25 The average level of affordable housing completions over the last 3 years (2017-2020) is 833, significantly less than half the above annual target.
- 9.26 There is, in particular, a severe overcrowding problem and a need for new family (3 bed and larger) homes. These needs are clearly identifiable from the statistics, both in terms of the housing needs assessment and recent lettings activity. Housing policy locally and sub-regionally seeks to respond to these needs. Across the borough demand for new housing of all types is unrelenting.
- 9.27 The following conclusions have been drawn from the Authority's Housing Evidence Base 2016 which supports the Authority's current Housing Strategy 2016-2021, with regard to housing need across the borough:
- a) Tower Hamlets remains a borough of high housing need;
  - b) There is a sustained increase of net migration into the borough;
  - c) The borough needs to deliver a significant number of Affordable homes each year to meet housing need; and
  - d) A significant percentage of those homes must be three bedroom plus to meet demand from over-crowded households.
- 9.28 More recent figures drawn from the Authority's Common Housing Register (housing waiting list) as at 22nd July 2020 underscores these conclusions:
- There are 20,455 households registered on the Common Housing Register of whom:

- 2,127 (10%) are in priority category 1 and 9,854 (48%) in priority category 2 (e.g. emergencies, medical, decants, homeless and over-crowded);
- 8,779 households (43%) are over-crowded; and
- 1,966 (10%) have been placed in temporary accommodation placed by the Authority.

*Source: LBTH Common Housing Register Data base*

9.29 As well as providing 200 affordable homes, the proposed development will deliver an increase of 474 residential units meeting modern day standards. 167 units are proposed to be 3 to 4-bedroom units, helping to meet the urgent need for an increased number of family sized units in the borough. The Scheme will therefore make a significant contribution to meeting housing needs in Tower Hamlets.

9.30 As set out in Appendix 4, the proposed development evolved from a design process that established that a comprehensive approach to the regeneration of the site was the only feasible and viable option, protecting the heritage assets of the Site in the process.

9.31 It is also critical to note the massive impact that the Coronavirus pandemic has already had on the nation's economy, with the economy shrinking by 10.1% during 2020. HM Treasury are predicting a recovery during 2021, with the economy growing again by Q3 by 6.0<sup>8</sup>%. The emergence of Coronavirus and the ensuing recession is considered likely to create additional housing demand and provides further impetus to drive the development of more homes in the Borough which are genuinely affordable.

9.32 It is already evident that the economic effects of Coronavirus at a local level have begun. In Lansbury ward, the number of residents receiving welfare benefits has

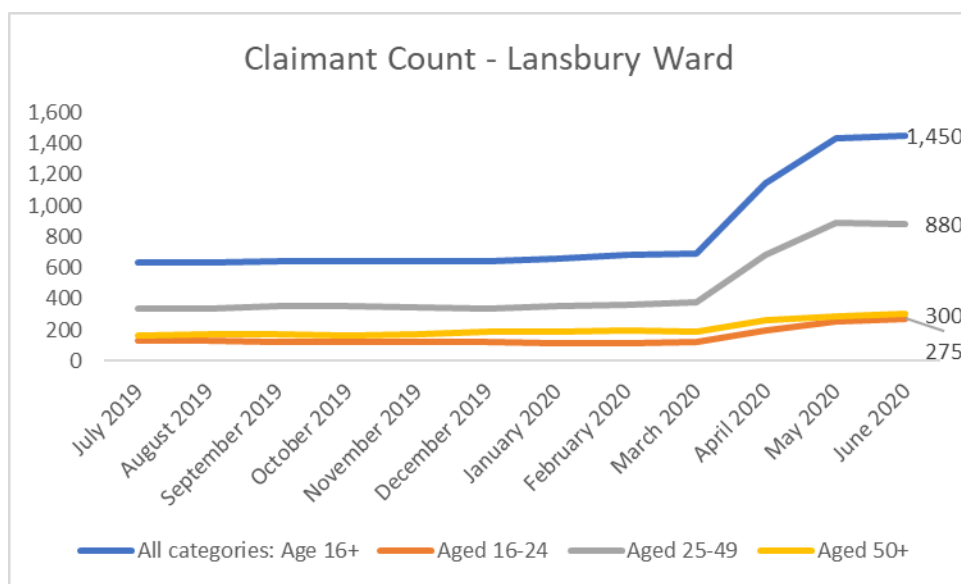
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<sup>8</sup> Source HM Treasury

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/931711/Forecomp\\_September\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/931711/Forecomp_September_2020.pdf)



risen sharply from March 2020, rising as the impact of the Coronavirus pandemic took effect.



9.33 Of the 1450 claimants in June 2020, 19% were aged 16-24 (compared with 18% of the working age population coming from this group (ONS mid-year 2018 estimate)).

The continued economic uncertainty arising from the pandemic is likely to increase the demand for affordable social housing. The Scheme will contribute towards providing much needed accommodation and provide a boost to the local economy.

9.34 Having established the level of housing need and deprivation in this part of Tower Hamlets it was a key consideration for the council to commission the preparation of a detailed Equality Impact Assessment (Appendix 6) in order to assess any adverse impacts upon people with protected characteristics and where these were determined, how they could be mitigated. The Authority is satisfied that where adverse impacts have been identified that these can be mitigated.

## **Conclusion**

- 9.35 The social and housing circumstances described above demonstrate the need for the Scheme and why there is a compelling case in the public interest for using powers of compulsory acquisition to support the delivery of the Scheme.
- 9.36 The Order will facilitate the redevelopment and improvement of the Order Land to provide a revitalised district centre with increased enhanced retail and social provision, improved public realm and modern high-quality residential dwellings for Social Rent, Shared Ownership and private ownership. Together, these homes will address the critical housing need in the borough and the need for regeneration, and positively impact upon the economic, social and environmental wellbeing of all residents living in the local area.

## 10 ALTERNATIVES

10.1 Paragraph 106 of the Guidance provides that any decision about whether to confirm an order made under section 226(1)(a) will be made on its own merits, but the factors which the Secretary of State can be expected to consider include:

10.1.1 Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework. This is considered in section 8 and Appendix 3, which confirm that the purpose does so fit in.

10.1.2 The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area. The economic, social and environmental benefits of the Scheme as exemplified by the benefits secured by the Planning Permission has been explained in section 7.

10.1.3 Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired. How the preferred option was arrived at is explained in more detail in Appendix 4. As set out further below, the Authority does not consider the purpose for which it is proposing to acquire the land could be achieved by any other means.

10.1.4 The potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment

from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the acquiring authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position. This funding intentions and deliverability of the Scheme funding has been considered in section 6. The Authority is satisfied that the Scheme is viable and can be funded.

- 10.2 The purpose of the Order, as set out at section 5 of this Statement of Reasons, is to regenerate the Chrisp Street District Centre. The Scheme is therefore location specific.
- 10.3 Together with the Authority, Poplar HARCA and CSDL are the major landowners within the Site and all support the current proposals. There was opposition to the Scheme, which was noticeable when the planning application was considered on 15 February 2018 and 24 July 2018. Opposition has largely diminished and was not evident when the CPO Cabinet Report was considered on 26 September 2018; indeed considerable local support for the scheme was conveyed on that evening. No alternative proposals have been put forward by existing land owners or other interested parties that seek to meet the Authority's adopted planning policies for the comprehensive regeneration of the district centre.
- 10.4 Significant attempts have been made by Poplar HARCA and CSDL to acquire all interests required for the development and operation of the Scheme through private negotiations. Further details of such negotiations are set out at section 11 below. At the time of making the Order the Authority does not see there being a realistic prospect of all such required interests being acquired by private treaty that would allow for the Scheme to come forward within a reasonable timeframe. However,

negotiations with affected land owners will continue throughout the CPO process in accordance with the Guidance.

- 10.5 In the circumstances, the Authority is satisfied that there are no reasonable alternatives for achieving the purposes for which the acquiring authority is proposing to acquire the Order Land.

## 11. NEGOTIATIONS

- 11.1 Section 2 of the Overview of the Guidance states *“The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement. Where acquiring authorities decide to/arrange to acquire land by agreement, they will pay compensation as if it had been compulsorily purchased, unless the land was already on offer on the open market.”*
- 11.2 The Guidance (para 2) further sets out that *“Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:*
- *plan a compulsory purchase timetable as a contingency measure; and*
  - *initiate formal procedures”.*
- 11.3 Poplar HARCA has been working towards the improvement of Chrisp Street for the past 10 years. Together with CSDL, Poplar HARCA has demonstrated to the Authority they have extensively consulted local residents and stakeholders to help develop a detailed vision and a clear set of objectives for regeneration and the Authority is satisfied that their endeavors meet the requirements of the Guidance.
- 11.4 This engagement process has culminated in the development of a number of documents set out in a ‘brochure’ format which explain the offer being made to the various groups which provide them with appropriate information to inform them on their options.
- 11.5 The brochures formed appendices 4b, 5, 6, 11a, 13 to the Cabinet Report of 26 September 2018 as follows:

- Retail Leasehold Offer (June 2018)
- Residential Leasehold Buyback Offer (June 2018)
- Residential Tenants Offer (June 2018)
- Market Stalls Offer (June 2018)
- Lock Ups Offer document (June 2018)

11.6 These brochures are considered to be in line with best practice in providing relevant information to affected parties and the retail offer is considered to be market leading in terms of the commitments given to the shopkeepers.

11.7 Poplar HARCA has demonstrated to the Authority that consultation has taken place with affected retailers, residents and key stakeholders where their interests need to be acquired; this includes the making of formal offers to relocate retail interests, take surrender of leases where businesses no longer wished to trade and purchase of the residential leasehold interests. The consultation has taken place through public meetings, group meetings on the planning application, newsletters and drop-in sessions offering one to one negotiation meetings with retailers and residential leaseholders where requested. The consultation and negotiation have been led by Poplar HARCA and CSDL, who appointed AMM Ltd and Gerald Eve LLP to support and advise on acquisition negotiations with commercial interests, residential leaseholders and other property interests to be acquired.

11.8 In addition, the Authority with the support and advice of BNP Paribas Real Estate has maintained a review and monitoring role between Poplar HARCA/CSDL and the stakeholders to ensure negotiations and settlements are progressing and more crucially are fair and reasonable and at a minimum in accordance with compensation entitlements under the Compensation Code. The Authority with Poplar HARCA/CSDL undertook a joint consultation and engagement opportunity between (Jan - March 2019 and August 2020 – October 2020) to meet with key stakeholders to:

- Provide an update on the Chrisp Street Regeneration Scheme

- Discuss the impact of the scheme to individual property interests
- Discuss the possible relocation/compensation options available
- Review any negotiations that have taken place to date
- Explain what the CPO process involves and statutory timeframes
- Explain the implications if it becomes necessary for the Authority to acquire property interests through the CPO route
- Explain the consultative process associated with the CPO process and that any affected party can raise concerns or submit formal objections in writing to the Secretary of State once the CPO has been published
- Explain how disputes regarding compensation can be resolved by referral to the Upper Tribunal (Lands Chamber) if voluntary agreement cannot be reached (where applicable)
- Answer any questions people had

11.9 The above engagement process undertaken with stakeholders did not register any significant individual or collective opposition to the scheme. Some stakeholders were understandably concerned about being physically displaced from the Site, particularly where their premises were being demolished. This concern was reflected by two cohorts of stakeholders: commercial lessees and resident lessees. Some commercial lessees were concerned whether their business had a long-term future after the regeneration occurred. Resident lessees were concerned they would not be able to purchase a home locally with the market value (plus home loss and disturbance) that they would receive from the sale of their home. Other concerns were raised by some Lock Up occupiers (whose premises are to be demolished) about their temporary and permanent relocation options and their affordability. Poplar HARCA Assured Tenants were keen to discuss what relocation options they had and how the right to return to the new development would work in practice. There were also a substantial number of stakeholders who were keen for the scheme to progress and were impatient that after nearly a decade of discussion about the scheme it was still not onsite.



- 11.10 The Authority and Poplar HARCA/CSDL accept that regeneration interventions of this scale will generate concerns and uncertainty amongst stakeholders. The production of the Offer Brochures referenced above were instructive in making clear what was on offer to stakeholders and the pre-CPO engagement sessions helped ensure they understood what the respective offers meant in practice. The Authority and Poplar HARCA/CSDL will continue to work closely with stakeholders to ensure that the Market and the stakeholders who make up the community are able to continue their day to day living as best possible, accepting that the necessary relocations and building works will cause some disruption.
- 11.11 An important aspect to the Authority's approach to the pre-CPO engagement process was the employment of BNP Paribas Real Estate who are a property consultancy with recognised CPO and valuation expertise. BNP Paribas Real Estate were employed to independently review and validate the pre-CPO engagement approach and provided advice to the Authority and Poplar HARCA/CSDL (project group forum) where their approach could be improved. BNP Paribas Real Estate consultants have attended monthly land acquisition meetings with HARCA/CSDL since January 2019 where they were asked to observe the conduct of negotiations, review correspondence relating to more challenging casework on the project and comment upon offers in the context of the Compensation Code. The BNP Paribas Report is at Appendix 7 of this Statement of Reasons.
- 11.12 In addition, the Authority also commissioned BNP Paribas Real Estate to independently review and validate Poplar HARCA/CSDL's settlements and offer packages. The Authority has also provided support to broker meetings with stakeholders where negotiations had stalled. Further details of the settlement negotiations are set out at the remainder of this section. The status of acquisitions and property interest still to be acquired negotiations with is as follows:

**Table 11.1 - Negotiation position with residential and commercial occupiers  
(7th January 2021)**

	Phase 1	Phase 2
Residential properties acquired	10	19
Residential properties - terms agreed	0	4
Residential properties – terms not agreed	0	12
Residential tenants to be rehoused	0	14
Commercial Units terms agreed	39	24
Commercial Units terms not agreed	2	3

11.13 Through its on-going review and monitoring the Authority has satisfied itself that all reasonable efforts have been and will continue to be made by Poplar HARCA/CSDL to acquire the remaining interests by voluntary agreement. However, it has not yet been possible to agree terms for the acquisition of the remaining interests within the Order Land. Details of those negotiations undertaken to date are set out below.

#### **Efforts to Acquire by Agreement – Commercial Interests**

11.14 There are currently 68 shop units within the Order Land, of which 56 are currently occupied by existing trading commercial leaseholders. There are also 2 units occupied for community type usage, 3 non trading premises and 7 void units.

11.15 Poplar HARCA/CSDL has been in negotiations with the commercial and community occupiers on the latest scheme proposals for the retail premises at Chrisp Street since early 2015. As a result of the prior consultation and engagement the majority of shopkeepers have taken the opportunity to enter into dialogue about the proposed development and the opportunities for continuance of their business through

relocation within the Scheme or to other locations and other options. CSDL has advised each of the shopkeepers that they are entitled to be professionally represented and a number have taken up this option. Dialogue will actively continue between Poplar HARCA/CSDL and each shopkeeper to seek voluntary arrangements to avoid the necessity of the use of compulsion to acquire their interest.

11.16 The Authority assisted by BNP Paribas Real Estate has prior to the Making of the Order written to all of the remaining retailers offering its help in progressing negotiations and held meetings with a number of them together with Poplar HARCA/CSDL in a further effort to facilitate agreement and to ensure that their concerns were being taken into consideration. The Authority will closely monitor that the impacts of acquisition on the businesses are being mitigated where reasonably possible.

**Table 11.2- Negotiation position with commercial occupiers in detail (7<sup>th</sup> January 2021)**

Phase	Category	Terms to be agreed	Heads of Terms Agreed	Legal Documents in Preparation	Legal Documents Exchanged	Total
Phase 1	Relocations	1	0	1	21	23
Phase 2	Relocations	3	0	3	16	22
Phase 1	No Relocations	1	0	0	17	18
Phase 2	No Relocations	0	0	0	5	5
Total		5	0	4	59	68

11.17 Progress to note here since 5 September 2018 (Cabinet Report reference) is that 'Terms to be agreed' has reduced from 10 to 3; Heads of Terms agreed but not yet in legals is down to 0; Legal documents in preparation now stand at 4; progress has been made in moving documents through the legals whilst the Legal Documents Exchanged has increased from 21 to 44. For Phase 1, there are no remaining cases for Terms to be agreed and for Phase 2 there remain 3 cases where Terms are yet to be agreed.

### **Efforts to Acquire by Agreement – Residential Premises**

11.18 There are currently 16 residential leasehold properties in the Order Land remaining to be acquired, which includes 4 properties where terms are agreed and are with solicitors to move to legal contracts. Of the 16 outstanding leaseholds to be acquired, 8 are interests where the owners are understood to be absent and letting out their properties. The Authority is satisfied that Poplar HARCA and CSDL are committed to reaching voluntary settlements wherever possible and have been negotiating with owners of properties affected by the Scheme since 2015. To date, 29 residential properties have been successfully acquired via voluntary agreement.

11.19 The Authority understands that Poplar HARCA/CSDL has largely used internal resources to negotiate settlements, with support and advice from professional valuers. The leaseholders have been offered funding by CSDL to pay for independent valuations and reimbursement of legal fees to complete a sale to CSDL.

11.20 Due to the timetable for delivery of the proposed development, Poplar HARCA and CSDL have particularly focused on actively pursuing negotiations with property owners in phase 1, all of which have now been acquired. They are making sure that, along with the Authority, all owners are fully aware that they have an opportunity to be bought out voluntarily ahead of or in tandem with the CPO process.

11.21 The Authority assisted by BNP Paribas Real Estate has prior to the Making of the Order written at least twice to all of the remaining residential leaseholders inviting them to a meeting to explain the Council's intentions to make an Order and to provide assistance to the leaseholders and Poplar HARCA/CSDL in their efforts to acquire by agreement. The Authority will continue to monitor progress in this matter throughout the CPO process.

**Table 11.3 - Residential Relocations (7<sup>th</sup> January 2021)**

Block	Total No of Homes	Leaseholds Purchased	Lease holds to be bought out	Tenants	Short lifes	Voids	Occupancy level (i.e. exc, S'lifes & Void)
<b>Phase 1</b>							
Aurora	8	5	0	0	0	8	0%
Clarissa	16	5	0	0	0	16	0%
<b>Phase 2</b>							
Ennis	16	1	3	4	6	3	44%
Fitzgerald	73	5	3	3	35	28	8%
Kerbey – No 2-30	15	2	0	0	13	0	0%
Kilmore	16	2	3	6	5	0	56%
Market Square – No 35-59	25	9	7	1	7	1	32%
<b>Total</b>	<b>169</b>	<b>29</b>	<b>16</b>	<b>14</b>	<b>66</b>	<b>56</b>	<b>18%</b>

**Efforts to Acquire by Agreement – Other Interests**

11.22 There are no other occupational interests included within the Scheme. There are statutory undertakers who currently supply services to the properties that will be demolished. As this is part of a phased development, Poplar HARCA and CSDL have closely engaged with the various statutory undertakers for the relocation/removal of their existing equipment and the installation of new equipment to serve the Scheme in the planning of each phase.

11.23 The Authority has prepared the Order in parallel with Poplar HARCA and CSDL conducting and leading the negotiations and is satisfied that the requirements of the Guidance have been and continue to be met.

### **Rights of Light**

11.24 One of the implications of high-density development is the potential to reduce the light reaching windows and other apertures in surrounding buildings. This is a material consideration in the planning process, where there are well-established methodologies for calculating daylight/sunlight penetration and diminution. However, even when a development has planning permission, there may still be rights to light (a form of property right) that may need to be addressed.

11.25 Section 203 of the Housing and Planning Act 2016 enables a local authority to override third party rights affecting the Order Land, including rights to light, where prescribed conditions are met including the relevant development is being carried out with planning permission on land that has been acquired or appropriated by the Authority for planning purposes (appropriation of land being permitted by section 122 of the Local Government Act 1972). When section 203 operates any existing rights are converted into a right to compensation in favour of the proprietor of the rights that have been overridden.

11.26 The Authority has considered its powers under section 203 and is satisfied that this is an appropriate situation in which to invoke them. The process is quick and allows for early contact with owners of easements or other rights which are overridden to

establish any compensation payable. This should allow any rights issues to be identified swiftly and resolved without incurring litigation costs.

- 11.27 The Authority has invoked the use of s203 by way of a transfer of land from Poplar HARCA and CSDL and appropriation of its existing interests in the Site for planning purposes. This took place in June 2020. A copy of the Authority's report can be accessed via Appendix 2.
- 11.28 Affected parties have been written to in order to secure access to their premises in order to undertake a full assessment of Right to Light impacts and to undertake settlement negotiations. Poplar HARCA have confirmed that they will bear the reasonable cost of settlement negotiations.
- 11.29 The Authority will continue to monitor Poplar HARCA/CSDL efforts to agree negotiated settlements.

## 12 CONSULTATION AND ENGAGEMENT WITH STAKEHOLDERS

12.1 Poplar HARCA has carried out consultation on proposals for regeneration on an ongoing basis from 2011 to present.

12.2 The Authority is satisfied that Poplar HARCA has had regard to the National Estate Regeneration Strategy which was issued by the then Department for Communities and Local Government. Through a combination of practical advice and guidance, it addresses the common elements and challenges that most schemes will need to consider. It is particularly aimed at the early stages of regeneration, as schemes move from aspiration and concept to developing tangible options and plans.

12.3 The consultation as set out in 12.1 has ultimately lead to the current scheme proposals. All consultees were involved in the preparation of detailed designs since early 2012. This consultation activity consisted of:

- Newsletters
- Presentation of development proposals to Estate board
- Presentation of proposals to local community groups and the Poplar All Faith group
- Presentation of development proposals at public events and regular Chrisp Street festivals
- Surgeries
- Home visits and 'door-step' survey
- Drop in sessions
- Open Events
- Group specific consultation events
- Authority members
- Estate Board
- Community Groups



- Updates on the Scheme included in every Chrisp Street newsletter since 2008
- Letters in response to written inquiries
- Emails in response to emailed inquiries
- Feedback Forms
- Chrisp Street consultation website (which was re-launched in September 2020 and will be regularly updated with progress on the scheme)

### **Consultation outcomes**

12.4 Outcomes from this consultation identified issues that stakeholders wished to see incorporated into the proposed scheme. These included:

- More night time activity
- Cinema
- Theatre
- Bowling alley
- Better quality market
- Better quality open space
- Skills bank space
- Better accessibility for people with disabilities
- Accessible public toilets with baby change facilities
- Better housing
- Retention of heritage

### **Recent consultation**

12.5 The consultation process was intensified in June 2018 with the publication and distribution of the stakeholders' brochures covering commitments made to retail

businesses; owners of residential property; tenants of Poplar HARCA; market stall holders; Lock Up occupiers.

- 12.6 Consultation from July 2018 onwards has been ongoing, a summary of this is set out in the communication strategy document in Appendix 8.

### **Consultation going forward**

- 12.7 Future events and 1-1 discussions (where Covid regulations permit. Where this is not permitted, alternative approaches will be put in place) to inform individual stakeholders of what the impact of the scheme will mean to them will continue. Continued engagement and negotiations with affected parties are on-going through a variety of methods including face to face where safe to do so.
- 12.8 The Scheme has a minimum duration of at least 7 years to complete, therefore a forum for on-going consultation is needed during that process.
- 12.9 There are a wide range of stakeholders who have a current interest and are likely to have a future interest in the scheme. The Chrisp Street Engagement Coordinator is employed by Poplar HARCA but seconded to Telford Homes. The Chrisp Street Engagement Coordinator will set up a 'Chrisp Street Regeneration Consultative Group'. Agreement has been reached that this group will be chaired by a local ward member and made up of representatives of traders, residents, local community groups, Poplar HARCA and CSDL. Commencement of these face to face meetings has been delayed by the Covid pandemic but will be commenced as soon as circumstances allow.
- 12.10 Once able to meet, the group will meet quarterly to be updated on progress and help to inform the future of the district centre. The group will have the opportunity to express their opinions directly to the decision makers on the project.

12.11 The forum will not replicate or confuse any element of the CPO negotiation process. Authority officers and Poplar HARCA/CSDL representatives anticipate it will serve as a useful consultative mechanism for stakeholders to be kept informed of the Scheme's progress and help shape the strategic overview of the management and development of elements of the trading environment within the new scheme e.g.:

- Raising the profile of the Chrisp Street district centre and promoting and advertising of Chrisp Street through the local community and their wider networks.
- Discussing general or specific concerns about scheme progress and delivery and the day to day impact of having a major building project in close proximity to their homes and/or businesses.
- Helping ensuring the new environment is economically successful; delivers social outcomes; and contributes to community cohesion.

12.12 Details of the proposed approach are set out in the communication strategy at Appendix 8. An addendum to this strategy to set out the approach under lockdown conditions due to Covid-19 is included in the same Appendix.

## **13 SPECIAL CONSIDERATIONS**

### **Statutory Undertakers**

- 13.1 The Order Land includes land interests leased by a number of statutory undertakers, as described in the Book of Reference. In particular, over 500 unique utility assets have been identified with seven different utility companies that will be impacted by the redevelopment of the Site.
- 13.2 Over the last two years, Poplar HARCA/CSDL have engaged with the various statutory undertakers for the disconnection, diversion, alteration and/or removal of their existing equipment and the installation of new equipment to serve the Scheme in the planning of each phase. They have commissioned a specialist company – Utility Results – to have ongoing engagement with utility companies.
- 13.3 Consultation has been undertaken with all impacted parties and agreement in principle has been reached that will enable the stopping up and compulsory purchase of the site whilst maintaining and or altering the assets as agreed by the utility companies, thus enabling the redevelopment to proceed whilst securing the essential utilities for existing residents and businesses.

### **Section 19 Certificate Application**

- 13.4 Section 19 of the Acquisition of Land Act 1981 requires that where a CPO includes public open space it must be subject to Special Parliamentary Procedure unless a certificate under s19 is obtained from the Secretary of State. Plot 35 shown coloured yellow on the CPO Plan is a 112 square metre children’s play space adjacent to the Market Square (“the Original Playspace”) and in respect of this land a certificate under s19 of the Acquisition of Land Act 1981 will be sought from the Secretary of State to authorise its acquisition through the Order.
- 13.5 The s19 application will be made under s19(1)(a) to acquire the Original Playspace in order to facilitate landscaping to the market square. As part of the Scheme, new publicly accessible playspace will be provided which will be considerably greater in

area to the Original Playspace and which will be considerably more advantageous to the public. The replacement playspace comprises of land at Market Square, Cordelia Square and south of Block M (“the Replacement Playspace”). The total size of the Replacement Playspace is 691 square metres.

13.6 Section 19(1)(a) of the Acquisition of Land Act 1981 provides that

**19 Commons, open spaces etc.**

*(1) In so far as a compulsory purchase order authorises the purchase of any land forming part of a common, open space or fuel or field garden allotment, the order shall be subject to special parliamentary procedure unless the Secretary of State is satisfied-*

*(a) that there has been or will be given in exchange for such land, other land, not being less in area and being equally advantageous to the persons, if any, entitled to rights of common or other rights, and to the public, and that the land given in exchange has been or will be vested in the persons in whom the land purchased was vested, and subject to the like rights, trusts and incidents as attach to the land purchased.*

13.7 The proposals contained in the section 19 Certificate will not in the Council’s opinion detrimentally affect the public in any way as the amount of public open space will not decrease; indeed the Replacement Playspace will provide significant improvements to the quantity, quality and amenity of the space available compared to that which is currently provided at the Original Playspace.

**Protected Assets Certificate**

13.8 A Protected Assets Certificate will be provided confirming that heritage assets including listed buildings and conservation areas have been given special considerations as befits their status and will be adequately protected.

## 14 Human Rights and Equalities Considerations

14.1 The Authority has considered the implications of the Human Rights Act. In particular the Mayor in Cabinet considered that:

- a) Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights. Various convention rights are likely to be relevant to the Order.
- b) There is entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process. There has been and will continue to be extensive consultation and the Authority has been engaged in overseeing this process. The 'right to be heard' would be triggered by an objection to the CPO and the opportunity to make the case at Public Inquiry before the Order is confirmed.
- c) There is an entitlement to peaceful enjoyment of possessions (First Protocol Article 1). This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. The test here is whether the benefits from the Scheme are sufficient to override individual rights. The Authority takes the view that the public benefits of the Scheme do outweigh the detriment to individual interests.
- d) There is the right to life, in respect of which the likely health impacts of the proposals will need to be taken into account in evaluating the Scheme (Conversion Article 2). The test here is whether the benefits from the Scheme are sufficient to override individual rights. The Authority takes the view that the public benefits of the Scheme do outweigh the individual interests. In arriving at this conclusion, the Authority has had regard to the impacts of the Covid-19 virus and its greater impacts upon Black Asian and Minority Ethnic (BAME) communities. However, these impacts are considered to be a temporary situation and on balance, the view is that the

Scheme offers such a wide range of benefits that improve living and working conditions that any individual rights will be outweighed.

- e) The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Authority's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate. The Authority has considered this and considered that the interference is necessary and proportionate and therefore is justified
- f) There is a right to respect for private and family life, including a person's home (Convention Article 8). Such rights may be restricted if the infringement is legitimate and fair and proportionate and in the public interest.

14.2 The Authority is required to consider whether its actions would infringe the human rights of anyone affected by the making of the Order. The Authority must carefully consider the balance to be struck between individual rights and the wider public interest. It is considered that any interference with the Convention rights caused by the Order will be justified in order to secure the social, physical and environmental regeneration that the Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the Compensation Code. Additionally, HARCA/CSDL have demonstrated to the Authority's satisfaction that they have put in place robust arrangements to consider the needs of individuals affected by the scheme and where appropriate to develop rehousing/compensation packages that are over and above the requirements of the compensation code. The Authority has therefore concluded that the interference with private rights is justified and in the public interest.

14.3 In resolving to make the Order, the Cabinet had regard to the rights of property owners under the European Convention of Human Rights, as incorporated into domestic law by the Human Rights Act 1998. In balancing the rights of the

individuals affected and the interests of the public, and especially in the light of the significant benefits arising from the Scheme, the Cabinet considered that there was a compelling case in the public interest for making the Order. The Authority has considered the above matters and has balanced individual rights against the benefits that the scheme brings.

- 14.4 The Authority has concluded that there is a compelling case in the public interest for making the Order as this will bring benefits to both the residents and businesses of the local area. These benefits could not be achieved without the exercise of compulsory purchase order making powers and the exercise of these powers will outweigh the loss that will be suffered by individual landowners.
- 14.5 The Order follows existing legislative provisions in respect of the making and confirming of CPOs and the payment of compensation. As such the Council considers this to be compatible with the Convention. The Council also believes that the use of compulsory purchase powers to achieve the objectives of the Scheme and the local area are proportionate to the interference with human rights.
- 14.6 The detail of the Authority's consideration of human rights and equality issues is set out in the 26 September 2018 Cabinet Report. The full Cabinet Report is referred to at Appendix 2 – List of Documents.

### **Equality Act Considerations**

- 14.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender re-assignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. Section 149 of the Equality Act 2010 places the Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers. In particular the Authority must pay due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;



- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14.8 Tier 1, paragraph 6 of the Guidance requires the Authority to have regard to the need to meet the aims of (a)-(c) throughout the compulsory purchase process. Therefore, it has carried out a formal equality impact assessment of the CPO and the Scheme.

14.9 These obligations are aligned with and delivered in conjunction with contribution to the One Tower Hamlets objectives of reducing inequalities, ensuring community cohesion and strengthening community leadership.

14.10 The Equality Act implications of the Scheme were considered by the Authority at Cabinet when the Order resolution was approved. In summary the Scheme overall, and in particular the new and improved community assets and infrastructure it will deliver, are considered to address the impacts of the construction process on the local communities and in the longer term will support community wellbeing and social cohesion.

14.11 The Authority's Community Plan includes four key themes:

- *A Great Place to Live*
- *A Prosperous Community*
- *A Safe and Cohesive Community*
- *A Healthy and Supportive Community*

14.12 In addition to these themes is the overarching aim of One Tower Hamlets, a separate theme which cuts through each of the others. One Tower Hamlets

encompasses work towards tackling inequality, strengthening cohesion and building community leadership and personal responsibility.

- 14.13 Aims and activities under the theme of "A Great Place to Live" include the provision of a larger number of homes which will seek to address the housing shortfall, a significant increase in the number of wheelchair accessible properties, and internal improvements to a large number of properties to improve the living standards of the occupants.
- 14.14 The Scheme further delivers on the key themes of "A Safe and Cohesive Community" and "A Healthy and Supportive Community" through meeting the standards for Secure by Design and through the provision of a range of informal play space for a wide age range of children.
- 14.15 The detail of the Authority's consideration of human rights and equality issues relating to the proposed CPO is set out in the 26 September 2018 Cabinet Report. The Authority has ongoing monitoring arrangements in place to confirm that the mitigation actions are being implemented. It is the Authority's view that appropriate mitigation is in hand, but that there have been no significant changes since the Equalities Impact Assessment (EqIA) was first undertaken and a further refresh of this EqIA carried out in December 2020 (Appendix 6).
- 14.16 The EqIA was refreshed in December 2020 and showed no change in the impacts described in the report considered by Cabinet in September. The EqIA will be refreshed again at least once in the CPO process up to its confirmation. The Authority considers that there has been very little change in the impacts described, apart from the ongoing residential decanting process leading to a decline in the quantum of residents on the Site.
- 14.17 The Authority has had regard to the impacts of the Covid-19 virus and its greater impacts upon Black Asian and minority ethnic (BAME) communities. However, whilst Covid-19 has had a potentially devastating impact on BAME communities from a health perspective, it is not considered that the CPO Process and the

implementation of the Scheme would compound or exacerbate that impact. The Authority considers that the long-term benefits of the Scheme with respect to improved housing provision, employment creation and improved retail environment are particularly beneficial to BAME communities and to not progress this matter would be to their detriment.

## **15. COMPLIANCE WITH THE GUIDANCE**

15.1 The Guidance sets out those matters to be taken into consideration by the Secretary of State when determining whether or not to confirm a compulsory purchase order. The Authority should have regard to these same matters when determining whether or not to make the Order. Each of these matters is set out and considered in this section.

### **Need for the land included within the Order**

15.2 Paragraph 13 of the Guidance provides that if an acquiring authority does not:

- have a clear idea of how it intends to use the land which it is proposing to acquire; and
- cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale

It will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making.

15.3 The Council has had regard to the composition and layout of the proposed development as set out at section 5 above and is satisfied that all land interests are required for the construction and operation of the Scheme.

### **Impediments to the Scheme going ahead**

15.4 Paragraph 15 of the Guidance states that "The acquiring authority will also need to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation. These include:

- the programming of any infrastructure accommodation works or remedial work which may be required; and
- any need for planning permission or other consent or license".

- 15.5 Section 1 of this Statement of Reasons provides details of the Planning Permission obtained for development that would be capable of delivering the Scheme. While there may be conditions to be satisfied prior to the commencement of any development works, there are no known reasons why such approvals would not be forthcoming. The Authority is therefore satisfied that there are no planning impediments to the implementation of the Scheme.
- 15.6 The Scheme does not require any major infrastructure or significant remedial works.
- 15.7 Poplar HARCA has been allocated funding from the GLA's Affordable Housing 2016/21 Programme of £13,040,000 to fund the 163 re-provided new homes at London Affordable Rent and £1.036m to fund the provision of 37 Shared Ownership affordable homes.
- 15.8 In addition, through its parent company, Telford Homes Ltd, CSDL has the resources and capability to deliver the Chrisp Street District Centre regeneration. The project is included in the forward work plan and initial staff have already been allocated to and are working on the delivery of the project. .

#### **Compliance with the requirements of section 226(1)(a) of the 1990 Act**

- 15.9 Tier 2, Section 1 of the Guidance sets out detailed guidance on the use of compulsory purchase powers pursuant to section 226(1)(a) of the 1990 Act. Paragraph 95 advises that: "This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist."
- 15.10 In terms of those specific matters to which the Secretary of State will have regard when considering whether or not to confirm an order made pursuant to section 226(1)(a) of the 1990 Act, paragraph 106 states that such matters include:
- 15.10.1 *"whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan*

*exists, with the draft Local Plan and the National Planning Policy Framework*

*15.10.2 the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area*

*15.10.3 whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.*

*15.10.4 the potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the acquiring authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position "*

15.11 Each of these matters is considered as follows:

15.12 With regard to 15.10.1 this is addressed in detail in Section 8 of this document.

15.13 With regard to 15.10.2 this is addressed in detail in Section 7 of this document.

15.14 With regard to 15.10.3 the Authority's view is that the acquisition of the Order Land is the only way in which the purpose of the Scheme can be delivered. This is addressed in detail in Section 10 of this document. CSDL and the owner of the majority of the Order Land, Poplar HARCA, have worked closely with the Authority to develop a scheme that meets local planning priorities in maintaining and enhancing the district shopping centre while also making a contribution to provision of additional homes to support meeting London Plan Housing delivery targets. No alternative proposals have been put forward for this Site and there are no local alternative areas where this Scheme could be relocated to.

15.15 With regard to 15.10.4 this is addressed in detail in Section 6 of this document.

15.16 Other matters that the Guidance (Para 196) requires that information be provided on, where relevant to this Scheme, and not previously addressed are:

15.16.1 Section 6A(1) of the Land Compensation Act 1961 provides that *“The no-scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of the land (see rule 2A in section 5)”*.

For the purposes of section 6(A), the “scheme” means the scheme of development underlying the acquisition.

Section 5 explains that the underlying scheme is to be the scheme provided for by the Order unless it is shown that the underlying scheme is a scheme larger than, but incorporating, the scheme provided for by that instrument.

The Order authorises the compulsory acquisition of land and new rights for the commercial-led, mixed use regeneration of the Chrisp Street district centre. The Authority confirms that the red line area of the Order Land encompassing both the land and new rights reflects the extent of

the scheme to be disregarded for the purposes of assessing compensation.

15.16.2 Any special considerations affecting the order site e.g.:

15.16.2.1 Ancient monuments – There are no ancient monuments affected by the Scheme

15.16.2.2 Listed buildings and conservation areas – For the purposes of the planning application, all listed buildings within 500 metres of the site and the highly graded (i.e. grade I and II\*) listed buildings between 500 metres and 1km of the application site were identified. All conservation areas and registered park and gardens have been identified within a 1km radius of the site. The Scheme itself sits within the Lansbury Conservation area.

A detailed heritage Statement was prepared and submitted as part of the planning application which are not detailed here but can be accessed through the link at Appendix 2 – List of Documents. A protected assets certificate is being provided.

15.16.2.3 Special category land – There is land held by statutory undertakers and public open space as mentioned in Section 13.

15.16.2.4 Consecrated land – There is no consecrated land within the Site.



15.16.2.5 Renewal area – There are no local renewal areas affected by the Scheme

15.16.2.6 Details of any views which may have been expressed by a government department about the proposed development of the order site – No views have been sought from government departments regarding the scheme and none have been received.

15.16.2.7 Related orders

15.16.2.7.1 A section 19 certificate is being sought in respect of the public open space, as described at section 13 above.

15.16.2.7.2 A highway stopping up order will be applied for to facilitate the delivery of the Scheme. The Council will make an application to the Secretary of State pursuant to section 247 of the 1990 Act in respect of Southill Street – Plot 16. Traffic Regulation orders will also be made as necessary. It is intended that any unresolved objections to the proposed road closure orders will also be dealt with at the same time as any public inquiry to be held in respect of the Order.

## 16. FURTHER INFORMATION

- 16.1 Copies of the Order, Order Map, this Statement of Reasons and appendices can be inspected during office hours at the Authority's offices the London Borough of Tower Hamlets, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG, between 9:00 am and 5:00 pm Monday to Friday and on the Authority's website [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)
- 16.2 For information regarding the Order please contact Rita Bange, London Borough of Tower Hamlets, Legal Services, 6<sup>th</sup> Floor Town Hall, Mulberry Place, Clove Crescent, London, E14 2BG (e mail address [Rita.Bange@towerhamlets.gov.uk](mailto:Rita.Bange@towerhamlets.gov.uk) For information regarding the Scheme please contact: Tony Draper, Poplar HARCA, 167a East India Dock Road, London E14 0EA, email address [tony.draper@poplarharca.co.uk](mailto:tony.draper@poplarharca.co.uk)

## **17. INQUIRIES PROCEDURES RULES**

- 17.1 This statement is not intended to be a Statement of Case for the purposes of the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 2007.
- 17.2 In the event of a Public Inquiry the Authority expects to refer to the documents listed in Appendix 2 to this statement. The Authority may also refer to other documents in order to address any objections made to the Order.