

THE LONDON BOROUGH OF TOWER HAMLETS

ABERFELDY ESTATE (PHASES 3 - 6)

COMPULSORY PURCHASE ORDER 2016

STATEMENT OF THE COUNCIL'S REASONS FOR MAKING THE ORDER

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1. **Background and Introduction**

1.1 The London Borough of Tower Hamlets (“**the Council**”) has made The London Borough of Tower Hamlets (Aberfeldy Estate – Phases 3 - 6) Compulsory Purchase Order 2016 (“**the Order**”) under s226(1)(a) of the Town and Country Planning Act 1990 which is to be submitted to the Secretary of State for confirmation.

1.2 The Council’s purpose in seeking to acquire the land which is included within the Order (“**the Order Land**”) is to facilitate the delivery of a comprehensive scheme of regeneration of the Aberfeldy Estate and its immediate environs (“**the Scheme**”) and in particular, the redevelopment over 4 phases of thirteen blocks of housing accommodation, retail provision forming part of the Scheme and other buildings and land. The blocks affected are:

- Phase 3 – Adams, House, Arapiles House, Athenia House, Jones House, Sam March House, Theseus House and Trident House
- Phase 4 – No’s. 25 – 55A Aberfeldy Street, 36 – 50A Aberfeldy Street, which includes retail premises
- Phase 5 – Heather House, Tartan House, Thistle House
- Phase 6 – Jura House

1.3 The CPO will enable the Council to assemble in its ownership the land and interests included in the Order and coloured pink on the Order Map and regenerate the Order Land; creating a much needed new neighbourhood hub, health facilities, retail provision, community facilities, improved public realm and new high quality residential dwellings for affordable and social rent, shared ownership and for sale.

1.4 The Aberfeldy Estate was built in various phases between the 1930’s and the late 1970’s and a major regeneration scheme to inject significant capital investment is underway. The Estate and surrounding area suffers from severe social disadvantage with high levels of unemployment, low incomes, poor health and anti-social behaviour problems. Tower Hamlets is one of the most deprived local authorities in England (Communities

Department Indices of Deprivation 2015) with the highest percentage of children (39.3%) and older people (49.7%) in income-deprivation in England.

- 1.5 Regeneration of the Aberfeldy Estate, which is situated in one of the most deprived wards in London, is a priority for the Council and its Registered Provider partner, Poplar HARCA which, as part of its wider commitment to improvement and regeneration in the area has already invested significant sums in bringing homes that are to be retained up to the 'Decent Homes Standard' (as defined by the Government) and decanted the first two phases of the scheme, demolished the blocks and commenced the build of these phases of the regeneration scheme to bring forward new modern homes for the borough.
- 1.6 There are numerous other issues which have impacted significantly on the quality of life for the residents in the area including inadequate security to the blocks and individual homes, poor thermal and acoustic insulation, inadequate refuse disposal and collection facilities and poor quality housing amenity space. In addition to the problems presented by the physical condition of the housing and environment the area suffers from severe social disadvantage with high levels of unemployment, social and community isolation due to the surrounding major road network, low incomes, poor health and significant anti-social behaviour problems. In general, the area lacks any permanent social and community infrastructure which the regeneration scheme aims to remedy.
- 1.7 The Scheme represents a package of proposals with the aim of comprehensively regenerating a major part of the Aberfeldy Estate area through selective demolition and redevelopment.
- 1.8 The full regeneration Scheme comprising of phases 1-6 consists of redevelopment to provide 1176 new residential dwellings. The Scheme will also involve replacement provision of retail space within a new neighbourhood hub, which will include community space and health provision with associated car parking and landscape works across the estate.
- 1.9 The Scheme is being promoted by the Council's Registered Provider partner Poplar HARCA following the successful transfer of the estate into their ownership in two tranches, one in 1998 and another in 2007 as part of the Council's Housing Choice programme. Poplar HARCA has owned and managed the Estate since the transfers

and is a Registered Provider and a Charity that owns and manages circa 9,000 homes in the E3 and E14 postcodes within the borough. Poplar HARCA has committed over £300M to estate renewal projects since its inception and has built over 1,000 new homes in partnership with the community and leading developer partners and is actively pursuing estate regeneration initiatives to improve the quality of life, economic opportunities and environment for its residents.

1.10 A 'Housing Choice' programme was developed as the Council had insufficient financial resources to bring all of its properties to the Decent Homes Standard. The stock transfer enabled Council owned properties on the estate to benefit from improvements to refurbish the properties. In the 2007 Transfer Order, commitments were made to the Council by Poplar HARCA to enable redevelopment of a mixed tenure housing scheme in what is now Phase 1 of the overall regeneration programme. Poplar HARCA subsequently developed proposals for a much more extensive regeneration programme which will deliver the following benefits:

- The replacement of units at the end of their useful life with new high quality residential development built to current space and sustainability standards;
- The delivery of much needed homes of a size that will meet current needs and quality that is more environmentally sustainable;
- A more sustainable and mixed community with a wider range of tenures;
- Improved landscaped amenity areas and play spaces;
- New Community facilities;
- New retail provision

1.11 Poplar HARCA has already invested significant sums in bringing the Aberfeldy estate properties up to Decent Homes Standards, along with external refurbishment and environmental improvements. However, the properties affected by the CPO fail to meet current and future demand, are costly to run due to energy inefficiencies and do not meet current design standards.

1.12 The Council's aim is to deliver successful '*Placemaking*' in Tower Hamlets to create locally distinctive, well designed, healthy and great places which interconnect with, respond and integrate into the wider London area (Tower Hamlets Core Strategy, 2010). This will be achieved by transforming Poplar Riverside into a revitalised and integrated

community reconnecting with the A12 and River Lea (Tower Hamlets Core Strategy, 2010). As well as comprising a significant housing component, the Scheme seeks to achieve transformational change in a disadvantaged area of the borough.

- 1.13 Poplar HARCA and their Joint Venture partners are investing over £250M of funding into this estate over the next 5 years. The Scheme funding is predicated upon homes to be built for sale, which provides cross-subsidy to fund the development of the new affordable homes. The gross development value of the scheme within the CPO area is in excess of £247 million.
- 1.14 The Council is satisfied that the acquisitions will facilitate the redevelopment and improvement of the Order Land to provide a more cogent neighbourhood hub, new health facilities, new retail provision, new community facilities, improved public realm and modern high quality residential dwellings for social and affordable rent, shared ownership and for sale in a manner which will positively impact the economic, social and environmental wellbeing of the area.
- 1.15 Poplar HARCA has sought the support of the Council in using its CPO powers to deliver the land assembly for the regeneration Scheme in order to facilitate the effective delivery of the regeneration programme. The remainder of the regeneration Scheme for which this support is required consists of 4 delivery phases. The Council proposes to make a single CPO for all 4 phases and then to vest the land as it is required for each successive development phase. This is in order to maximise the time allowed to acquire the various interests through voluntary negotiations.
- 1.16 To complete the regeneration Scheme, it is necessary for the Council to compulsorily acquire the residential and commercial property interests within the defined area. Poplar HARCA has commenced negotiations to acquire these interests by voluntary agreement and these acquisitions remain to be completed. Consequently the Council is making the Order at Poplar HARCA's request in order to secure the outstanding interests and thereby facilitate the completion of the Scheme.
- 1.17 For Phase 3 of the Scheme, Poplar HARCA has acquired 20 of 41 interests by voluntary agreement and agreed terms with a further 10 leaving 11 leaseholders with whom terms have yet to be agreed.

1.18 For Phases 4 – 6 Poplar HARCA has commenced dialogue with each of the owners of each commercial interests and residential leaseholders to make them aware of the timeline for the regeneration scheme for each phase, and to commence negotiations on voluntary agreements, where there is a desire by the owner to reach an early settlement for their interest.

2. Enabling Powers

2.1 The proposal to make the CPO was approved by the Mayor in Cabinet on 6th October 2015. The Order will be made under Section 226 (1)(a) of the Town and Country Planning Act 1990 (“the 1990 Act”) as amended, the Council being satisfied that the proposed acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land. Additionally, the development will satisfy the test in s226 (1A) by contributing to the achievement of the promotion or improvement of the economic, social and environmental well-being of the local authority's area. Further commentary on the enabling power is set out in Section 12 of this Statement of Reasons. The well-being test is addressed in Section 6.

2.2 This Statement of Reasons is a non-statutory document and it is provided in line with the advice in Section 1 to Guidance on Compulsory Purchase Process (October 2015). The guidance sets out the powers which enable public bodies on which they are conferred to acquire land compulsorily. The guidance sets out that Acquiring Authorities should use compulsory purchase powers where it is expedient to do so. However, a Compulsory Purchase Order should only be made where there is a compelling case in the public interest. This Statement of Reasons explains why the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for making the Order in line with Stage 2 of Guidance on Compulsory Purchase Process (October 2015), which justifies interfering with human rights of those with an interest in the land sought to be acquired. It is considered that the tests in the above Circular are met and there is a clear and compelling case for confirmation of the Order as set out in Stage 2 of the guidance and that the justification for Compulsory Purchase is fully set out in this Statement of Reasons.

2.3 The Order will be submitted to the Secretary of State for Communities and Local Government (the "Secretary of State") for confirmation pursuant to the Acquisition of Land Act 1981. 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 by the Secretary of State, on a phase by phase basis, the Council will either serve Notices to Treat followed by Notices of Entry or execute General Vesting Declarations, the result of which will be to vest the Order Land in the Council.

3. Location and Description of the Order Land

3.1 The Order Land forms part of the Aberfeldy Estate which is situated within the East India and Lansbury ward, E14 and is shown on the map referred to in the Order (“Order Map”). The Order land covers an area bordering Abbots Road to the north and east, East India Dock Road to the south and the A12 highway to the west.

3.2 The Order Land comprises an area of approximately 8.8ha and forms part of the larger Aberfeldy Estate. The Order Land consists of a series of buildings in various uses, including 13 residential blocks, retail shop spaces, a mosque operating in two shop units and a community hall together with an outside ball court and various statutory interests not already owned by Poplar HARCA or the Council (also identified in the Schedule to the Order) as follows:

3.3 Residential properties described by Scheme phase, comprising 213 dwellings as listed below:

- Phase 3 – Adams, House, Arapiles House, Athenia House, Jones House, Sam March House, Theseus House and Trident House
- Phase 4 – No’s. 25 – 55A Aberfeldy Street, No’s. 36 – 50A Aberfeldy Street
- Phase 5 – Heather House, Tartan House, Thistle House
- Phase 6 – Jura House

3.4 Other land interests to be acquired / extinguished:

- 24 retail units, No’s. 25 – 55A Aberfeldy Street, No’s. 36 – 50A Aberfeldy Street
- Community Access Centre, Dee Street and attached play area
- Electricity Sub stations in Aberfeldy Street and adjacent to East India Dock Road
- Rights of Way
- Way Leaves

If there is a need to oversail the public highway, this will be subject to securing appropriate licenses from the local authority.

4. Purpose of the CPO

- 4.1 The CPO will secure the necessary land assembly and unification of ownerships required to facilitate the delivery of the comprehensive regeneration of the estate to meet the Council's and Poplar HARCA's regeneration objectives. The redevelopment proposals are supported by a strong national and local policy background, which is set out in more detail in Section 7.
- 4.2 The redevelopment proposals are supported through planning approvals, Poplar HARCA Board approvals and public consultation as set out in sections 7 and 10.
- 4.3 The Council considers that, in line with the requirements of the enabling power, the land and new rights proposed to be compulsorily acquired will facilitate the comprehensive redevelopment of the Order Land in a manner which will positively contribute to the improvement of the economic, social and environmental wellbeing of the locality and the wider borough.
- 4.4 A significant part of the freehold of the Order Land is in the ownership of Poplar HARCA, who through ongoing negotiations is seeking to acquire the remaining interests. In order to achieve the full benefits of re-development, it is essential that all of the remaining third party land interests are brought into one ownership and the whole site is made available for comprehensive redevelopment.
- 4.5 The Council has given careful consideration to the need for the land and new rights included in the Order Land. All of the land and new rights included within the Order are required to deliver or construct the Scheme. The Council is satisfied that the redevelopment of the Order Land will result in a significant improvement to the economic, social and environmental well-being of this area.
- 4.6 Compulsory purchase will enable the redevelopment to take place in accordance with a managed programme for the delivery of the Scheme. The Order will also enable the

Council's planning objectives for this area and the borough to be achieved. The use of compulsory purchase powers is therefore considered by the Council to be necessary and justifiable in the public interest.

- 4.7 A comprehensive approach is required to deliver all the regeneration benefits and to enable the delivery of the Scheme, with the whole site needed to enable funding of the new neighbourhood centre, health facilities, community facilities, improved public realm and new high quality residential dwellings.

5. The Scheme

General Description

5.1 The overall regeneration Scheme (Phases 1-6), including the Order Land to facilitate (Phases 3-6) involves the demolition of:

- a) 297 existing dwellings;
- b) 1,990m² of existing non-residential floor space including a parade of local retail units; and
- c) A community building.

The construction of:

- a) 1,176 new open market and affordable homes;
- b) A new neighbourhood hub with retail provision;
- c) Community and health facilities; and
- d) A faith space

The provision of improved public realm including public art.

5.2 A fuller description of the Scheme has been set out in the documents accompanying the planning applications.

5.3 The CPO is required to support the delivery of phases 3–6 of the scheme (the Order Land). The assembly of the order land will involve the demolition of:

- i. 13 blocks of flats consisting of 213 homes
- ii. 2 Blocks containing 24 retail units
- iii. The existing community building (which will be replaced)

5.4 The Order Land will accommodate the construction of:

- 100 Social and Affordable rented units – 8 one-bed, 27 two-bed, 38 three-bed, 9 four-bed, 12 five-bed and 6 six-bed units

- 13 Intermediate (shared ownership) units - 3 one-bed, 7 two-bed and 3 three-bed units; 506 private sale units - 35 studios; 131 one-bed; 340 two-bed;
- 5.4.1 A new neighbourhood hub with improved retail provision;
- 5.4.2 A new larger community centre with improved facilities;
- 5.4.3 Overall the Scheme will deliver 22,726sqm of high quality open space including enhanced play-space, open green areas, community gardens and the Linear Park through the development;
- 5.4.4 Associated car and cycle parking;
- 5.4.5 A more sustainable combined energy system.

Composition and Design

- 5.5 Space standards for affordable housing will meet the London Housing Design Guide Interim Edition 2010.
- 5.6 The new build development will be of high quality in terms of design and construction materials. They will be mixed tenure dwellings meeting 'Lifetime Homes Standards', with 10% of units fully wheelchair accessible or adaptable and compliant with Code for Sustainable Homes Level 4.
- 5.7 Where possible larger family homes will be located on the ground and first floors. All homes will have private external amenity space.
- 5.8 The scheme is designed to help reduce social isolation from the surrounding communities and existing facilities. This will be achieved by:
 - The development of a vibrant core in the new neighbourhood hub. This is achieved by relocating the existing shop units along Aberfeldy Street in phase 3 with the addition of new retail provision. The position of the new hub is designed to draw footfall through the site, via the new A13 crossing.
 - The open design and layout of the public realm will encourage people to walk to the commercial/community uses.
 - Aberfeldy Gateway being a key arrival point into this new community, the new pedestrian crossing traversing the busy East India Dock Road connects this area

to the East India DLR station reinforcing this as a primary location for retail and community uses.

- The widening of Aberfeldy Street at this location will create long sightlines from the south; the scale of the adjacent blocks reinforces the urban nature of this shared surface public space. The eastern block marks the arrival point and brings the commercial uses into clear visibility from the A13.
- The new public spaces aim is to create a lively atmosphere with a new focus for the residents of Aberfeldy and visitors alike.
- The A13 being transformed into a boulevard faced with active frontages, widened edges to incorporate avenues of trees, dedicated cycle ways, roads and parking to serve local movement
- The provision of new larger community centre and separate faith space.

Scheme Programme

5.9 The land assembly programme supported by the proposed CPO will deliver the acquisition of land interests and secure vacant possession and clean title of the site. This will enable phased re-development in the overlapping phases to commence with the following indicative timeline:

- Phase 3: Start 2016 – Complete 2018
- Phase 4: Start 2017 – Complete 2019
- Phase 5: Start 2018 – Complete 2020
- Phase 6: Start 2020 – Complete 2022

6. Benefits of the Scheme

Economic Benefits

- 6.1 The overall regeneration including the development of new modern homes will help to achieve wider economic, social and environmental benefits. The proposal will achieve the sustainable redevelopment of previously 'brownfield' developed land site with a mixed-use scheme of residential, health, commercial and community uses that will make efficient use of land and help satisfy the community's needs. The scheme maximises the use of available land by increasing density in order to meet identified housing needs and The Mayor's London Plan housing targets. Without a CPO there is a risk that the much needed new homes could not be provided on this site. The need for new modern homes in Tower Hamlets is significant and the demand will continue for the foreseeable future.
- 6.2 The residential blocks were refurbished over 10 years ago, as such are dated and do not achieve modern building standards and environmental performance compared with the new homes planned for the scheme. The regeneration Scheme will not only deliver new high quality residential accommodation but also achieves the wider economic, social and environmental benefits.
- 6.3 The Scheme will deliver high quality, sustainable homes and introduce a wider range of tenures including: social and affordable rented, intermediate home ownership and units for outright sale. The Scheme will also comprehensively integrate the new homes with the much needed improved community and health facilities and vibrant shopping parade.
- 6.4 The Scheme will provide 1,743m² of commercial space, with phased construction providing the majority of this by phase 3 of the development programme. This will be achieved by providing a new part pedestrianised retail and community 'core' area towards the southern end of Aberfeldy Street. The introduction of new faith space will be located on the east side of Aberfeldy Street.
- 6.5 The Scheme will vary the existing retail model, by achieving a cluster of complementary uses either side of Aberfeldy Street. The new shops will be located close to the highest density of the new development. It will create better accessibility across the estate for residents and shoppers, enhancing the sustainability of shop businesses in the new

Scheme. The new shops will benefit from this increased footfall from the new Scheme and will be in closer proximity to the high density office development to the south of East India Dock Road.

- 6.6 The phased delivery of the Scheme will ensure that the estate will not be without a retail centre at any point during the redevelopment. This will enable the decanting and relocation of existing retail businesses if required and minimise disruption to residents on the estate while maintaining the retail amenity throughout the construction period.
- 6.7 The development will provide key changes to the existing retail configuration which are summarised as follows:
- The elongated shop parades will be replaced with a closer concentration of the retail provision at the intersection with Aberfeldy Street and Blair Street.
 - The re-provision of shop floor space in phase 3 will be marginally (6%) lower numerically than the existing provision, but almost double the floor space actually occupied in retail use, as opposed to the ex-shops which are currently let for other uses including community use.
 - Shops on Aberfeldy Street will be able to prosper from proximity to the community and health uses, which will be well utilised by residents on the estate.
 - The new shops will allow greater flexibility in terms of sub-division of retail floor space. This will enable Poplar HARCA to provide for a range of different sized units to suit the requirement of the incoming occupiers.
 - The new shops will be built out to a higher specification with better fit outs, therefore providing an improved retail environment for residents of the estate.
- 6.8 Through the S106 planning agreement there will potentially be local opportunities for companies to bid for work or provide services. Local training opportunities will be available for local people. Through the Planning Obligations Agreement Poplar HARCA has prepared an Employment and Training Strategy, which seeks to achieve access to employment (20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs). There is a financial contribution towards skills and training and enterprise and employment at £34,232. In total the S106 contribution comes to £250,384.

6.9 In addition to the above S106 contributions, a further sum of approximately £668,000 will be allocated to the Mayor of London’s Community Infrastructure Levy (CIL).

Social Benefits

6.10 The new modern homes will provide a safe, popular and desirable neighbourhood to live in. It will replace outdated accommodation with quality homes where members of the local community may choose to live.

6.11 A total of 619 new residential units are proposed within the Order Land, replacing the current provision of 225 units. The new development comprises:

- 100 Affordable rented units – 8 one-bed, 27 two-bed, 38 three-bed, 9 four-bed, 12 five-bed and 6 six-bed units.
- 13 Intermediate (shared ownership) units - 3 one-bed, 7 two-bed and 3 three-bed units.
- 506 private sale units - 35 studios; 131 one-bed and 340 two-bed units.

6.12 Within phases 3-6 of the scheme there is an overall increase of 394 residential units. In terms of affordable provision, there is an increase of habitable rooms in affordable housing from 483 to 515. There is a small reduction in the overall number of affordable housing units, this is because Poplar HARCA has recognised the need for larger family homes to be provided and has replaced smaller rented homes with a mix of larger homes, as illustrated in the table below:

Table 1: Proposed tenure by bedroom size (Phases 3-6) – Affordable Housing

Ownership	Type	Units	Hab rooms
Affordable Rented	Studio	0	0
	1 bed	8	16
	2 bed	27	81
	3 bed	38	190
	4 bed	9	54
	5 bed	12	84
	6 bed	6	48
Total affordable rent		100	473

Intermediate (affordable)	Studio	0	0
	1 bed	3	6
	2 bed	7	21
	3 bed	3	15
	4 bed	0	0
	5 bed	0	0
Total intermediate		13	42
Total new affordable		113	515

- 6.13 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 peoples' needs. The delivery of new housing also supports the Council and the GLA'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 residents' association and by inviting new residents to participate in these arrangements.
- 6.14 In the past six years, Poplar HARCA has embarked upon an extensive programme of place-making, called '*Reshaping Poplar*'. In addition to providing new homes, this programme seeks to transform the quality of the environment and the quality of life in Poplar, with new and improved health facilities, schools, leisure facilities, retail and commercial workspace, green spaces and physical infrastructure. This Scheme presents the development of a key regeneration opportunity.
- 6.15 The Scheme has been designed to improve the housing quality and offer, enhance the local area, tackling anti-social behaviour and providing a desirable destination to live in, visit and make use of the retail and community facilities on offer.
- 6.16 In particular, the Scheme is designed to:
- Better integrate new housing with an improved retail and community area,
 - Create a central hub for community and retail activity and promote greater social inclusion,
 - Significantly improve the landscaping and visual appearance of the built environment,
 - Introduce new children's play areas and open public spaces,

- Enhance the general safety and security of the area.

6.17 There is also a legal agreement in place which requires the provision of a new home for the local mosque the Aberfeldy Islamic Cultural Centre (AICC). This will provide both a faith space and a community facility for residents in the local area. The re-provision will significantly enhance the current space occupied by the AICC, which is located within two shop units with use of two maisonettes on the floor above the retail space. Provision is being made to deliver a modern faith space, into which the AICC can be accommodated. The proposed faith space will provide an enlarged community facility for worshippers to meet the local demand in the area. The faith space will also enable a number of other community activities such as education and training classes, women and youth activities, funeral services, weddings and social gatherings all tailored to the local community needs. The new faith space will benefit from an accessible location, with good access to public transport and provision of cycle storage facilities on site.

6.18 There are financial benefits secured through the S106 agreement which will assist, along with other local measures which the Council will seek to deliver. The contributions include:

- Education: £109,000
- Public Art: £50,000
- Community Chest: £150,000
- Monitoring Fee: £10,305
- Public Realm Improvement Strategy: £416,000
- Community Liaison Officer: £275,000
- Training Allowance: £378,000

Environmental

6.19 The environmental aspects of the Scheme fall into two broad categories:

- a) The improvements to the public realm and landscaping to make the locality a more pleasant and safer environment to live within.
- b) The environmental sustainability of the proposed Scheme which is set out in the following paragraphs.

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

- a) The redevelopment provides a sustainable pattern of development, re-using previously developed land in a more comprehensive and effective manner, by providing additional community facilities, retail and faith provision, within a defined area. The site's proximity and accessibility to associated amenities and public transport facilities, together with low level of car parking spaces provide for sustainable transport solutions.
- b) Reducing dependency on the car through the promotion of a range of alternative forms of transport – rail, bus, cycling and walking – is an important aim of the proposals. The Scheme is located in an area of high accessibility to public transport and provision is being made for secure storage and parking for cycles across the entire estate.
- c) Buildings are to be designed to “Lifetime Homes” standards, to allow for future flexibility and “Secured by Design” standards for safe design.
- d) Homes are to be built to “Code for Sustainable Homes Level 4”.

This will achieve a minimum of a 24% reduction in carbon emissions above Part L 2013 Building Regulations.

- e) Energy consumption and CO2 emissions will be reduced by:

- i. Improved fabric performance over current standards,
 - ii. Solar shading and good air tightness,
 - iii. Passive-led ventilation strategy,
 - iv. The use of mechanical ventilation with high heat recovery where required,
 - v. Energy efficient lighting systems and good control,
 - vi. On-site gas Combined Heat and Power (CHP) energy plant to supply heat to the whole development,
 - vii. Use of roof mounted Photo-Voltaics (PV's) to supplement the electric supply.

- f) Consideration will be given to reusing demolition material from the existing buildings on site wherever practical. In addition, Poplar HARCA will attempt to seek a commitment by the contractor to ensure materials are sourced and procured responsibly.

- g) To minimise demand on the local water supply, internal water control measures within each of the facilities on site will be applied, external water use will be reduced through the provision of water butts to the boundary housing and rainwater collection from the flats.

- h) A surface water management approach will provide a Sustainable Urban Drainage System (SUDS) solution.

- i) The Scheme proposes the following water conservation technologies:
 - j) Rainwater Recycling
 - k) Grey Water Utilisation
 - l) Water Efficient Appliances

- m) Landscaping of the development will seek to maximise the potential use of the external spaces for user groups, community facilities, faith space and residents having regard to the surrounding urban form and to current and future user's requirements. Also, the development will seek to respond to constraints such as shading, wind and water requirements. The landscaping will seek to respond to CSH and BREEAM requirements

and to protect and promote biodiversity whilst retaining notable trees where possible.

- n) A 'Good' standard of sound insulation will be achieved throughout the Scheme.
- o) The Scheme has been designed to allow for effective storage and collection of waste and items for recycling.

7. Planning Consideration

Planning Applications

- 7.1 The Council is satisfied that there are no planning impediments to the implementation of the Scheme. The whole regeneration Scheme has been granted outline planning approval by the London Thames Gateway Development Corporation on 20th June 2012, application reference: (PA/11/02716/LBTH), with detailed planning approval being secured on a phase by phase basis, either through reserved matters applications including S73 Applications to seek amendments to the outline planning approval, and detailed planning permission.
- 7.2 The outline planning approval is for:
- 'Demolition of 297 existing residential units and demolition of 1,990sq.m (GIA) of existing non-residential floor space, including shops (use class A1), professional services (use class A2) food and drink (use class A5), and community, education and cultural (use class D1); and*
- Creation of a new led, mixed-use scheme comprising new residential units (use class C3) in 15 new blocks between 2 and 10 storeys in height, plus non-residential floor space including shops (use class A1) professional (use class A2), food and drink (use classes A3 and A5) and community and cultural uses (use class D1), together with new and improved public open space and public realm, semi basement, ground and on-street vehicular and cycle parking, and temporary works or structures and associated utilities/services required by the development'.*
- 7.3 The outline application includes the whole of the development (phases 1-6) and includes within this the CPO area which consists of (phases 3–6) of the regeneration Scheme. The Scheme is part of a Master Plan which sets out Poplar HARCA's vision for the regeneration of the Aberfeldy Estate.
- 7.4 Phase 3 of the Scheme (part of the CPO area), secured planning approval through a Reserved Matters Application following a S73 Application (ref: PA/15/00002, dated 15th July 2015) to amend the outline planning approval for this phase. The Planning reference is PA/15/01826 and was approved on 13th November 2015. The planning approval is for:

'Submission of reserved matters pursuant to Condition 1 (details of siting, layout, scale, design and external appearance of the buildings, the means of access thereto and landscaping of the site), and partial approval of details pursuant to Condition 43 - (titled reserved matters further information) Sub-sections (a), (b) , (c), (d) (e), (f), (h) and (i) and partial discharge of Condition 25 (land contamination) Sub-Sections (a), (b), and (c) for the development of Phase 3 of the Aberfeldy New Village Outline Planning Permission (PA/15/00002) approved in June 2015 comprising demolition of Arapiles House, Athenia House, Jones House, Adams House, Sam March House, Theseus House and Trident House and creation of four residential blocks between 3 to 10 storeys, with a total of 344 new dwellings (21 x studio, 122 x 1 bed, 162 x 2 bed, 30 x 3 bed, 4 x 4 bed, 3 x 5 bed and 2 x 6 bed), a health centre facility, a pharmacy, a community/youth centre facility, retail spaces (618sq.m) and energy centre, public open space, car parks, cycle parking and new public open space, car parks, cycle parking and temporary works or structures and associated utilities/services required by the development'.

7.5 Preparatory work is underway to submit a Reserved Matters Application to secure detailed planning approval for Phase 4 of the scheme.

7.6 The applications were accompanied by a range of key statement documents which support the case for the regeneration scheme including:

- Planning Statement
- Design and Access Statement
- Energy Statement
- Impact Assessment
- Retail Study
- Open Space Assessment
- Arboriculture Impact Assessment
- Townscape Assessment

- Transport statement

7.7 The application was the subject to public consultation.

S106 Obligations

7.8 S106 financial obligations:

- Education: £109,000
- Public Art: £50,000
- Community Chest: £150,000
- Monitoring Fee £10,305

7.9 S106 Non-financial benefits in the agreement include:

- Public Realm Improvement Strategy £416,000
- Community Liaison Officer £275,000
- Training Allowance £378,000

7.10 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.

7.11 For the purposes of Section 38 (6) the development plan for the London Borough of Tower Hamlets comprises:

- Tower Hamlets Core Strategy 2025 - adopted September 2010
- Tower Hamlets Managing Development Document - adopted April 2013
- The Adopted Policies Map

A. National Policies

7.12 Local planning authorities must have regard to the National Planning Policy Framework (NPPF) that sets out the Government's national objectives for planning and development management together with the National Planning Practice Guidance.

- 7.13 The NPPF was published by the Department of Communities and Local Government on 27th March 2012. Central to the Framework is the promotion of sustainable development; seeking positive growth and economic, environmental and social progress. The document aims to make planning more responsive, pro-active and inclusive, allowing people and communities to take a greater lead in the decision making process.
- 7.14 The role of planning is defined in the NPPF as delivering three major sustainable dimensions. Firstly, the planning system should ensure that sufficient land of the right type, and in the right places, is available to allow growth and innovation. Secondly, it should promote strong, vibrant and healthy communities by providing a supply of housing to meet the needs of present and future generations. Thirdly, it should contribute to protecting and enhancing the natural, built and historic environment and mitigate and adapt to climate change.
- 7.15 NPPF Paragraph 14 highlights that the heart of the Framework is a presumption in favour of sustainable development that should be seen as a golden thread running through both plan making and decision making.
- 7.16 The NPPF outlines 12 core land-use principles which should under-pin both plan-making and decision-taking. The following points are relevant to the Aberfeldy Estate Regeneration Project and can be summarised as follows:
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
 - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas;
 - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

7.17 Of particular relevance to the Order and the application for planning permission are the Core Planning Principles set out in Paragraph 17 of the NPPF. These include that planning should:

7.17.1 “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”

7.17.2 “encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value;”

7.17.3 And, “... deliver sufficient community and cultural facilities and services to meet local needs.”

B. Regional Policies

The London Plan 2015

7.18 The London Plan provides the spatial development strategy for Greater London setting out an integrated social, economic and environmental framework for the future development of London looking forward 15–20 years. The Plan:

- integrates the physical and geographic dimensions of the Mayor’s other strategies, including broad locations for change and providing a framework for land use management and development which is strongly linked to improvements in infrastructure, especially transport;
- provides the London-wide context within which individual boroughs must set their local planning policies;
- sets the policy framework for the Mayor’s involvement in major planning decisions in London;
- sets out proposals for implementation and funding;

- is London’s response to European guidance on spatial planning and a link to European Structural Funds.

7.19 In the context of the Aberfeldy Estate Regeneration Scheme, the Plan states that the strategic policy for inner London should be to:

“...realise the potential of inner London in ways that sustain and enhance its recent economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing its unique concentrations of deprivation, ensuring the availability of appropriate workspaces for the area’s changing economy and improving quality of life and health for those living, working, studying or visiting there.” (Policy 2.9 – Inner London)

7.20 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)

7.21 The London Plan policies considered relevant to the proposals set out in the application for planning permission are as follows:

Adopted London Plan Policy	
Ref.	Policy Title
1.1	Delivering the strategic vision and objectives of London
2.14	Areas for regeneration
3.1	Equal life chances for all
3.2	Improving health and addressing health inequalities
3.3	Increasing housing supply

3.4	Optimising housing potential
3.5	Quality & design of housing developments
3.6	Children & young people's play & informal recreation facilities
3.7	Large residential developments
3.8	Housing choice
3.9	Mixed & balanced communities.
3.10	Definition of affordable housing
3.11	Affordable housing targets
3.12	Negotiating affordable housing
3.13	Affordable housing thresholds
3.16	Protection & enhancement of social infrastructure
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.6	Decentralised energy in development
5.7	Renewable energy
5.8	Innovative energy technologies
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood risk management
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.15	Water use and supplies
5.21	Contaminated land
6.3	Assessing effects of development on transport capacity
6.5	Funding Cross rail and other transport infrastructure
6.9	Cycling
6.10	Walking
6.12	Road network capacity
6.13	Parking
7.1	Lifetime neighbourhoods
7.2	An inclusive environment

7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location & design of tall and large buildings
7.8	Heritage assets & archaeology
7.13	Safety, security and resilience to emergency
7.14	Improving air quality
7.15	Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
7.18	Protecting open space and addressing deficiency
7.19	Biodiversity & access to nature
7.21	Trees & woodlands
8.2	Planning obligations

7.22 A key recommendation for housing supply is that the target for new dwellings of all tenures to be built in the London Borough of Tower Hamlets has been increased to 3,931 units a year between years 2015 to 2025.

7.23 On the 10 March 2015, the Mayor published the Further Alterations to the London Plan (FALP). From this date, the FALP are operative and form part of the development plan for Greater London

C. Local Planning Policy

Tower Hamlets Core Strategy 2015-2025

7.24 The Tower Hamlets Core Strategy provides the spatial vision for the borough until 2025 and sets out the overall vision and strategic objectives. Of relevance to the Aberfeldy Estate Regeneration Project is Chapter 4) '*Strengthening well-being*' and Chapter 5) '*Enabling prosperous communities*'. This is to be achieved through policies:

- SP01 – Town Centre Hierarchy
- SP02 - Delivery of housing
- SP03 - Promotion of healthy lifestyles
- SP04 - Delivering a high quality and sustainable environment
- SP05 - Reducing waste
- SP11 – Reducing Carbon emissions
- SP12 – Developing sustainable, connected well designed places
- Annex – Delivering Place-Making – Poplar Riverside

7.25 Policies SP01 and SP02 contains specific requirements relating to estate regeneration schemes such as the Aberfeldy Estate Regeneration Project:

Policy SP01 – Sets out the Council's aims in relation to refocusing of town centres. Specifically the policy requires an enhancement of existing neighbourhood centres, and to create new ones that contain a range of shops including essential uses that serve a local catchment area.

Policy SP02 – Relates to strengthening neighbourhood well-being and will be delivered through:

- Working with our housing partners to support the regeneration of housing estates and ensure that homes are brought up to at least Decent Homes Standard;
- Ensure new housing assists in the creation of sustainable places, by:
 - Ensuring new developments optimise the use of land;
 - Corresponding the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location;
 - Corresponding the distribution and density levels of housing to the hierarchy and proximity of the nearby town centre, so that higher densities are promoted in and around town centres that are higher up in the hierarchy, and lower densities in town centres lower down in the hierarchy.
- Securing additional affordable homes from a range of public-sector initiatives directly with Housing Associations as identified in the Housing Strategy;
- Secure a mixture of small and large housing by:

- Requiring a mix of housing sizes on all sites providing new housing;
- Requiring an overall target of 30% of all new housing to be of a size suitable for families (three-bed plus), including 45% of new social rented homes to be for families;
- Identifying locations within the Sites and Place-making Development Plan Document and Development Management DPD where larger family housing sizes (four-bed plus) will be sought. These include:
 - I. Areas outside of town centres where there is an existing residential community,
 - II. Where there is good access to open space,
 - III. Where there is good access to local services and infrastructure, including primary schools.

7.26 Provide a hierarchy of accessible, high-quality health facilities, services and premises to meet the needs of the existing and future population by identifying areas of search for new health facilities in the eastern part of the borough. A new health centre is planned within the Aberfeldy regeneration scheme providing a new local health provision for residents.

7.27 Designing a '*High quality City*' (Chapter 6) is also a central theme of the Tower Hamlets Core Strategy. This is to be achieved through policies:

- SP08 - Access to public transport modes
- SP09 - Promoting permeability and legibility
- SP10 - Promoting and implementing place-making
- SP11 - Reducing carbon emissions

7.28 Chapter 7 '*Delivering Place-making*' provides guidance at the neighbourhood level. The Core Strategy seeks to create an inclusive environment through developing a network of sustainable, connected and well-designed places (Policy SP12). Applicable to the Aberfeldy Estate Regeneration Project site is the place known as 'Poplar Riverside' where the Plan's vision is:

“Poplar Riverside will change from a largely industrial area to a predominately residential area. It will be a place characterised by its reconnection to the River Lea, connections across the A12 and to surrounding areas. It will fully realise its potential as an attractive location for living, working and leisure. The Aberfeldy neighbourhood centre will be enhanced alongside housing-estate regeneration and it will offer a greater range of shops and services.

A new large green space, bridges linking to and over the River Lea, and new social infrastructure will make this place a desirable location for families and new communities.

The Lea River Park and FAT Walk will offer connections northwards to the Olympic Legacy area via regeneration at Bromley-by-Bow and Fish Island”.

7.29 The Core Strategy's 'Priorities' for Poplar Riverside include:

- To manage the release of industrial land and ensure that new development is sustainable and built to the highest design standards at appropriate densities.
- To ensure the timely provision and appropriate location of social infrastructure (such as green space and bridges) that is necessary to support the growing communities.
- To overcome the barrier of the A12 to improve accessibility, mitigate its impact and improve connectivity in order to integrate Poplar Riverside into its surrounds and maximise its benefits as part of the strategic road network.

7.30 The Core Strategy's development 'Principles' for Poplar Riverside require:

- Development will be expected to positively frame, present active frontages and enhance the setting of an improved green space.
- The design of new development will need to ensure it achieves a joined-up street network and connects to surrounding routes.
- Buildings adjacent to the A12 to be designed to address and present a positive edge and buffer to mitigate noise and air pollution from the A12.

7.31 The Core Strategy Programme of Delivery (Appendix 2) identifies 10,440 new homes being required in LAPS 7 & 8 in years 2015 – 2020 with 680 new homes required in Poplar Riverside during that period. Poplar Riverside is identified for “*High growth*”.

Tower Hamlets Managing Development Document - April 2013

7.32 The Tower Hamlets Managing Development Document (MDD) provides the planning policies and site allocations to implement the Council’s Core Strategy vision and to get the best from development proposals. Applicable MDD policies have been used by Poplar HARCA to develop the Aberfeldy Estate Regeneration Project and were addressed in the documents comprised within the application for planning permission.

7.33 The Aberfeldy Estate Regeneration Project has been formulated with regard to the following provisions of the MDD:

Chapter 2 Policies:

DM1 – Town Centres;

DM3 - Delivering homes;

DM4 - Housing standards and amenity space;

DM8 – Community Infrastructure;

DM10 - Delivering open space;

DM11 - Living buildings and biodiversity;

DM13 - Sustainable drainage;

DM14 - Managing waste;

DM20 - Supporting a sustainable transport network;

DM22 - Parking;

DM23 - Streets and the public realm;

DM24 - Place sensitive design;

DM25 - Amenity;

DM26 - Building heights;

DM29 - Achieving a zero carbon borough and addressing climate change;

DM30 - Contaminated land.

Adopted Policies Map

7.34 The Aberfeldy Estate Regeneration Project Site is not an allocated site within the current Managing Development Document.

D. Other Material Considerations

Greater London Authority Publications

7.35 Greater London Authority supplementary planning guidance and supporting strategies material to the Project include:

- Social Infrastructure SPG May 2015
- Accessible London: Achieving an Inclusive Environment SPG October 2014
- Barriers to Housing Delivery – Update July 2014
- Shaping Neighbourhoods Character and Context - June 2014
- Draft Social Infrastructure SPG - April 2014
- Sustainable Design and Construction SPG April 2014
- London Planning Statement SPG - May 2014
- Housing SPG - November 2012
- Use of planning obligations in the funding of Crossrail and the Mayor's CIL – April 2013
- Shaping Neighbourhoods: Play and Informal Recreation SPG – September 2012

7.36 Of particular relevance from the list above, the Mayor published his “Housing” Supplementary Planning Guidance in November 2012. This sets out the Mayor’s aspirations for the provision of new housing in London and borough targets for the provision of homes in light of changes in housing policy at a national level. It gives guidance on how the new affordable rent housing product brought forward by the Government can be used to implement the policies in the London Plan. Importantly, it does not set out borough-level targets for affordable housing provision in his new London Housing Strategy, as he considers the London Plan now provides an adequate policy framework.

7.37 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.

7.38 The Mayor has also adopted the Community Infrastructure Levy (CIL) which raises funds to address the Crossrail deficit since 1st April 2012. Tower Hamlets is a Zone 2 borough where the levy is £35 per m² on the majority of the new development (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>). The levy has provision for mandatory relief in respect of social housing and charitable development by charities, subject to further assessment in accordance with the CIL Regulations 2010(as amended). The levy is payable on the commencement of development. Tower Hamlets Council is one of the collecting authorities to act on behalf of the Mayor of London.

Tower Hamlets Publications

7.39 Tower Hamlets supplementary guidance and supporting strategies material to the Scheme include:

- Tower Hamlets Green Grid 2011
- Tower Hamlets Open Space Strategy Update 2012
- Tower Hamlets Infrastructure Delivery Plan 2009 and Update 2012
- Designing Out Crime SPG 2002
- Street Design Guide SPG 2002

Tower Hamlets Planning Obligations SPD adopted 11th January 2012. The purpose of this SPD is to:

- Explain the Council's approach to planning obligations to local residents, developers and the wider community;
- Improve transparency in the priority and calculation of planning obligations;
- Provide applicants with greater certainty on when planning obligations will be sought;
- Provide a consistent methodology for calculating obligations required to mitigate the impact of major development proposals across the borough; and
- Take into account the cumulative impact of development in the borough and explain how this will be dealt with through the use of planning obligations.

Other Organisations

- Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (Building Research Establishment 2011)
- BREEAM Code for Sustainable Homes

Planning Position in relation to the Compulsory Purchase Order

7.40 CLG Circular - October 2015 for the disposal of surplus land acquired by, or under the threat of, compulsion' Paragraph 15 sets out the requirement 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”*

7.41 As set out in this section, given the consistency of the Aberfeldy Estate Regeneration Scheme with relevant national, regional and local planning policy and the resolution to grant planning permission referred to at paragraph 7.2 above, the Council is satisfied that there are no planning impediments to the implementation of the Scheme.

7.42 The key elements of the approved planning application were that:

- The scheme will achieve a residential led mixed-use development on ‘*brownfield*’ previously developed land including retail, community, health and faith provision.
- The Scheme will make efficient use of the site and help the Council to meet its housing targets at an acceptable density. The Tower Hamlets Core Strategy confirms that 680 new homes are required in Poplar Riverside during years 2015 – 2020 and identifies Poplar Riverside for “*High growth*”.
- The FALP increases Tower Hamlets housing targets.

- The proposed new community hub and faith space will be a community facility that accords with Core Strategy Policy SP03 and Managing Development DPD Policy DM8 and is satisfactory in land use terms.
- The Scheme proposal achieves a high quality design and realises the site's potential. As such, the application is in line with London Plan Policies 3.3 and 3.4 together with Policy SP02 of the Tower Hamlets Council's Core Strategy and Policy DM3 of the Managing Development DPD 2013; which seek the optimum intensity of use compatible with local context.
- The proposed residential units are designed to achieve good standards of accommodation and amenity. All of the proposed new dwellings will comply with the design standards of the Mayor's '*Housing*' SPG 2012 and associated Housing Standards Policy Transition Statement May 2015. All new dwellings will also be built to '*Lifetime Homes*' Standards and 10% of the dwellings will be easily adaptable for residents who are wheelchair users. This complies with the London Plan 2015 and the Mayor's '*Housing*' SPG.
- The proposed residential units are designed to achieve good standards of accommodation and amenity. All of the proposed new dwellings will comply with the design standards of the Mayor's '*Housing*' SPG 2012. All new dwellings will also be built to '*Lifetime Homes*' Standards and 10% of the dwellings will be easily adaptable for residents who are wheelchair users. This complies with the London Plan 2011 and the Mayor's '*Housing*' SPG.
- The Scheme does not present demonstrable negative impacts on the amenity of neighbours from overlooking, outlook, loss of light, overshadowing or loss of privacy. Each of these issues has been tested through a series of studies and the results show the Scheme to be acceptable in terms of the relevant BRE guidance and the urban context of the site. In these respects, the application complies with Policy SP02 of the Council's Core Strategy which seeks to protect the amenity of residential occupiers and the environment in general.
- The Scheme will meet statutory standards for cycle and car parking. Poplar HARCA will execute '*car free*' obligations with the Council in accordance with Core Strategy SP09.
- The Sustainable Energy Assessment establishes that all of the residential units will achieve a Level 4 rating in the Code for Sustainable Homes.

- The Preliminary Assessments for the Community, retail and faith use have been examined under the BREEAM New Construction 2011 scheme. The Baseline Score for these spaces achieve Indicative BREEAM Level 5 “*Excellent.*”
- The development will therefore be sustainable and compliant with London Plan 2015 Policy 5.2, the Mayor’s SPG, Tower Hamlets Core Strategy Policy SP11 and Managing Development DPD Policy DM29.

7.43 The grant of planning permission is consistent with relevant planning policy at national, regional and the local level including the National Planning Policy Framework, the London Plan and the Council’s Core Strategy and Managing Development DPD. A full review of relevant planning policy at the time of submission is contained within the Planning Statement and Impact Statement accompanying the planning application.

8. Proposed Development – Tenure and Property Mix

8.1 The accommodation schedule for the planned regeneration Scheme is set out in tables 2 and 3 below. Table 2 shows the number of properties by tenure and property size. Table 3 shows the habitable rooms and tenure mix.

This is an important distinction as the social/affordable rented homes will consist of more habitable rooms in order to recognise the need for larger homes within the affordable/social rented sector.

Table 2 - Accommodation Schedule (Phases 3-6) – Unit by Tenure

	Market		Shared Ownership		Affordable Rented		Total Units
Unit Size	No. Units		No. Units		No. Units		
Studio	35		0		0		35
1 bed	131		3		8		142
2 bed	340		7		27		374
3 bed	0		3		38		41
4 bed	0		0		9		9
5 bed	0		0		12		12
6 bed	0		0		6		6
Totals	506		13		100		619

Table 3 - Accommodation Schedule (Phases 3-6) - Habitable Rooms by Tenure

	Market		Shared Ownership		Affordable Rented		Total Hab Rooms
Unit Size	Hab rooms:		Hab rooms:		Hab rooms:		
Studio	35		0		0		35
1 bed	262		6		16		284
2 bed	1020		21		81		1122
3 bed	0		15		190		205
4 bed	0		0		54		54
5 bed	0		0		84		84
6 bed	0		0		48		48
Totals	1317		42		473		1832

8.2 The above tables illustrate that the affordable component of this scheme is focussed on providing a larger quantum of family accommodation to meet local housing needs in that 65% of the affordable rented properties and 23% of the shared ownership homes are family-sized units.

9. Case for Compulsory Acquisition

- 9.1 Poplar HARCA has been working towards the improvement of the Aberfeldy Estate for the past 7 years. Poplar HARCA previously carried out physical improvements to the estate on a phased basis following the separate transfers of Housing Stock from the Council to Poplar HARCA. This included refurbishment of blocks, enhancement of play spaces and management of community facilities. New investment is now required to enhance the well-being of the estate and deliver the Council's wider regeneration objectives.
- 9.2 Poplar HARCA extensively consulted local residents and stakeholders to help develop a detailed vision and a clear set of objectives for regeneration.
- 9.3 Negotiations have taken place with affected leaseholders and key stakeholders where their interests need to be acquired; this includes the making of formal offers to buy the leasehold interests. This has been considered through public meetings, group meetings on the planning application, letters and drop in sessions offering one to one meetings with leaseholders where requested. The negotiations have been led by Poplar HARCA, who appointed Savills to support negotiations with residential leaseholders, commercial interests and other property interests to be acquired. Savills is now jointly commissioned by the Council and Poplar HARCA to support and assist negotiations to secure settlements in relation to the CPO.
- 9.4 The Council is ensuring that every effort is made to acquire property by voluntary agreement, but it has not yet been possible to agree terms for the acquisition of the remaining interests, comprising the Order Land.
- 9.5 DCLG Circular 'Guidance on Compulsory purchase process' (October 2015) provides guidance to acquiring authorities making Compulsory Purchase Orders. In particular *"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."* The Council has satisfied itself that every effort has been made and will continue to be made by Poplar HARCA to acquire the remaining interests by agreement.

9.6 The guidance also 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”*

9.7 This is to reflect the amount of time which needs to be allowed to complete the compulsory purchase process. The guidance goes on to state *“This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”*

9.8 The Council has made the CPO in parallel with Poplar HARCA conducting and leading these negotiations, and is satisfied that the requirements of the Circular are being met.

Efforts to Acquire by Agreement – Residential Premises

9.9 There are currently 52 residential leasehold properties in the CPO area, including 26 where the owners are understood to be absent and letting out their properties. Poplar HARCA is committed to reaching voluntary settlements wherever possible and has been negotiating with owners of properties affected by the regeneration Scheme since March 2015. To date, 14 residential properties have been successfully acquired via voluntary agreement, with terms agreed on a further 14 currently with respective legal teams to complete the conveyance.

9.10 Poplar HARCA has largely used internal resources to negotiate settlements. The leaseholders have been offered funding by Poplar HARCA to pay for independent valuations and reimbursement of legal fees to complete sale to Poplar HARCA.

9.11 Poplar HARCA’s approach to acquisition is that when a property is to be purchased the owner is encouraged to seek independent valuation advice to assist in negotiations with

Poplar HARCA, and reasonable costs for this and legal support are reimbursed in accordance with the Compensation Code.

- 9.12 There are currently 52 leasehold interests where terms have yet to be agreed for acquisition. Poplar HARCA has given leaseholders across the CPO area the opportunity to come forward to sell their property by negotiation ahead of the CPO. Due to the scheme timetable Poplar HARCA has particularly focused on actively pursuing negotiations with property owners in phase 3, whilst making sure along with the Council, that all owners are fully aware that they have an opportunity to be bought out voluntarily ahead of or in tandem with the CPO process.

Efforts to Acquire by Agreement – Other Interests

- 9.13 There are 24 shop units within the red line CPO area, of which 12 are currently occupied by 10 existing trading commercial leaseholders. There are also 8 units occupied for community type usage, 2 non trading units and third party ownerships and 1 void unit. Poplar HARCA has been in negotiations with the commercial and community occupiers of retail premises on Aberfeldy Street since 2015. As a result of the prior consultation and engagement the majority of shopkeepers have taken the opportunity to enter into initial dialogue about the proposed scheme, the opportunities for continuance of their business through relocation within the scheme or to other locations and other options. Poplar HARCA 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 and each shopkeeper to seek voluntary arrangements with each shopkeeper to avoid the necessity of the use of compulsion to acquire their interest. The Council will closely monitor progress in this matter.

- 9.14 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 scheme, Poplar HARCA's developer partner has 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.

10. Consultation with Stakeholders

10.1 Poplar HARCA has carried out consultation on an ongoing basis from June 2009 to present, ultimately leading to the current redevelopment proposals. All consultees have been involved in the preparation of detailed designs since early 2010. This consultation activity has consisted of:

- Newsletters
- Presentation of development proposals to Estate board and wider Aberfeldy area
- Presentation of development proposals at public events for each planning phase
- Surgeries
- Home visits
- Drop in sessions
- Open Events
- Updates on the Scheme included in every Aberfeldy newsletter since January 2010
- Public events held at Aberfeldy Festival since 2010
- Feedback Forms
- An annual consultation plan is produced which sets out actions for engagement with specific local groups including:
 - Aberfeldy Islamic Cultural Centre
 - Culloden Junior School
 - Local Church
 - Other local community groups

11. Special Considerations

Statutory Undertakers

11.1 The Order Land includes land interests leased by statutory undertakers. Thames Water Utilities Limited and (British Gas Ltd) have services running to and from the various blocks to be demolished.

11.2 As this is part of a phased scheme, Poplar HARCA's developer partner has 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.

Human Rights Act

11.3 The Council has considered the implications of the Human Rights Act. In particular the Mayor in Cabinet considered:

- a) That 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, including:
- 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.
- c) There are 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.
- 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 (Convention Article 2).
- e) That 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 Council's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate.

- f) That the Council is therefore required to consider whether its actions would infringe the human rights of anyone affected by the making of the CPO. The Council 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 CPO will be justified in order to secure the social, physical and environmental regeneration that the project will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the national Compensation Code.
- g) That there is a right to respect for private and family life, including a person's home (Convention Article 8).

11.4 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.

Equality Act Considerations

11.5 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. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers. In particular the Council 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.

- 11.6 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.
- 11.7 The Equality Act implications of the Scheme were considered by the Council at Cabinet when the CPO 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.
- 11.8 The Council's Community Plan includes 4 key themes:
- *A Great Place to Live*
 - *A Prosperous Community*
 - *A Safe and Cohesive Community*
 - *A Healthy and Supportive Community*
- 11.9 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.
- 11.10 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.
- 11.11 The scheme further delivers on the key themes of A Safe and Cohesive Community and A Healthy and Supportive Community through the regeneration scheme 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 and through the provision of a new health centre.

12. Compulsory Purchase Powers and Justification for Compulsory Purchase

- 12.1 Section 226 (1) (a) of the Town and Country Planning Act 1990 (the "Act") confers power on a local authority to acquire land for planning purposes if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land which is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area.
- 12.2 In accordance with section 233 of the Town and Country Planning Act 1990, where land has been acquired by a local authority under section 226 the authority may dispose of the land to such person in order to secure the erection, construction or carrying out on it of any buildings or works appearing to them to be needed for the proper planning of the area of the authority.
- 12.3 DCLG Circular 'Guidance on Compulsory purchase process' ("the Circular") advises that a compulsory purchase order should only be made where there is a compelling case in the public interest.
- 12.4 The Circular also sets out those factors the Secretary of State will have regards to in determining whether or not to confirm an Order. These are:
- That the Minister confirming the order has to be able to take a balanced view between the intention of the acquiring authority and the concerns of those with an interest in the land that it is proposing to acquire compulsorily.
 - That the purposes for which the order is made sufficiently justify interfering with the Human Rights of those with an interest in the land affected; this is considered in 6.4 above and in this section.
 - That the acquiring authority has a clear idea of how it intends to use the land and that necessary resources will be available.
- 12.5 Section 1 of the guidance provides advice on making an Order pursuant to Town & Country Act powers. Paragraph 65, of Section 1 states that Section 226 of the Act is intended to provide a positive tool to help acquiring authorities with planning powers to

assemble land where this is necessary to implement the proposals in their Local Plan or where strong planning justifications for the use of the power exist.

- 12.6 The Council has stated in its Core Strategy (Adopted September 2010) that it intends to assist in the regeneration of the area known as 'Poplar Riverside'. This Scheme will help deliver the Council's vision for the area, in particular supporting the delivery of its potential as an attractive location for living, working and leisure. The Aberfeldy neighbourhood centre will be enhanced alongside housing-estate regeneration and it will offer a greater range of shops and services.

Purpose of the Order: Housing Need and Regeneration

- 12.7 The London Plan (2011) paragraph 3.13 records that:

"London desperately needs more homes in order to promote opportunity and real choice for all Londoners, with a range of tenures that meet their diverse and changing needs and at a price they can afford".

- 12.8 The extent of this desperate need is underlined by the fact that the borough housing targets identified by the London Plan are all minima, which the boroughs are encouraged to *"achieve and exceed"*. However, more recent evidence indicates that the need is even more desperate than the London Plan described.

- 12.9 In particular, the London Mayor's 2020 Vision and his recently published draft London Housing Strategy 2013 demonstrate the urgency for the delivery of more housing in London. The Mayor of London has openly acknowledged in his recent Housing Strategy that the targets that he is in the process of setting are arguably below what they should be. The Mayor's issue of his 'Intended to Publish Further Alterations to the London Plan' in December 2014 confirms this position by significantly raising the target, although the Inspector in issuing his report on the Examination in Public noted that this figure should be reviewed with urgency as it may already be an underestimate.

- 12.10 In the Mayor's 2020 Vision document, it states that:

"perhaps the gravest crisis the city faces is the shortage of housing Londoners can afford." And in the London Housing Strategy 2013, it states that "following

thirty years of building only half the homes now needed, London is faced with a massive shortage of good quality homes that are affordable to those who wish to live and work in the capital.”

12.11 The figures are stark:

“The 8.4 million Londoners comprise roughly 3.3 million households, a number which is projected to reach around 4.4 million over the next 25 years. This is an annualised growth of 40,000 households. The main drivers are expected to be one-person households (projected to rise by 160,000 by 2031) and couple households (projected to rise by almost 480,000). Taking into account the backlog of housing need, this could give rise to a long term requirement for some 50,000-60,000 homes per annum.”

12.12 This new target should be compared against the target within the existing London Plan, to deliver at least 30,500 new homes per year. One of the reasons for the significant increase, to the new target, is that London has continued to not build enough homes, with the running average over the last 5 years being only around 20,000.

12.13 The continued year on year gap between target and actual construction has made the housing shortage ever more critical, such that the GLA’s planning and regeneration focus is increasingly turning towards finding ways to enable increased delivery.

12.14 Paragraph 159 of the National Planning Policy Framework creates a requirement on local and regional planning authorities to:

“identify the scale and mix of housing... that the population is likely to need over the plan period”. It then states within the supporting draft National Planning Practice Guidance that “Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance infrastructure or environmental constraints”.

12.15 Following these elements of policy and guidance, by its own analysis, the GLA should really be targeting 50,000 to 60,000 new homes each year and not just 42,000. This evolving policy environment across the whole of London creates the context for the

London Borough of Tower Hamlets in terms of housing need and interpretation into housing targets.

Meeting Housing Need in Tower Hamlets

- 12.16 At 2014, there were over 118,000 homes (April 2014 C-Tax database) in the borough. 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. The borough accounts for the highest level of 'New Homes Bonus' in the country. The borough has delivered over 4,000 new affordable homes between 2010 and 2014 and aims to deliver another 5,500 by 2018. Table 4 provides a summary of the housing stock by different tenures in Tower Hamlets as at April 2014. However, whilst the borough is successfully delivering a large number of new homes each year, the demand and need still significantly exceed supply.

Table 4 (LBTH Housing Tenure Breakdown)

Tenure	2003	%	2011	%	2014	%
Owner occupied	27308	31%	25339	23%	27179.3	23%
Council owned (<i>Rented</i>)	24200	28%	12500	12%	12610	10%
Registered social landlord (<i>Rented</i>)	17828	20%	26484	24%	30540	26%
Private rented sector	17513	20%	41870	39%	45978.3	39%
Shared ownership	500	1%	2000	2%	2340.4	2%
Total	87349		108193		118648	

**These figures are updated estimates based on 2011 Census tenure split uplifted to reflect growth in residential numbers as recorded in the 2014 Council Tax records.*

- 12.17 Over the past few decades there has been a dramatic change in the tenure base of the housing stock in the borough. In 1981 over 97% of all homes in Tower Hamlets were Council/GLC owned. Today around 10% of the stock is Council owned and less than half the housing stock is social housing.
- 12.18 In regard to other tenures, the private rented sector is now the fastest growing housing sector in the borough, now accounting for around 39% of all housing. The Council and

RSL housing stock available to rent are currently around 43,000 (around 36% of all stock), which is accessed by registration on the choice based letting system.

12.19 Whilst the London Borough of Tower Hamlets has undergone a dramatic transformation in its housing stock over the last few decades and there is an unprecedented rate of development of new housing, demand for affordable homes still far exceeds supply. 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.

12.20 The following conclusions have been made within the LBTH Housing Evidence Base 2014 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) While the borough has a good average income, a significant percentage of the population has incomes of less than £15,000 per year, which has impacted upon the housing market;
- d) The borough needs to deliver a significant number of affordable homes each year to meet housing need; and
- e) A significant percentage of those homes must be three bedroom plus to meet demand from over-crowded households.

12.21 In 2014, the Mayor for London published a revised London Housing Strategy, within which over-crowding is identified as one of the key priorities for London Government. In 2012, the London Mayor set a target to halve severe over-crowding in social housing across London. It remains a long-term aim of the Mayor to eradicate overcrowding completely in the social housing sector in London.

12.22 The LBTH Housing Statement Evidence Base report notes that nearly 40% of all households within the borough on the housing register are over-crowded and nearly 20% of those households are severely overcrowded requiring two or more additional bedrooms. The number of overcrowded households has remained above 7,000 since 2010 despite over 4000 lets going to overcrowded households in the last 5 years.

12.23 The following statistics, drawn from the housing waiting list as at 1st June 2015:

- a) There are over 20,000 households on the housing register;
- b) Of those 55% are in priority category 1 and 2 (e.g. Emergencies, Medical, Decants, Homeless and over-crowded);
- c) 7264 of these households are over-crowded; and
- d) There are just under 2000 households in temporary accommodation placed by the Council.

12.24 Table 5 summarises lettings from the housing waiting list over the past decade. The Council has, on average, let between 2,000 and 2,500 dwellings per year, however this fell to 1907 in 2013/14 and 1872 in 2014/15. The following key facts relate to lettings by the Council over the past few years:

- a) Just under 9,000, homes have been let in Tower Hamlets over the past four years;
- b) During 2014/15 the Council was able to rehouse 1872 households into both Council and RSL homes across the borough;
- c) During 2014/15, nearly 50% of all lets went to overcrowded households on the housing register.

12.25 Tower Hamlets operates a Common Housing Register (CHR) with all major Registered Providers of housing operating in the borough. Poplar HARCA is a preferred provider of housing in the E3 and E14 postal districts. During 2009/10 the CHR adopted a new allocations policy which gives greatest priority to households with high medical and social need, households in severely over-crowded conditions and under-occupying households. Table 5 shows how allocations have been made between 2004/5 and 2014/15.

Table 5 – Property lettings by bed size 2004/5 2014/15

Lets by property bed size	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15
Bedsit	189	158	174	100	170	167	167	88	106	88	78
1 Bed	823	870	737	544	820	985	804	854	840	652	722
2 Bed	888	801	733	673	733	868	768	1013	843	699	662
3 Bed	227	263	264	248	346	418	350	545	432	361	313
4 Bed	50	105	53	47	61	158	85	132	155	80	73
5 Bed	6	10	16	3	9	5	13	66	56	27	21
6 Bed	10	4	3	12	3	7	6	5	2	0	3
7 Bed	2	3	0	0	0	0	1	0	1	0	-
8 Bed	0	0	1	0	0	0	0	0	0	0	-
TOTAL	2,195	2,214	1,981	1,627	2,142	2,608	2,194	2,703	2,435	1,907	1,872

Source: Housing Options, Tower Hamlets Records

12.26 The London Plan targets for overall provision of new homes for the borough have changed over the time. The London Plan (Consolidated with Alterations since 2004) published in 2007 introduced a housing delivery target of 31,500 new homes in Tower Hamlets, in the period 2007-2017 equating to 3150 per year with 50% being affordable negotiated by habitable room.

12.27 In the Core Strategy (2010) the current targets are the following '*The Council will seek to deliver 43,275 new homes (equating to 2885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan (2009 revision) with an overall strategic target for affordable homes of 50% until 2025*'. In order to seek to balance up the type of homes available in the borough, the Council has, in addition, set a target that at least 45% of homes built for social rent will be family homes with 3 or more bedrooms, with

20% of new homes for market sale and 25% of intermediate tenures will be family sized.

- 12.28 However, with the London-wide policy environment recognising the increasing severity of London's housing shortage, the target number of dwellings of all tenures to be built in the Borough is proposed to be increased from 2885 a year between 2010 to 2025 to 3931 a year between 2015 and 2025 (FALP Dec 2014). This represents an increase of 36%. This proposed figure represents a challenging though essential target to meet housing need in Tower Hamlets and London as a whole based on land availability, construction capacity and ability of the private market to absorb new dwellings.
- 12.39 Despite these targets and assuming that these targets were met, household survey data (*Strategic Housing Market and Needs Assessment, LBTH (2009)*) suggests that there will still be a very significant shortfall of delivered new dwellings against housing need. In the Market and Needs Assessment, referred to above, it is concluded that *'The total scale of future delivery would require a very significant increase in dwelling numbers to meet all needs'*. This Scheme will now deliver an increase of 5 residential units meeting modern day standards.

Resources and Delivery - Viability Methodology

- 12.30 The mechanism for review of the viability of the Scheme (Phases 1-6), was built into the s106 legal agreement that is attached to the original Outline Consent for the Scheme. The Scheme is structured to come forward in 6 phases with Reserved Matters being approved on an individual phase by phase basis and implementation to reflect this. The s106 requires the viability to be reviewed on the submission of Reserved Matters Applications for each phase with each of these reviews to have consideration of the viability (sales values and construction costs and so forth) to: (a) previous phases that have been built out, (b) the costs/estimates sales values of the phase currently subject of a Reserved Matters planning application and (c) the viability of the Scheme on the completion of Phase 6. All three aspects inform the quantum of affordable housing put forward for each phase application submitted to the Local Planning Authority.

13. Council's Resolution to Make the Order

- 13.1 The proposal to make a Compulsory Purchase Order in respect of Aberfeldy Estate (Phases 3 - 6) was agreed by the Mayor in Cabinet on 6th October 2015.
- 13.2 The report to the Mayor explained the background to the re-development proposals, the powers available to the Council to make a Compulsory Purchase Order and related advice of the Secretary of State (as set out in the Circular) and the recommendations of officers to authorise the making of the Order.
- 13.3 In the light of the report the Mayor in Cabinet concluded that there was a compelling case in the public interest for the use of Compulsory Purchase Powers to acquire the Order Land, and resolved accordingly to make the CPO.

14. Further Information

- 14.1 Copies of the Order, Order Map, this Statement of Reasons and appendices can be inspected during office hours at the Council'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 Council's website www.towerhamlets.gov.uk.
- 14.2 For information regarding the Order please contact Kenneth Van Emden, **London Borough of Tower Hamlets**, Legal Services, 6th Floor Town Hall, Mulberry Place, Clove Crescent, London, E14 2BG.(e mail address Kenneth.vanemden@towerhamlets.gov.uk)
For information regarding the Scheme please contact: Mr Tony Draper, Poplar HARCA, 167a East India Dock Road, London E14 0EA.

15. Inquiries Procedures Rules

- 15.1 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.
- 15.2 In the event of a Public Inquiry the Council expect to refer to the documents listed in the appendix to this statement. The Council may also refer to other documents in order to address any objections made to the Order.

Appendix 1

Description of Land to be Acquired

Annexed hereto

Appendix 2

List of Documents

1. The Order

Planning Documents:

2. Cabinet Report dated 6th October 2015 seeking resolution to use Council's Compulsory Purchase Powers for Aberfeldy Estate.

<http://moderngov.towerhamlets.gov.uk/documents/s77369/5.5%20Aberfeldy%20Ph%203-6%20CPO.pdf>

3. Outline Planning Application ref no. PA/11/02716

<https://development.towerhamlets.gov.uk/online-applications/>

4. Reserved Matters Application (Phase 3) ref no. PA/15/01826

<https://development.towerhamlets.gov.uk/online-applications/>

5. Planning Committee Report relating to Planning Application ref no. PA/11/02716

<https://development.towerhamlets.gov.uk/online-applications/>

6. Decision Notice - Outline Planning Permission ref no. PA/11/02716

<https://development.towerhamlets.gov.uk/online-applications/>

7. Decision Notice – Detailed Planning Permission ref no. PA/11/03548

<https://development.towerhamlets.gov.uk/online-applications/>

National Policy Documents:

8. National Planning Policy Framework (March 2012)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

9. Planning Policy Statement 3 (PPS3) Housing

<http://www.planningportal.gov.uk/planning/planningpolicyandlegislation/previousenglishpolicy/ppgpps/pps3>

Regional Policy Documents:

10. The London Plan (March) 2015

<https://www.london.gov.uk/what-we-do/planning/london-plan>

11. Lower Lea Valley Opportunity Area Planning Framework (January 2007)

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/opportunity-areas/opportunity-areas/lower-lea-valley>

Local Policy Documents:

12. Core Strategy (2010)

<http://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Core-Strategy-and-MDD/Core-Strategy-low-resolution.pdf>

13. Managing Development Document (2013)

<http://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Neighbourhood-Planning/Managing-Development-Document-April-2013.pdf>

14. Planning obligations SPD

http://www.towerhamlets.gov.uk/lgn/environment_and_planning/planning/planning_guidance/supplementary_guidance/supplementary_guidance.aspx

Compulsory Purchase Powers

15. DCLG Circular – Guidance on Compulsory Purchase Process (October 2015)

<https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-critical-down-rules-guidance>