

Neptune Group

FISH ISLAND AREA ACTION PLAN - Public Examination

Day 1 – Session 1 – Wednesday 18 July pm

Strategy, Vision, Objectives, Character Areas – Policies 3.1 to 3.6

Issue 1 – Does the spatial strategy, vision and objectives have a sound evidential basis, having regard to the local context and needs, including in relation to the London Plan and the Core Strategy, and are they reasonable and realistic; have the Character Areas been suitably and sensibly defined ?

Although not explicit in the Draft Programme Issued on 11th June, we assume that this issue refers to Sections 1 and 2 of the draft AAP, with policies 3.1 to 3.6 referring to Issue 2 and connections?

Day 2 – Session 2 – Thursday 19 July am

Homes & Jobs – Policies 4.1 to 4.7

Issue 3 – Are the policies and proposals for housing and jobs consistent with the NPPF, the London Plan and the Core Strategy and/or supported by clear and robust evidence; are the overall numbers, mix and locations reasonably and realistically deliverable and appropriate to local needs, including in relation to affordable housing ?

These comments should be read jointly in relation to our representations relating to Sessions 1 and 2, but focus on the initial context in relation to the approach to character areas, the proposed spatial designations and the lack of clarity and confusion that arises.

Without clarification, we are concerned that the overall delivery strategy in respect of new development and infrastructure may not be sound on the basis of its delivery being undermined. As such it would be inconsistent with both NPPF and London Plan policy that seeks to optimise land and place an emphasis upon delivery.

As background, Neptune has sought to promote the regeneration of its site and the surrounding area since 2005, when it was originally designated in-part for mixed use. The area's opportunity was stifled following the imposition of SEL/SIL designation between 2005 and 2011, a negative designation which served no economic benefit for the area. Neptune welcomed the initiative to de-designate the area from SIL and to promote a more beneficial land-use and enhancement strategy.

More recently Neptune has been promoting specific options for its site since 2010 and has held extensive discussions with LBTH, the GLA, and the current and more recently emerging Development Corporations, who have responsibility for determining planning applications.

To a great extent the overall spatial land-use strategy reflects Neptune's input and this is welcomed. The concern is that a lack of clarity on the scale of opportunity that could be achieved and where this is located could undermine the viability and deliverability of the overall spatial strategy and vision.

We highlight in our representations that references to, for example, conservation and heritage-led regeneration risks seriously underplaying the opportunity that exists in many areas of Mid-FI which, like the Neptune Wharf site, are relatively unconstrained by heritage issues.

We make recommendations in relation to paras 4.37/4.38 that would provide greater clarity on how issues such as height and density could be assessed through the AAP framework. The LPA's reluctance to insert such clarity within the AAP serves to undermine its ability to deliver.

We highlight in our representations that there is a confusing series of references to the potential land-use approach within different so-called 'character areas', that the existing character of the area is underestimated and that this would, in a spatial strategy that seeks to rely heavily on existing character to define development, undermine delivery.

It is unclear within the AAP as to how the land-use approach within the various different designations will be implemented. For example, Key Diagram 2.1 identifies residential-led regeneration on the waterfront areas and mixed-use regeneration within the central area of FI. However, there is no clarification within the accompanying text in the relevant sections of the AAP to provide clarity / comfort that the residential-led areas will, for example, be expected to provide a greater proportion of any development as residential.

We suggest a revised policy 4.3 to provide clarity on this issue. The LPA's reluctance to offer clarity is not founded on any sound rationale.

This point is important in the context that, as highlighted below, we consider that the AAP adopts an unnecessarily constrained approach to housing numbers. If such an approach to upper limits is to be adopted by the LPA, then it is fundamental that the AAP makes it very clear that the 'residential-led' areas will be the priority location for new housing and that their potential will be optimised ahead of other areas.

This approach has led to what we consider to be an unnecessarily constrained approach. There are references in the Vision, for example, at 2.3 to what in effect is presented as an upper ceiling on housing development rather than say a minimum target; and as such we do not consider the approach to ceiling housing numbers to be consistent with either national or London Plan policy.

As the LPA highlights in relation to its proposed designation of Neptune Wharf as a school site, its own strategy for delivering infrastructure throughout the AAP area is based upon the ability to capture opportunity created by enabling development.

In the context of an unnecessarily constrained or un-aspirational approach to housing opportunity within individual character areas and the AAP as a whole; then there is a serious risk that not only will the full potential of the area not be achieved, but that the development necessary to support the essential infrastructure priorities identified within the AAP will not be realised.

The LPA suggests that its figures in relation to its target of “up to” 2,400/2,700/2,800 housing units (the figure varies through the AAP?) is based upon methodology developed by the GLA which assesses housing typology to estimate the potential capacity of the area. For the mid FI area, the AAP suggests a housing capacity in the region of 550-800 dwellings. This grossly under-estimates the capacity of the area, not only having regard to, the scale of the identified opportunity sites such as Neptune Wharf, Wick Lane and land/adj Formans, but also the central mid FI area that is identified for mixed-use including residential.

Whilst that methodology is not produced in the evidence base provided by LBTH, as part of our site specific discussions with the GLA, they have been kind enough to demonstrate the approach adopted, which, at the time we viewed it in early 2012, advocated standard land-use and scale criteria across all sites, irrespective of their annotation / designation within the AAP. It identified, for example:

- √ A 70:30 split between residential and commercial uses
- √ A building height of up to 6 stories

Our own scheme specific discussions with the various authorities have identified that, for example, a higher proportion of residential would be appropriate on sites identifies as being residential-led and that average heights could exceed 6 stories in appropriate circumstances. The GLA’s methodology tool is a helpful starting point for reviewing the area, but it does not in our view justify a constraint upon the ultimate capacity of the area.

As such, references to, for example, “up to” 2,800 are not justified and are inconsistent with National and London Plan policy that seeks to optimise appropriate locations.

As identified elsewhere, this constrained approach to housing opportunity could also serve to stifle the ability to deliver the key infrastructure and enhancement objectives of the AAP.

In recent discussions with the LPA, they suggested that the experience across the Borough is that development tends to come forward at a level of intensity that generally exceeds policy / guidelines. This is not disputed, but development plan documents should not unnecessarily constrain development or require development that is otherwise entirely appropriate to have to justify itself in the context on un-aspirational policy.

The Vision should identify that capacity has been identified for at least 2,800 units and that in collaboration with partner authorities, delivery agencies and importantly, landowners /

developers; opportunities will be reviewed to identify additional capacity for growth and the infrastructure that may be necessary to support such.

We have suggested alternative text at, for example, para 4.5, which would ensure that the AAP had a far greater ability to optimise the potential of the area and importantly, in relation to tests of soundness, be sufficiently flexible to be capable of responding to, for example, changing circumstances.

In relation to our comments on character areas, the LPA has to some extent misunderstood the issue. We suggest that the general areas identified at the CS stage are too simplistic. They are, in effect, areas defined by historical lines of severance such as the waterways; which in any respect the AAP seeks to address. However, some areas either side of the waterways are not necessarily different in character or opportunity.

We are concerned that the opportunity to deliver growth and infrastructure in Mid FI could be undermined by the suggestion within the AAP that Mid FI is a more constrained area with less opportunity. Whilst para 2.8 (and 6.3) refer to heritage-led regeneration in mid FI and 2.9 discusses employment development, there is no acknowledgement that a major proportion of Mid FI, as designated on Fig 2.1, is for residential-led development (a similar annotation to that suggested for North FI). The text throughout the AAP must be more accurate in describing the character and opportunity of Mid FI and in particular the 'residential-led' areas within it (see our suggested 4.3).

We identify specific amendments that are required in order to provide an approach that is sound in the context of, for example:

Conformity tests

- √ Consistency with national planning policy **(in this instance the clear emphasis within national and regional policy frameworks of the need to optimise appropriate development)**

Coherence, consistency and effectiveness tests

- √ Whether the strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base; **(there is no justification for promoting a capped approach to housing development)**
- √ Are there clear mechanisms for implementation and monitoring; **(a constrained approach to the capacity of the area will undermine the ability to implement, for example, identified infrastructure priorities within the AAP)**
- √ Is it reasonably flexible to enable it to deal with changing circumstances **(there is no mechanism inherent in the AAP that would facilitate housing delivery in excess of the suggested 2,400 to 2,800 ceiling)**

In relation to the tests of effectiveness, the guidelines ask 'key questions' such as:

- √ Is it clear that the Local Planning Authority considered all reasonable options and alternatives in preparing the DPD? **(the scope to optimise housing numbers has not been explored)**

- √ Are the assumptions in the DPD set out clearly and are they supported by evidence?
- √ Does the evidence clearly support the policies in the DPD? **(there is no justification to constrain opportunity for a greater scale of growth than that identified)**

In relation to employment capacity, the LPA has provided no methodology to explain how the suggested target of 175,000 sq.m will be delivered, for example, what proportion is new-build or refurbished. It suggests support is offered by GLA methodology, but if that is the same as we have viewed, this simply assumes 30% of floorspace within a wide spatial area could be commercial.

Notably, the LPA suggests that employment floorspace figures are guides and not targets and that individual sites will be considered on their merits. This approach is noted to be inconsistent with their refusal to adopt a similarly open and flexible approach to housing 'targets'.

We suggest at, for example, 4.27/4.33 and policy 4.5 that the AAP needs to acknowledge that in relation to matters such as, for example, affordable housing, or other generic policy expectations that are integral to the viability considerations of a scheme; that the AAP should acknowledge that within a regeneration such as this, that there are a number of competing priorities and notably, significant requirements for new infrastructure (eg, new crossings and schools) and significant environmental enhancement and open space provision that must be assessed against other generic policy aspirations.

The AAP should identify that it will review and assess the need for site / area specific obligations and their impact on viability when assessing other policy expectations. Such an approach is critical to ensuring that a viable approach to delivery of identified development opportunities and supporting infrastructure is secured.

Such an approach is entirely appropriate within an AAP where there are localised priorities unique to the area and/or sites.

Having regard to the unique character of the area and the issues identifies as priorities in the AP, we consider it essential that the AAP acknowledges that the impact of such requirements will be assessed as a material consideration in assessing the viability of a scheme; after all, the LPA implies in relation to, for example, its desire for a school on the Neptune site, that securing viable enabling development is the only way in which such infrastructure will be achieved.
