Dear Mr Mackie,

**Land at Neptune Wharf, Fish Island**

I am writing in respect of your client’s latest proposals for the Neptune Wharf site in Fish Island which has been discussed with my Officers at two meetings; on 11th June 2012 at Stock Woolstencroft’s Offices and the 3rd July 2012 at the London Legacy Development Corporation’s Offices.

This letter sets out my views as the ODA PDT Director of Planning Decisions, the current neighbouring Local Planning Authority and, commencing 1st October 2012, the appointed Director of Planning and Policy Decisions at the London Legacy Development Corporation (LLDC).

The views presented in this letter have been formed in consultation with representatives of the London Thames Gateway Development Corporation (LTGDC), London Borough of Tower Hamlets (LBTH) and the London Legacy Development Corporation (LLDC).

The material presented and discussed in the two meetings above and the documents listed below have been reviewed in setting out my views.

- Fish Island – Stock Woolstencroft Scheme Summary Document – 07.06.2011
- Fish Island – A commitment to Delivery Regeneration - Stock Woolstencroft Document – 15.07.2011
- Neptune Wharf Fish Island – Stock Woolstencroft Scheme Summary Document – Meeting 03.04.2012
- Neptune Wharf Fish Island – Stock Woolstencroft Scheme Summary Document – Meeting 08.05.2012
- Neptune Wharf Fish Island – Stock Woolstencroft Scheme Summary Document – Meeting 11.06.2012
1. ODA PLANNING CONTEXT
As you are aware the ODA is not currently the Local Planning Authority for Fish Island. The remit
of the ODA in respect of its planning functions are set out within the Section 5 (5) of the London
Olympic Games and Paralympic Games Act 2006 which sets out the matters to which the
Olympic Delivery Authority in discharging its planning functions shall have regard, in particular:

(a) To the desirability of making proper preparation for the London Olympics,
(b) To the desirability of maximising the benefits to be derived after the London Olympics
from things done in preparation for them,
(c) To the terms of any planning permission already granted in connection with preparation
for the London Olympics,
(d) To any guidance issued by the Secretary of State (which may, in particular, refer to
other documents), and
(e) To the development plan for any area in respect of which an order is made under
section 149 of the Local Government, Planning and Land Act 1980 (c. 65) by virtue of
subsection (1) above, construed in accordance with section 38 of the Planning and
Compulsory Purchase Act 2004 (c. 5).

From the 1st October 2012 the London Legacy Development Corporation will take over planning
powers from the LTGDC and the Olympic Delivery Authority. Fish Island, including the subject
site, will come within the LLDC Planning Order Boundary. From this date the LLDC will become
both the Local Planning Authority and the plan making authority for your client’s site.

LB Tower Hamlets is the current plan making authority and its adopted planning policy will remain
in place until such time as the LLDC has adopted its own Local Plan. Where documents such as
the Fish Island AAP are currently being taken forward by LB Tower Hamlets, the LLDC will have
the option of completing and adopting these documents as part of its Local Plan, should they
have not been adopted by the Council before 1st October. Where such documents are not yet
adopted but are being taken forward, the LLDC would, from that date, continue to have regard to
the policies and proposals that they contain as a relevant material consideration when
determining any planning application.

2. SUMMARY OF THE SCHEME
Although I acknowledge that the scheme is at pre-application stage and some elements are still
being refined my understanding of the parameters of the current scheme are as follows:

2.1 Pre-Application History
Your client and the design team have undertaken pre-application discussions with the
LTGDC, LLDC/OPLC and the Greater London Authority (GLA) over a number of months.
These discussions have primarily been undertaken as a series of workshops where the
parameters of the scheme, largely focused on context, connectivity, form, massing and
CCI uses, have been discussed and evolved. However, I understand that you and your
client have not made a formal application to use the pre-application service offered by the
LB Tower Hamlets or the GLA.

2.2 The Application Site
The application site comprises an area of approximately 2.31ha and is bordered by
Wansbeck Road to the west, part Monier Road and Wyke Road to the south, Roach Road
to the east and the Hertford Union Canal to the north.

The scheme is proposed to comprise three phases of development and is intended to be
submitted as a hybrid application, being a full application for the 1st phase of development
(eastern 1/3rd of the site) and outline application for the remaining 2/3rd of the site.
2.3 Connectivity Enhancements
The design proposals seek to enhance north-south connectivity within Fish Island Mid by proposing a number of bridge options across Hertford Union Canal. The southern bridge landing is proposed to be embedded within a large new public open space within the eastern 1/3rd of the site.

The various options considered have explored a number of routes through land located to the north of the subject site, not directly in your clients’ control, which could provide a more direct north-south link between Hackney Wick Station and Fish Island Mid through to the Olympic Park.

Most design options have favoured a direct route through the McGrath’s Waste Transfer Site to the north of the Hertford Union Canal and discussions with that landowner have sought to negotiate rights of way/access through that site to enable the bridge to be used prior to that site being redeveloped.

I understand that the current preferred option is to propose a bridge outside of the McGrath’s site which creates a route which runs roughly parallel with the eastern boundary of that site.

2.4 Land Uses
Approximately 830 residential units are proposed.

Non-Residential space proposed is approximately 7000m² including circa 25-30% retail (3-4 units). Approximately 2,800-4,600m² of affordable Creative and Cultural Industries (CCI) floorspace is proposed out of the 7000m² total. CCI is largely proposed at ground level within almost all buildings and in greater concentrations within the ‘loft building; which currently includes CCI at the lower 4 floors.

The indicative floorspace for uses and residential mix as provided in April 2012 is broadly:

<table>
<thead>
<tr>
<th></th>
<th>Dwellings</th>
<th>Family Dw</th>
<th>Resi GIA</th>
<th>Commercial GIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase One</td>
<td>344</td>
<td>48</td>
<td>25,441</td>
<td>3703</td>
</tr>
<tr>
<td>Phase Two</td>
<td>161</td>
<td>28</td>
<td>10,651</td>
<td>1438</td>
</tr>
<tr>
<td>Phase Three</td>
<td>140</td>
<td>30</td>
<td>10,043</td>
<td>1109</td>
</tr>
<tr>
<td>Phase Four</td>
<td>196</td>
<td>0</td>
<td>14,506</td>
<td>1454</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>841</strong></td>
<td><strong>106</strong></td>
<td><strong>60,641</strong></td>
<td>7704</td>
</tr>
</tbody>
</table>

The affordable housing offer has not been discussed in detail.

2.5 Form and Massing
16-18 separate buildings are proposed.

Most buildings are arranged around 4 yards which are proposed to provide a mix of commercial and residential amenity space.

The buildings are generally proposed to be between 7-10 storeys.

2 ‘hubs’ i.e. towers were identified with maximum building heights at 12 storeys (at intersection with Monier and Roach Road) and 14 storeys (at the north-west corner).
3. INITIAL REVIEW
From my initial review of the scheme’s current iteration there appear to be a number of elements which are broadly encouraging and would appear to be appropriately aligned with the adopted and evolving policy context for the site. Specifically:

3.1 Connectivity
The pivotal role of providing enhanced connectivity as part of the scheme and arranging footprints and open spaces in order to embed these connections would appear to be a positive move broadly aligned with the requirements of LB Tower Hamlets Core Strategy SO20, SO21 and SP09. Enhanced north-south connectivity would also appear to be supported by the Mayor of London’s draft Olympic Legacy Supplementary Planning Guidance, which is intended to provide strategic guidance further to London Plan policy, and the draft Fish Island Area Action Plan (submission version May 2012).

However, there are a number of questions surrounding deliverability of an additional/new connection, including land ownership and assembly issues to the north of the Hertford Union Canal. Although additional connections would be beneficial, given the ownership constraints to the north, any proposals which rely on a new bridge for enhanced connectivity would need to include a detailed application for any such bridge and provide a robust and feasible design and delivery strategy for any such connections prior to occupation of the first phase of development. If this cannot realistically be submitted I would encourage you to consider enhancements to the alignment and width of the existing constrained bridge currently located along the eastern perimeter of the site, which would again need to be implemented prior to occupation of the first phase of development. This could provide a more cost effective option and would address British Waterways’ concerns regarding a new bridge in close proximity to the existing bridge.

Having reviewed some of the early design analysis and concept work undertaken in arriving at the current proposals I question whether your design team have understood the phasing of the new east-west connections between Fish Island Mid and the Olympic Park and the post-Games transformation opening of the Olympic Parklands. Various design development documents suggest that Fish Island Mid is perhaps more isolated than it might be in future. Although I concede that north-south connectivity within Fish Island should be further enhanced, there are a number of east-west routes which will either be newly opened or markedly enhanced and available for public use during the post-Games Transformation of the site. These routes would therefore be publicly accessible well in advance of the anticipated phasing of the delivery of some of the Legacy Development Parcels within the southern extent of the Olympic Park, potentially opening up connections through the park into Stratford City from as early as 2014.

As you are also aware the outline planning application Legacy Communities Scheme (ODA PDT reference: 11/90621/OUTODA), which was resolved to be approve at the ODA Planning Committee on 26.06.2012, also proposes a new east-west highway link which would be accessed via Monier Road to the south of your site. I would encourage your design team to take into account the timing for the opening of the various enhanced, constructed and new approved east-west connections through the Olympic Parklands, both in terms of the approved post-Games Transformation applications and Legacy Communities Scheme, in further developing your proposals.

3.2 Proposed Residential and Employment Mix
As you are aware the site is identified as an Opportunity Site within the LB Tower Hamlets Submission Fish Island Area Action Plan (FIAAP) which indicates that the site represents an ‘Opportunity for mixed use development including employment uses, galleries, residential, including affordable family housing, community uses and small scale retail uses’ together with opportunities to ‘provide local open space to serve the wider area’. The supporting text also notes that ‘Development should provide new walking and cycling
routes through the site providing visual connections to the Hertford Union canal and locks’.

The quantum of commercial space proposed, including proposals for a not insignificant amount of affordable CCI floorspace, could make a meaningful and positive contribution towards placemaking which would help reinforce the creative uses which contribute to Fish Island’s distinctive character. In principle the CCI proposals would also appear to be generally supported by LB Tower Hamlets draft FIAAP Policy FI4.4 Protecting and enhancing CCIs and SMEs.

Subsidised rents, for the proposed Affordable CCI, have been discussed with Officers of the LTGDC, LLDC and GLA and it would appear that there is support in principle for the level of subsidy proposed i.e. the proposed rental rates for Affordable CCI. This, however, needs to be considered against the other priorities identified in the adopted and emerging planning framework for the area, including affordable housing and other key infrastructure priorities. I would seek to ensure that any application proposing CCI and Affordable CCI included evidence and supporting statements from recognised CCI providers/managers that the space proposed is suitably matched to local demand and submission of a suitably detailed Management strategy. The submission would also ideally include evidence of a commitment from a recognised CCI provider to lease, manage and maintain the proposed CCI within the scheme. I would also look to secure any subsidised rents for the Affordable CCI by way of s106 obligation.

The LTGDC has noted that although the quantum of Ground Floor CCI proposed would be positive that care should be taken in terms of the amount of activation required in order to create active frontages around the large open spaces proposed.

A broad assessment of the residential aspects of the scheme is set out below, but it would be helpful if a more detailed breakdown could be provided in respect of the proposed areas for both residential and non-residential uses and a more detailed schedule of the proposed residential mix, including habitable rooms.

3.3 Housing – Character, Quantum and Tenure
The scheme currently proposes approximately 830-840 dwellings across a 2.31ha site which would equate to approximately 350 dwellings per hectare.

London Plan policy 3.4 and Table 3.2 of the London Plan (Sustainable Residential Quality matrix) suggests that this intensity of use/density is commensurate with sites with a PTAL of between 4 to 6 which benefit from ‘Central’ setting characteristics which are defined as areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.

LB Tower Hamlets draft FIAAP sets out the character and housing density aspirations of Fish Island Mid as ‘Medium density (high family housing) with a prevailing height of 4-6 storeys, appropriate density range of 120 – 300 (u/Ha) and suggested residential capacity of 550-800 units across all of Fish Island Mid’.

3.4 Density, Scale and Amenity
Based on the current distribution and quantum of uses proposed, as set out above, I consider that the scheme represents a relatively high density residential-led development which clearly exceeds both London Plan and local draft planning policies in respect of density and height. The number of units proposed within this single opportunity site represents the total residential capacity anticipated within the plan period for all sites within Fish Island Mid.
The density and scale proposed are beyond those set out in the relevant policy and draft guidance documents and I consider that further work would be required to justify the scale and density proposed for the scheme, given the difference between what is being proposed and the scale of development indicated by the adopted and emerging plan policy referred to above. This should include a robust assessment of the scheme in the context of LB Tower Hamlets’ housing and education needs, before a scheme of this scale and size could be supported.

In respect of the quantity of residential development proposed I understand that LTGDC and LLDC Officers have previously stated that further discussion is required in order to be able to make an accurate assessment of the quantum of development proposed against the financial viability of the scheme, including consideration of the financial contributions and contributions in kind which might be made by the development.

The commendable comprehensive and detailed design analysis undertaken in evolving a series of commercial typologies, including the work undertaken in developing yard typologies, could be extended to include further work in developing a range of residential typologies for the scheme which might assist in better understanding how residential and employment uses might interrelate.

Given the significant quantum of residential proposed it will be important to better understand how acceptable residential amenity can be achieved whilst supporting the spatial requirements of the proposed commercial uses and mitigating any amenity impacts which would arise from these non-residential uses.

3.5 Needs arising from the development

The proposed number of dwellings would generate additional demand on facilities, including social infrastructure within the locality. Social infrastructure is further considered below, but given the seemingly excessive density and heights proposed it is disappointing that there appears to be little evidence of what facilities, including D Class Uses might be brought forward to meet scheme needs and mitigate its impacts.

Although generous open space and employment uses are supported, they cannot be used as the primary focus for mitigating the impacts of the scheme. The new population and child yield generated by a scheme of this size will create a range of new demands on facilities, which are additional to pressures on housing and social infrastructure already existing within the locality. Any application would be expected to include an assessment of housing and social infrastructure requirements.

A robust consideration of the transport effects and the physical infrastructure requirements of the scheme should also be carried out having regard to the LB Tower Hamlets Infrastructure Delivery Plan and any other relevant evidence that is available.

Regard needs to be had to the relevant London Plan and LB Tower Hamlets Core Strategies. For clarity I have provided a summary table appended to this letter of the current policy framework for your site and includes adopted and advanced draft policy.

I acknowledge that much design development work has been undertaken over a number of months, focused on developing the form, massing, open spaces, CCI uses and connectivity aspects of your scheme in consultation with the GLA, LTGDC and LLDC. However, I consider that the scheme as currently developed would appear to be somewhat limited in dealing with the needs that will arise from the sizable new residential population generated by a development of this scale and the information provided and presented to ODA Officers unfortunately appears to lack a robust assessment of the potential impacts which may arise from the intensity of land use proposed or proposals for mitigating them.
3.6 LB Tower Hamlet Housing Priorities

Tower Hamlets’ adopted Core Strategy requires a minimum of 35% affordable housing to be provided. The submission draft Managing Development DPD seeks to maximise the proportion of social rented homes. Where this is not viable, then Tower Hamlets will consider the introduction of the affordable rent product but will still seek to secure larger family homes at social rents. Tower Hamlets Housing Officers will be able to provide more detailed guidance of the levels of rent that will be appropriate for affordable rented homes to ensure they are genuinely affordable for borough residents. LB Tower Hamlets Draft Managing Development – Development Plan Document (Submission Version May 2012) also provides further LB Tower Hamlets’ draft guidance. I would expect the approach to affordable housing and housing in general to take LB Tower Hamlets adopted and emerging policies into account along with those set out in the London Plan.

3.7 Education

As you are aware the LB Tower Hamlets Submission Fish Island Area Action Plan (FIAAP) identifies the need for a new 3 Form Entry Primary school on the Neptune Wharf site. London Plan Policy 3.18 supports the provision of early years, primary and secondary school and further and higher education facilities. The policy goes on to state that “...The Mayor strongly supports the establishment of new schools...”

LB Tower Hamlets Core Strategy policies, SP07, SO17 and SO18 (Improving Education and Skills) also support and promote the provision of new schools in the area. For clarity I have provided the wording of Spatial Policy SP07 which states:

*Policy SP07 – Improving education and skills*

(2) Increase both primary and secondary education facilities to meet an increasing population by: (a) identifying three areas of search for a new secondary school in Fish Island, Mile End and Bromley by Bow; (b) Identifying areas of search to deliver at least four new primary schools in the following places: Fish Island, Bromley-by-Bow, Poplar Riverside, Cubitt Town / Millwall; (c) Using the Sites and Placemaking DPD to identify the most suitable sites for new schools within the areas of search, and secure these sites through: Using Compulsory Purchase Order Powers (CPO) where necessary, and justified. Using Corporate Assets where required. Working with local education providers to secure land and deliver new schools; (d) using the Pupil Place Planning process and the Population Growth and Change Model to identify the future needs for additional school places throughout the lifetime of the plan, as part of the plan, monitor and manage approach

Although I acknowledge that the scheme presented is still being refined there is a need for further development of your current scheme to take into account the current and emerging policy context that applies to Fish Island.

Regardless of the outcome of the FIAAP EiP, any scheme will need to convincingly respond to the education priorities as identified by adopted LB Tower Hamlets policy, including those of the adopted LB Tower Hamlets Core Strategy as set out above, and demonstrate that the uses proposed do not prejudice the policies of the adopted Development Plan as they relate to the site.

In this respect I feel that the masterplan as now evolved and discussed at the two meetings attended by an ODA Officer, whilst well focussed on context, design, connectivity, provision of open space and integration of Creative and Cultural Industry (CCI) uses, has not convincingly addressed a number of critical land use planning policies
contained within the adopted LB Tower Hamlets Core Strategy and draft policies of the draft Fish Island Area Action Plan. While I fully appreciate the progress you have already achieved on developing the urban design and placemaking aspects of the scheme it will be important to avoid bringing forward a proposal that may be at variance with adopted and evolving planning policy requirements.

It is unfortunate that your client and design team, for whatever reason, have not more actively pursued engagement with LB Tower Hamlets as the current plan making, education, highways and housing authority. I understand that LB Tower Hamlets have more recently been invited to one of the last two meetings attended by an ODA Officer and would encourage you to continue consulting with them on any further scheme development. Although the LLDC will shortly become the plan making authority within this area LB Tower Hamlets will continue to play an important role as education, housing and highways authority and will always be consulted during the determination of any application on this site.

3.8 Further Comments
Although our detailed design analysis at this stage is deliberately limited due to the need for further details on certain aspects of the scheme, the following comments are provided which may help you at this stage:

1. A generous quantity of public open space appears to be proposed, although further quantitative details and information on open space typologies would be helpful. However the quality of the landscape design proposals presented at our recent meeting were not felt to reflect the quality and local distinctiveness which we would seek, and we would encourage you to revisit the overall landscape design approach. It would also be helpful to further consider whether the open space proposals are well matched to the needs of the development, both in terms of the commercial and residential uses proposed. Further consideration should be given to ensuring that the needs of future occupants are met by on-site provision and that proposals for children’s and young people’s play are in line with local policies and the Mayor of London’s adopted (2008) and draft (2012) guidance on Play and Informal Recreation.

2. Further clarity could also be provided in respect of proposals for the disposition and quantity of private amenity space which should be in line with the guidance set out in the Mayor of London’s London Housing Design Guide: Interim Guidance (2010) and Housing Draft Supplementary Planning Guidance (December 2011).

3. The sustainability credentials of any development should seek to address the existing policy context. I support the stated intention that your client will seek to link the scheme into the Olympic Park local heat network and would expect that any application should robustly detail how this connection will be delivered. Clarity should also be provided on the sustainability targets including Code for Sustainable Homes/Zero Carbon homes and BREEAM levels proposed.

4. There are of course many other planning issues that I have not covered in detail in this letter but that will need to be taken into consideration for any proposals on this site; such as flood risk, biodiversity and impacts of the waterways environment, contaminated land, noise, air quality, sunlight and daylight, microclimate and cumulative impacts. I understand that submission of an Environment Statement under the EIA Regulations is proposed and that scoping work associated with this may be imminent.
I would encourage you to seek a formal scoping opinion from the Local Planning Authority and if this is sought before LLDC becomes the LPA, that you consult this Authority as part of that process and that detailed discussion is undertaken with the LTGDC, LBTH and ODA Planning Decisions Team as the scope of the EIA and the EIA itself is developed in order to minimise the potential for any associated delay when considering these aspects of any future planning application.

**CONCLUSION**

I trust that the above helps to clarify my views and provides you with appropriate advice to keep the project moving forward.

Yours sincerely,

Vivienne Ramsey  
Director of Planning Decisions  
Olympic Delivery Authority Planning Decisions Team

cc:  
Eleanor Fawcett  LLDC  
Simone Williams  London Borough of Tower Hamlets  
Michael Bell  London Borough of Tower Hamlets  
Peter Minoletti  LTGDC  
Stephen Allen  LTGDC
PLANNING POLICY CONTEXT

The relevant policies and guidance documents applicable to this development are:

1.1 **National Policy and Guidance**

The following national policy and guidance are of particular relevance to the proposals:

National Planning Policy Framework, March 2012

1.2 **Strategic and Local Policy**

The Adopted Development Plan comprises:

- The London Plan July 2011
- LB Tower Hamlets Core Strategy
- LB Tower Hamlets Unitary Development Plan (relevant policies saved)

1.3 **Strategic and Local Guidance**

The following strategic and local guidance documents are of particular relevance to the proposals:

Greater London Authority documents:

- Accessible London: Achieving an Inclusive Environment (April 2004);
- Draft Housing SPG (December 2011);
- Sustainable Design and Construction SPG (2006);
- Planning for Equality and Diversity in London (October, 2007);
- Wheelchair Accessible Housing (2007);
- Draft Revised Interim Housing Supplementary Planning Guidance (2009); and
- Housing Draft Supplementary Planning Guidance (December 2011)
- Draft Olympic Legacy SPG
- Minor Early Alterations to London Plan Consultation Version February 2012
- Providing for Children and Young People’s Play and Informal Recreation SPG (March 2008)
- Draft Shaping Neighbourhoods: Children and Young People’s Play and Informal Recreation (February 2012)
- East London Green Grid Framework PDF (February 2008)
- All London Green Grid (March 2012)

London Borough of Tower Hamlets:

- Fish Island Conservation Area – Character Appraisal and Management Guidelines
- Planning Obligations Supplementary Planning Document (Adopted January 2012)
- Draft Fish Island Area Action Plan (Submission Version May 2012)