

STATEMENT OF COMMON GROUND

Between the London Borough of Tower Hamlets and Canary Wharf Group

In respect of representations of policies relating to employment, open spaces and water spaces, design and heritage housing and town centres.

London Borough of Tower Hamlets

**Managing growth and sharing the benefits –
Tower Hamlets Local Plan 2031**

Statement of Common Ground – Policies

Tower Hamlets Local Plan Examination in Public

Date: 26th July 2018

Parties: London Borough of Tower Hamlets (LBTH) and Canary Wharf Group (CWG)

In relation to the representations dated 13th November 2017 submitted on behalf of Canary Wharf Group in response to the Local Plan regulation 19 consultation.

This statement of common ground covers comments made in relation to employment, open spaces and water spaces, design and heritage housing and town centres.

Please note: existing modifications are in **red** (which were submitted to the Planning Inspectorate on 28th February 2018) and the proposed new modifications in response to the inspector's main matters are in green.

Agreed Actions (in policy order)

Tall Buildings

- Additional supporting text will be added to paragraph 3.65 of the supporting text to clarify that applicants will need to consider the cumulative impact of nearby proposals with a valid planning permission:

An architectural-virtual model and /or visual impact study (including verified views) may be required depending on the scale and nature of the proposal, including an assessment of the cumulative effects of other proposals with extant planning permission.

Approach to the Threshold Approach:

- The wording of paragraph 4.18 will be amended:

Applications that do not meet policy requirements will be subject to viability re-appraisals. Further guidance is provided in the Development Viability Supplementary Planning Document and the Mayor of London's Viability and Affordable Housing Supplementary Planning Guidance. The borough's guidance will take precedence.

- The Viability and Affordable Housing Supplementary Planning Document will also be added to the evidence links relating to policy S.H1.

Student Housing

- The wording of paragraph 4.21 has been amended (see minor modification reference M99) as follows:

*All residential developments, **excluding student and specialist housing (which are addressed in policies D.H6 and D.H4 respectively)**, must meet the requirements outlined in policies D.H2 and D.H3, including unit size mix, affordable housing and space standards. In addressing these requirements, consideration will be given to the size of the development. We also support the delivery of residential moorings in suitable locations (further guidance is provided in policy D.OWS2).*

Housing Standards

- The wording of paragraphs 4.43 and 4.44 has been amended as follows (see minor modification reference M110):

*4.43 Part 2 provides guidance that private and affordable housing should not be distinguishable. Different tenures should be mixed throughout a development, although it is recognised that separate cores may be required to enable effective management **and minimise service charges for affordable units. Where separate cores result in separate entrances for market and affordable units, these entrances must also not be externally distinguishable and must be located so that they are of equivalent access and amenity value.***

4.44 Part 3 recognises that due to higher occupancy rates and child yields, affordable housing is likely to be subject to more wear and tear than other housing tenures. In order for these homes to be fully fit for purpose, developers must use hard-wearing, durable materials to ensure **the development** remains of high quality throughout **its** lifetime **and requires minimal service charges to clean and maintain**. This should be evidenced in the design and access statement. In addition, all family-sized affordable homes should have separate kitchen and living rooms, due to local needs. For further guidance, please contact our affordable housing service and/or refer to the Tower Hamlets Housing Forum's Section 106 Design Guide.

- The wording of paragraph 4.46 will be amended as follows:

In considering the design and layout of private amenity space, it is important that the space meets the minimum standards set out in the policy (see part 5) to ensure that residents have sufficient space to carry out activities such as drying clothes or eating a meal outside. Where relevant, developments should also be guided by policies D.ES2 (air quality) and D.ES9 (noise and vibration) in relation to the layout and design of amenity space.

- Policy D.ES9: Noise and vibration will be added to the policy links.

Employment

- The wording of policy S.EMP1: Creating investment and jobs within the designated employment locations table in relation to the Primary Preferred Office Location (POL) and Secondary Preferred Office Location (POL) have been amended (see minor modification reference MM117) to read:

Primary Preferred Office Location (POL)

*This predominantly consists of offices and is most suitable for buildings with large floor-plates which can provide significant numbers of jobs. It is unsuitable for housing or any other **non-strategic Central Activities Zone (CAZ)** use which could undermine its **strategic** function and prevent the delivery of sufficient land for employment use.*

Town Centres

- The final sentence of the supporting text (paragraph 2.14 on page 28) will be amended as follows:

~~These centres have been classified according to their existing roles and functions (see policy S.TC1) and each performs a different but complementary role. The network and hierarchy of centres is set out in policy S.TC1, with each centre performing a different but complementary role.~~

- New text will be inserted after 'Major Centre' within policy S.TC1 (i.e. the first column of the table), page 93, as follows:

"(with potential to be reclassified as a Metropolitan Centre over the Local Plan period)"

- Two new paragraphs will be inserted immediately after table 4, page 99, clarifying the context of the baseline need figures as set out in the Town Centre Retail Capacity Study:

“6.17. The level of need for retail floorspace set out in table 4 is based on a constant market share approach over the plan period. It takes into account the impact of committed development, which is why some town centres do not have any floorspace capacity in the comparison retail sector as a result of the growth potential in these areas, particularly in Canary Wharf.

6.18 These figures, however, should not represent a ceiling to new development. New floorspace and investment may enhance the profile of a town centre, helping to claw back expenditure, and increase market share and trade retention. Furthermore, there is still no certainty that committed development will come forward as planned in the short term, highlighting the importance of ensuring these figures are kept under review throughout the plan period.

Note: table 4 is also being amended to show retail floorspace need across all centres as set out in the evidence base, rather than borough-wide figures.

- Paragraph 6.17 of the supporting text (page 99) will be amended (see post submission minor modifications reference xx) to remove retail demand test when assessing planning applications, this is not consistent with the retail tests set out in the NPPF.

~~6.17 Where new retail or leisure floorspace is proposed beyond these figures, the applicant will be expected to demonstrate that a demand does exist for such floorspace and that it would not detrimentally harm the viability and vitality of existing floorspace in the centre and nearby town centres (see part 2).~~

- Part 4: Vision for Isle of Dogs and South Poplar, page 217. The text box on pages 217-218 (at the beginning of paragraph 4) will be amended to make reference to Canary Wharf having achieved re-designation to a Metropolitan Centre status in the town centre hierarchy as follows:

Canary Wharf will achieve re-designation to a Metropolitan Centre in the town centre hierarchy.

- Isle of Dogs and South Poplar development potential, paragraph 5.5, page 220. The footnote will be amended to provide provided explanation and clarification in the context of table 4, page 99:

~~Development potential figures are derived from the housing trajectory (see appendix 7), the Employment Land Review and the Town Centre Retail Capacity Study (which assessed the capacity of Canary Wharf and Crossharbour town centres). Note: Retail capacity figures include committed development and do not represent a ceiling on new development (see chapter 6, section 3). Please note: the housing target represents a cautious estimate of the Tower Hamlets housing land supply position in relation to the London Plan target and the objectively assessed needs identified through the Tower Hamlets Strategic Housing Market Assessment (2017). The employment and retail capacity figures derive from the Tower Hamlets Employment Land Review (2016) and the Tower Hamlets Town Centre Strategy (2017-2022). The strategy assessed Canary Wharf and Crossharbour town centres for retail capacity in comparison and convenience. The required infrastructure has been identified in the Tower Hamlets Infrastructure Delivery Plan. Provision will be sought through the site allocations.~~

- Delivering sustainable places, paragraph 5.6, page 221. Point 9 will be amended to read:

Support the re-designation of Canary Wharf to a Metropolitan Centre in the London Plan and promote the expansion of retail, leisure and complementary commercial employment provision to support its continued role as a higher order town centre.

- Section 6: Appendix 1: Glossary and acronyms, page 272. A definition of a Metropolitan Centre will be inserted as follows:

Metropolitan Centres are designated through the London Plan. Canary Wharf has been identified as already fulfilling the role of a Metropolitan Centre because it serves a wide catchment which extends over several boroughs and into parts of the wider south-east region. It contains at least 100,000 square metres of retail, leisure and service floorspace with a significant proportion of higher-order comparison goods relative to convenience goods. Canary Wharf has very good accessibility and significant employment, service and leisure functions.

Water Space:

- A minor modification has been added to include a reference to “water-dependent” uses in part 1(a). of policy D.OWS4 alongside “water-related” uses (see minor modification reference MM170).

Open Space:

- The positioning of the new pedestrian footbridge (number 21) shown on figure 13 in chapter 8 will be amended to link Billingsgate Market and the Aspen Way site.

Outstanding Matters (in policy order)

The matters above and following were discussed during meetings on the 7th September 2017, 7th December 2017, 12th January 2018 and 19th June 2018 and the following matters remain outstanding.

Views

- CWG: There is insufficient evidence to support the inclusion of "other local views" and part f sets a higher test than the features identified in parts c to e (policy D.DH4).
- LBTH proposes to amend the wording of policy D.DH4 as follows:

f. preserves or enhances townscape and ~~other local~~ views to and from the site, which are important to the identity and character of the place

- LBTH have included additional wording to clarify the meaning and identification of 'other local views' in paragraph 3.51 (wording in red) (see minor modification reference MM52). Further modifications to paragraph 3.51 are also proposed (wording in green):

These views will be identified on a case by case basis through the townscape and visual impact analysis in relation to a particular development.

- CWG remain of the view that currently unidentified 'local views' should not be referenced in policy D.DH4.
- LBTH still consider it important to retain reference to these views as they are a well-established tool for consider visual impact and must be determined on a case by case basis. We consider the proposed modifications to provide suitable clarity.

Tall Buildings

- CWG sought to add greater flexibility to the policy through amending 'must' to 'should'.
- LBTH do not support this amendment as it is considered to weaken the emphasis of policy D.DH6.

Threshold Approach

- CWG sought to insert "unless otherwise agreed" after "reappraisals".
- LBTH do not support this proposal as it would undermine the objective of the threshold approach and do not agree to remove our ability to continue to seek to achieve policy compliance during the development of the scheme.

Housing Quality

- CWG sought to add greater flexibility to supporting text (see paragraphs 4.21, 4.43 and 4.44) through amending 'must' to 'should'. CWG consider the standards requirements are too strict and therefore deviate from the London Plan.
- CWG would also like to retain the ability to deliver "oversize" units with no outdoor private amenity space. This is consistent with the Mayor of London's Housing SPG (2016) (para. 2.3.32) which allows units to be 'oversized' in certain circumstances where constraints would make it inappropriate to provide an external private amenity space (such as close to transport infrastructure). All CWG are seeking is the flexibility

to incorporate a proportion of oversized units if site constraints dictate. Having considerable experience in delivering residential development on sites in busy Opportunities Areas and close to transport infrastructure, it is CWG's view that this flexibility is very important to enable successful residential developments.

- LBTH do not support this amendment. Requiring conventional residential developments to comply with the affordable housing and space standard requirements are key to delivering the plan's objectives. In addition, the borough's open space deficit increases the importance of delivering outdoor private amenity space.

Housing Mix

- In addition to CWG's comments made in their regulation 19 consultation representations, they note that draft London Plan policy H12 sets out that there should not be a prescriptive dwelling size mix for market and intermediate homes. CWG therefore considers that this requirement should sit outside of development plan policies and should be considered on a site by site basis.
- LBTH do not support this amendment. The housing mix is based on an up-to-date strategic housing market assessment and reflects the borough's objective to create mixed and balanced communities. We recognise that the interaction between this approach and the threshold approach requires further consideration. This will need to be discussed at the examination hearings.

Employment:

- CWG consider there to be insufficient justification for the 25% threshold for residential provision in the secondary POL.
- LBTH has amended the wording of policy S.EMP1 for the Secondary Preferred Office Location (POL) as follows:

Secondary Preferred Office Location (POL)

These contain, or could provide, significant office floorspace to support the role and function of the Primary POL and the City of London. ~~Significant~~ Greater weight is given to office and other strategic CAZ Central Activities Zone uses as a first priority. Although residential uses can be accommodated, these ~~must~~ should not exceed 25% of the site.

For the purposes of flexibility, the following new criterion has been added after part 1, (wording in red) (see minor modification reference M118) and further modifications to this are also proposed (wording in green):

Where residential floorspace ~~thresholds~~ guides set out in part 1 are exceeded, applicants must robustly demonstrate why it is not viable to deliver the required office space CAZ strategic uses ~~targets cannot be achieved~~ and that the supply of sufficient employment capacity to meet future need is not being compromised.

It is proposed that the following modification (see minor modification reference MM123) to the supporting text (paragraph 5.14) be removed. :

~~The proportion of uses will be negotiated on a site by site basis in accordance with parts 1 and 2, with the objective of optimising office and CAZ uses in line with the~~

~~London Plan and the evidence set out in the Preferred Office Locations Boundary Review.~~

- CWG continue to consider that any reference to a threshold is inappropriate and requested additional flexibility regarding the Secondary Preferred Office Location (POL) in relation to the Isle of Dogs and South Poplar sub area.
- LBTH do not support this approach as the policy is borough-wide and has already been amended (as described above) to include greater flexibility in order to take into account site allocations and ongoing applications in the Isle of Dogs and South Poplar sub area. It is considered that this approach is in accordance with the Central Activities Zone Supplementary Planning Guidance (2016).

Town Centre / Monitoring

- CWG requested an inclusion of a new monitoring target in Table 10: Monitoring and delivery framework (pages 268-269) to include a reference to Canary Wharf achieving Metropolitan Centre status as a key monitoring indicator and target.
- LBTH do not consider this appropriate, as this re-designation is undertaken in relation to the London Plan and the monitoring and delivery framework monitors the Local Plan.

Other Policy Areas

- While not subject to detailed discussion through the statement of common ground discussions, it is noted that comments provided by CWG on all other policy areas in their regulation 19 representations are still outstanding.

Signed on behalf of Canary Wharf Group



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Date: 26/07/2018

Signed on behalf of London Borough of Tower Hamlets



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Date: 26/07/18