
Examination of the Tower Hamlets Local Plan

London Borough of Tower Hamlets

Response to Main Matter 9

Matter 9: Retail, Markets and Community Facilities

Issue 9 – Are the retail, markets and community facilities policies justified, deliverable and consistent with national policy?

9.1 Is the approach to retail provision over the plan period within the borough sufficiently robust and in accordance with the London Plan?

9.1.1 The LP's approach to retail provision over the plan period is based on the Town Centre Retail Capacity Study (2016) (SED33) and the Town Centre Strategy 2017-2022 (SED34). It is a positive and robust 'town centre first' approach and in accordance with both the National Planning Policy Framework (2012) and the London Plan (2016). It is also important to note that the GLA raised no objections to our approach within their regulation 19 representation (ID: LP672).

9.1.2 The LP policies also underpin our strategic mission for town centres as set out in the Tower Hamlets Town Centre Strategy 2017-2022 (page 7). 'Improving the existing retail offer' is identified as a key way to achieving the strategic mission.

9.1.3 Tower Hamlets contains a network of successful and healthy town centres across all tiers of the hierarchy, although there are some centres performing better than others, and some would benefit from future investment to safeguard their future vitality (see paragraph 1.7 of the Town Centre Retail Capacity Study 2016: Executive Summary, SED33).

9.1.4 The LP begins with defining a network and hierarchy of centres across the borough (policy S.TC1). It then sets out a series of development management policies to safeguard the future vitality and viability of these centres in terms of retail provision and other town centre uses.

9.1.5 In relation to the London Plan, the LP approach accords with policy 2.15 (and annex 2) which identifies London's network of town centres. In the context of Tower Hamlets, this comprises:

- the Central Activities Zone (CAZ);
- a major centre (Canary Wharf);
- a series of district centres;
- neighbourhood centres; and
- a series of neighbourhood parades¹ which meet the needs of their local catchments and compliment the role of other centres further up the hierarchy.

9.1.6 In relation to this policy, the LP also sets out measures to:

- sustain and enhance the vitality and viability of each centre – all LP town centres policies have been drafted with the objective of sustaining the future vitality and

¹ Paragraph 22.86 of the Town Centre Retail Capacity Study highlights the potential to consider a lower tier classification termed as 'Neighbourhood Parades', which would take account of smaller retail and service areas that serve a more localised function. This approach accords with London Plan (policy 4.8).

viability of our town centres in accordance with the Town Centre Strategy 2017-2022.

- identify town centre boundaries, primary shopping areas and primary and secondary frontages – set out in policy S.TC1 and the Policies Map;
- accommodate economic uses and/or housing - stated in paragraphs 6.1 and 6.12 of the LP; policy S.TC1 (part 4c, minor modification MM141); as well as policy S.EMP1 which identifies the role of town centres as an employment location; and
- enhance the competitiveness, quality and diversity of the town centre – again, all LP town centre policies aim to achieve this policy.

9.1.7 The LP accords with London Plan policy 4.7 (Retail and town centre development) which sets out the Mayor of London’s support towards a strong partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres. In particular, the LP seeks to:

- identify future retail and commercial leisure floorspace needs (policy S.TC1);
- undertake regular town centre health checks (as set out in chapter 6 of the LP and table 10: ‘Monitoring and delivery framework’ which includes monitoring indicators that monitor the health and development of our town centres);
- resist inappropriate out-of-centre development and manage existing out of centre retail and leisure development in line with the sequential approach – policy D.TC3 of the LP requires new retail development proposals to adhere to the sequential approach and to undergo an impact assessment if the locally set threshold is exceeded in accordance with national guidance.

9.1.8 The LP accords with policy 4.8 (Supporting a successful and diverse retail sector and related facilities and services) of the London Plan in that it:

- brings forward capacity for additional comparison goods retailing including within Canary Wharf (a major centre);
- supports convenience retailing particularly within district and neighbourhood centres – policy D.TC2, in particular, seeks to protect the retail function of our district and neighbourhood centres;
- supports London’s markets (policy D.TC7); and
- identifies areas which are under-served in local convenience shopping and services provision – in accordance with the evidence base², the LP includes Neighbourhood Parades which takes account of smaller retail and service areas that serve a more localised function, particularly in housing areas that are not within walking distance of Neighbourhood Centres.

9.1.9 The LP accords with London Plan policy 4.9 which aims to support small or independent retailers, including:

- the promotion of mix of unit sizes and types to assist in the creation of vibrant centres that offer a diversity of choice, and meet the needs of local communities (policy S.TC1, part 4); and
- managing the scale of shops allowed outside of our town centres (policy D.TC3).

9.2 What evidence is there to support the threshold levels set in connection with primary and secondary frontages as defined by policy D.TC2 and para 6.21 (page 101)?

9.2.1 The primary and secondary frontage A1 thresholds set out in policy D.TC2 of the LP are based on evidence gathered to support the frontage recommendations set out in chapter 21 of the Town Centre Retail Capacity Study, including:

² Paragraph 22.86 the Town Centre Retail Capacity Study.

- Experian Goad data which identified units by use class on a street by street basis;
- our annual monitoring report data; and
- observational data through site visits.

- 9.2.2 Using the methods above, primary frontages were selected based on an assessment of areas comprising the highest levels, concentrations and continuity of retail activity and footfall, therefore containing a predominance of A1 units, as well as taking into account future development proposals such as Crossrail at Whitechapel.
- 9.2.3 Therefore, on the basis that our primary frontages are based on existing and future retail clusters, a 60% A1 threshold for primary frontages is considered to be appropriate in order to maintain a dominance of A1 uses in these areas whilst allowing suitable flexibility for a range of other town centre uses to come forward. As stated in our response to question 9.1, 'improving the existing retail offer' is identified as a key part of achieving the council's strategic mission for town centres (see the Town Centre Strategy 2017-2022, page 7).
- 9.2.4 Similarly, a minimum 40% A1 threshold in secondary frontages aims to ensure that a wider mix of uses can be achieved that contributes to the vitality and viability of the town centre, including financial and professional services, community, employment and leisure facilities.
- 9.2.5 It is considered that these policies are key to protecting and enhancing the retail character of our shopping frontages in these areas in accordance with the Town Centre Strategy 2017-2022. Furthermore, the loss of local shopping facilities was highlighted as a significant concern within our local communities during regulation 18 and 19 stages of the LP.
- 9.2.6 Local shopping facilities in our centres must be located close to where our communities live, making their protection a priority, whereas other town centre activities such as dining or drinking can be something people are more able to travel further to enjoy. This is particularly important in the context of Tower Hamlets – our town centre retail offer is unique in that it predominately comprises small, independent retailers at the heart of our local communities; and there relatively few high street chains³. Furthermore, we expect our shopping frontages to continue to increase in their health and occupancy, particularly as the borough's significant housing growth continues throughout the plan period. We also note that comparable A1 threshold policies are set out in Hackney's adopted and emerging LP, which as a neighbouring borough, contains a very similar retail landscape to Tower Hamlets in terms of small, independent shops.
- 9.2.7 However, we recognise that the policy must also be resilient to market trends and changing roles of town centres. It is considered that parts 1, 3 and 6 of policy D.TC2 are sufficiently flexible in their application to respond to future market trends and the need to enhance vitality and viability of centres. This is reflected in the wording, where development 'should contribute towards' meeting the thresholds. Furthermore, through the application of part 6, if a proposal results in the A1 thresholds not being met (even if A1 levels are already below the thresholds) then applicants are required to demonstrate that the A1 use is not viable in the location following 12 months marketing evidence.
- 9.2.8 This is considered to be a pragmatic approach that gives us the scope to consider the future health, vitality and viability of town centres in forming our judgments on proposals based on robust evidence provided to us by the applicant.

³ Town Centre Strategy 2017-2022 (page 3)

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- 9.2.9 Please note there have been some amendments to this policy in response to representations and these main matters: PSMM84, PSMM85 and MJM22.
- 9.3 Is the approach to hot food takeaways (policy D.TC5, 3 a-e) reasonable and justified? Will it be effective?**
- 9.3.1 Policy D.TC5 (part 3) of the LP seeks to define appropriate locations and concentrations for new hot food takeaway premises and preventing these uses in other locations.
- 9.3.2 This approach is justified and consistent with national and regional policy which is increasingly strengthening the position for the protection against the negative impacts that concentrations of hot food takeaways can have on local communities.
- 9.3.3 The NPPF includes clear objectives for planning and health. A core planning principle (paragraph 17) states that: "*planning should take account of and support local strategies to improve health, social and cultural wellbeing for all.*"
- 9.3.4 The London Plan (2016) has a range of policies to support promote more active lifestyles and better diets, whilst recognising that over-concentrations of hot food takeaways can give rise to particular concerns (paragraph 4.50A). This approach is supported within the Mayor of London's Town Centres Supplementary Planning Guidance (2014), which states that boroughs are encouraged to manage over-concentrations of activities including hot food takeaways.
- 9.3.5 Furthermore, in their representation, the Greater London Authority (GLA) (see representation ID LP670) were '*broadly supportive*' of the approach taken in the LP to '*control hot food takeaways in line with London Plan policies 3.2 and 4.8g and their supporting text.*
- 9.3.6 The emerging London Plan reiterates this advice and goes a step further: it contains a London-wide policy to prevent new hot food takeaways from opening within 400 metres walking distance of an existing or proposed primary or secondary school (policy E9).
- 9.3.7 Overall, the approach taken in the LP in regards to new hot food takeaways has developed in light of increasing concerns of residents regarding the overconcentration of hot food takeaways in the borough, especially where they tempt younger residents to consume food unhealthy foods that are high in fat, salt and sugar.
- 9.3.8 Tower Hamlets has rates of obesity higher than much of England and most other London boroughs. Furthermore, emerging evidence suggests that many of our residents disproportionately suffer the ill effects of diet-related diseases. Because of this, we have as a member of the borough's Health and Wellbeing Board developed a package of policies, strategies and programmes designed to lead a transformation in addressing childhood obesity food poverty problems in the borough. The LP approach to define appropriate locations and concentrations for new takeaway premises is a major part of this package (in accordance with paragraph 17 of the NPPF). The Town Centre Topic Paper (SED35) sets out a further detail in relation to the evidence base considering the health impacts of hot food takeaways.
- 9.3.9 In particular, part 3.d of the policy (D.TC5) aims to prevent hot food takeaways developing in areas disproportionately frequented by children (i.e. in close proximity to schools and local authority leisure centres).
- 9.3.10 The policy proposes a 'reasonable' 200-metre buffer to hot food takeaways around schools/leisure centres which is approximately 3 minutes' walking distance. This is less onerous than that set out in the emerging London Plan (400 metres). Given the high level of population and development density in Tower Hamlets, the application of a
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400-metre protection zone to all schools would leave very little land outside this exclusion zone (the 400 metre exclusion zone covers 82% of the borough). This is illustrated in figure 5 in the Town Centre Topic Paper (SED35) which shows the differences between the coverage of a 200 metre buffer and 400 metre buffer.

- 9.3.11 Policy D.TC5 also aims to ensure a balance of takeaways within our town centres primarily through parts 3a-3c which focus on managing concentrations of hot food takeaways in our town centres accordance with the London Plan. The rationale here is that by ensuring an appropriate balance, we can promote and protect healthy choices and retain the economic diversity of our town centres and the borough, as well as protecting the attractiveness, vitality and character of shopping frontages. Note: the adopted local policy regarding hot food takeaway concentrations (i.e. Managing Development Document, 2013, policy DM1, part 5) has been effectively implemented.
- 9.3.12 This approach is supported by evidence set out in the Town Centre Strategy (2017-2022) and our annual monitoring reports⁴ which show that the proportion of hot food takeaways in some of our centres is 8-11% of all units, above the national average of 5.6%⁵. Other relevant evidence identifies growing numbers of hot food takeaways in the borough particularly high concentration of this use along the main thoroughfares including Bethnal Green Road, Whitechapel Road and Roman Road⁶.
- 9.3.13 Please note: While it is accepted that not all hot food takeaways sell unhealthy food, it is considered that there is no guarantee that a healthy business model would continue into the future under an A5 use class, and that it is not an unreasonable prospect that pressures on the business could lead to a change in the nature of the food sold despite the current best intentions of the appellant. There is strong evidence since the 2008 recession that this has taken place for a number of cases in Tower Hamlets. A similar position was reached by a planning inspector at a recent appeal⁷.

9.4 In relation to policy D.TC6 – where is the evidence to support the Council’s view that an over concentration of hotel use in town centres can be harmful? Is the policy wording at present sufficient to address this concern and where is the justification for including a need requirement for this town centre use?

- 9.4.1 The ‘need’ requirement set out in policy D.TC6 (part 1b) is in reference to the ‘over concentration’ of such uses. A modification will be made accordingly to remove the reference to ‘need’ (PSMM99).
- 9.4.2 In principle, we are supportive of new hotel uses in the right locations set out policy D.TC.6. A sustainable supply of visitor infrastructure is vital to the continued health of the Tower Hamlets and London economy as well as the vitality of our town centres.
- 9.4.3 However, over recent years, the number of applications coming forward for hotel uses has increased at a significant rate. In the past 6 years alone, 13 new hotels in the borough have been either completed or are still in the development pipeline providing over 1,000 new hotel beds⁸. These proposals are particularly focused in the City Fringe area in the west of the borough.
- 9.4.4 While it is accepted that hotels are a town centre use and are important for the reasons set out above, an overconcentration of such uses are considered to be potentially detrimental to the health and character of town centres and local areas. Where over-concentration occurs, hotels can harm the character of a place and can create amenity issues to neighbouring residents or businesses, including potential noise, disturbance, highways and daylight issues.

⁴ Tower Hamlets Annual Monitoring Report (2016/17)

⁵ District centres of Crisp Street, Crossharbour and Whitechapel

⁶ Tackling the Takeaways: A New Policy to Address Fast-Food Outlets in Tower Hamlets (2011)

⁷ Appeal reference: APP/W4515/W/17/3184901

⁸ Building control records (London Borough of Tower Hamlets)

- 9.4.5 Policy D.TC6 seeks to provide a flexible approach that promotes but also manages new hotel proposals to ensure that the highest quality development is achieved in the right places. This approach is already adopted in the Managing Development Document (policy DM7, part 1.d) and has been an effective policy tool in ensuring that an appropriate planning balance is achieved.
- 9.4.6 This policy is also linked closely to criterion 1.c of policy D.TC6 which seeks to ensure that our priority uses (homes and employment) are not prejudiced. This is particularly important given the limited opportunity for a mix of uses on hotel schemes unlike most other development schemes.
- 9.4.7 It is recognised that 'overconcentration' is not something that can be precisely defined. Its application is very much dependant on local circumstances, taking into account the 'symptoms' of overconcentration linked to impacts on amenity, highways and local character. Similar tests of overconcentration are applied by development management planning officers to other uses such as student accommodation.
- 9.4.8 Finally, this policy approach is consistent with the London Plan (policy 4.5) and the Mayor of London's Central Activities Zone Supplementary Planning Guidance which seeks to 'avoid concentrations of hotel uses within parts of the CAZ that might constrain other important strategic activities (office and other commercial and leisure uses)'. The GLA's strategic approach to the overconcentration of hotels was borne out of specific concerns raised by various other 'CAZ boroughs' (including Islington and Wandsworth) relating to increasing levels of hotel applications in their respective CAZ areas and the impact this was having on local amenity issues as well as loss of key housing or employment sites.

9.5 In relation to policy S.TC1 and table 4, the Council has provided a response to my initial query in relation to the retail floorspace requirements identified by the policy. The Council is requested to provide a detailed response to this point including the revised table which it has referred to in its letter of 15 May 2018.

- 9.5.1 The retail need figures set out in the LP are based on the Town Centre Retail Capacity Study. However, it is accepted that the methodology used to reach the final borough-wide figures set out in the LP submission version could be made clearer.
- 9.5.2 It is considered that table 4 of the LP should instead set out a breakdown of the individual retail need figures for each major/district centre, as presented in the Town Centre Retail Capacity Study (minus Bromley-by-Bow which is part of the London Legacy Development Corporation), as opposed to borough-wide need figures. This helps to show a more location-specific picture of retail need across the borough.
- 9.5.3 Proposed modifications include MJM18, MJM19, MJM20 and MJM21 (see appendix 9.1). Where 'no capacity' has been identified in the modified table, this is due to negative capacity mainly as a result of committed development. However, we have been very clear within the supporting text that this must not represent a ceiling on new development.

9.6 Policy D.TC7 3 a refers to supporting markets of a temporary nature outside of town centres, how do the Council propose that temporary is defined? Is the policy sufficiently clear in this regard?

- 9.6.1 Part 3 of policy D.TC7 sets out a number of criteria to ensure that proposals for new markets do not undermine the role of existing town centres and markets. In this context, ensuring the proposals are 'temporary in nature' (part 3.a) refers to 'temporary permissions' (see paragraph 6.54 of the LP supporting text) which is

defined in the Planning Practice Guidance (Paragraph: 014 Reference ID: 21a-014-20140306)⁹.

9.6.2 It is considered that the wording is sufficiently clear in this regard.

9.7 In relation to the Crossharbour District Centre – is the wording in paragraph 10, page 221 precise enough?

9.7.1 Crossharbour District Centre boundary has been extended to include Pepper Street in recognition of the changing role of this centre and the growing number of town centre activities occurring in this area.

9.7.2 The text referred to in question 9.7 is a sub area objective and indented to provide high level text to support the vitality and diversification of Crossharbour District Centre. For this reason, the wording is considered to be sufficient.

9.7.3 This objective also aligns with the borough-wide town centre policies and proposed primary and secondary frontages. For example, there are no frontages designated around Glengall Bridge which supports the aspiration for more leisure and community uses as proposed in the sub area objective.

9.8 There is confusion throughout the LP regarding the use of ‘town’ centres and ‘district’ centres. Para 2.6 (page 27) refers to development being focused within designated town centres as outlined by policies S.TC1 and S.TR1. Even though both town and district centres as defined within the glossary, the LP makes no such designation within the policies map. As such, the definition provided within the glossary is incorrect. The Council should consider a consistent approach to the terminology and classification of its centres throughout the LP.

9.8.1 It is accepted that there is some inconsistency in the term used for ‘town centres’. Minor modifications will ensure that the term ‘designated town centres’ is not used to avoid confusion and instead the terminology ‘Major, District and Neighbourhood Centres’ will be referred to.

9.8.2 For clarity, the ‘town centre hierarchy’ or ‘town centres’ refers to all town centre designations including the Central Activities Zone, Tower Hamlets Activity Areas, the Major Centre, Districts Centres, Neighbourhood Centres and Neighbourhood Parades. The extent of these designations set out in policy S.TC1 is shown on the Policies Map.

9.8.3 A number of minor modifications to the LP will be made, including to the policy map and the glossary to ensure consistency (see minor modifications PSMM81, PSMM239 and PSMM276).

9.9 Is the approach to Markets as identified by policy D.TC7: Markets justified and effective?

9.9.1 Policy D.TC7 is based on evidence set out in the Town Centre Retail Capacity Study and the Town Centre Strategy 2017-2022. In particular, the Town Centre Retail

⁹ Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. A condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity.

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

A temporary planning permission may also be appropriate on vacant land/buildings to enable use for a temporary period prior to any longer term regeneration plans coming forward (a meanwhile use) or more generally to encourage empty property to be brought back into use. This can benefit an area by increasing activity.

Capacity Study (chapters 7-15) identifies the role and performance of each of the borough's street markets.

- 9.9.2 As identified in the Town Centre Strategy 2017–2022 (page 28), Tower Hamlets boasts some of the most iconic and internationally renowned street markets in London which contribute significantly to the vitality of local economies. For this reason, the council is committed to continue its investment and support of its street markets.
- 9.9.3 Our approach is in conformity to the London Plan. In particular, London Plan policy 4.8 requires LPs to 'support the range of London's markets, including street, farmers and, where relevant, strategic markets, complementing other measures to improve their management, enhance their offer and contribute to the vitality of town centres' (part B, point e).
- 9.9.4 Our approach also addresses issues identified in the GLA's Town Centres SPG (2014) recognising that while some markets are thriving, the majority of traditional street markets are in decline, especially those in more deprived parts of London. Indeed, the Town Centre Retail Capacity Study identifies that there is a disparity between the strengths and performances of the boroughs street markets (chapters 7-15).
- 9.9.5 The above sets out the justification of policy D.TC7. In terms of effectiveness, the policy has been developed to link closely to the objectives and plans of the councils' markets service team, which in principle, aim to support and enhance our street markets while protecting the continued role of our town centres.
- 9.9.6 In particular, parts 1 and 2 of the policy align closely with the market service's plans to improve the management and operation of street markets to support the promotion of footfall into town centres, which includes proposed expansion plans to some of our markets. Part 2 also addresses another objective to ensure that new markets within town centres do not duplicate existing high street businesses or take footfall away from town centre uses.
- 9.9.7 Part 3 of the policy recognises that there may be some opportunities for new markets outside of town centres during the plan period; however, in accordance with the objectives of the markets service, such proposals must demonstrate that they are temporary in nature¹⁰ and help activate vacant sites in order to protect the role of existing markets and town centres and the amenity of surrounding properties.
- 9.10 The LP is inconsistent as to whether Canary Wharf is a higher order 'Metropolitan Centre' rather than a 'Major Centre', having regard to the Town Centre classifications in the London Plan. Policy S.SG1 defines it as a metropolitan centre (there is no definition in the glossary although 2.13 page 28 contradicts this). The retail chapter appears to define it as a major centre. The London Plan is clear that the Canary Wharf should develop as a metropolitan centre and indeed the draft London Plan classifies the centre as a metropolitan centre. How does the LP address this issue? If the intention is to support and facilitate this designation should this be acknowledged in the table at page 93 policy S.TC1?**
- 9.10.1 For clarity, the LP's position is that Canary Wharf is currently classified as a major centre, although it is currently fulfilling the role of a metropolitan centre and has the potential to be reclassified (through the London Plan) over the plan period. This position is set out within the supporting text to policy S.SG1 (see paragraph 2.13) and policy S.TC1 (see paragraph 6.9).

¹⁰ Temporary planning permission

9.10.2 However, for absolute consistency and following discussions with Canary Wharf Group through a Statement of Comment Ground (SCG03), the following text additions will be made to the LP:

- Revisions will be made to paragraph 2.14 to ensure consistency with policy S.TC1 (PSMM14).
- A reference to the metropolitan centre upgrading will be added to the policy S.TC1 table (PSMM82).
- A reference will be made to the Isle of Dogs sub-area vision (PSMM156).
- A glossary definition will also be added clearly defining a metropolitan centre and its relevance to Canary Wharf (PSMM227).

9.11 The Council advises they will review all town centres boundaries on an annual basis to reflect changes or extensions – what mechanism will be used to implement these changes annually?

9.11.1 The Annual Monitoring Report will review overall town centre use make up, vacancy levels and the proportion of A1 uses on frontages. The monitoring and delivery framework (table 10 in the LP) sets out indicators to monitor the health of our town centres in relation to the LP town centre policies.

9.11.2 If through monitoring it is demonstrated that a town centre boundary is not working, we will consider a review of the boundary through the next iteration of the Local Plan.

9.11.3 Where there is a need to alter a town centre boundary this is generally lead by two scenarios:

- 1) There is a need to **expand** the town centre to include active uses that are edge of centre and/or opportunity sites that support linked trips to the rest of the town centre and would benefit from 'town centre first' policy.
- 2) There is a need to **contract** the town centre boundary where areas of the town centre, typically the fringe area, have resulted in reduced commercial activity. This can be evident from an increase in non-town centre uses and/or vacant units.

9.12 The retail study suggests a number of recommendations in terms of specialist leisure designation and the designation of Redchurch Street and Columbia Road as specialist retail areas, which may benefit from designated primary shopping frontages. What is the rationale behind the selection of the recommendations put forward in terms of the retail hierarchy review para 1.15, page 7 executive summary? The LP as drafted defines it as a neighbourhood centre with individual characteristics (para 6.15). What does this mean in practical terms? Is policy D.TC2 sufficiently clear and effective in this regard?

9.12.1 Columbia Road and Redchurch Street have individual characteristics in comparison to other neighbourhood centres that have emerged in recent years, with a growth in specialist retail along with some leisure provision.

9.12.2 These centres serve a unique retail function and are popular tourist destinations going far beyond the role of a traditional neighbourhood centre, and unlike other neighbourhood centres in the borough, both have a particularly high proportion of A1 uses. In particular, Columbia Road contains a high number of independent retailers and Redchurch Street is well-known for its concentration of fashion retailers.

9.12.3 The Town Centre Retail Capacity Study (see paragraph 1.15 of the Executive Summary) recommends that both these centres are designated as 'specialist retail areas' to ensure that their retail function endures. These recommendations are borne

from the findings of the qualitative and quantitative assessment of each centre. Factors that influence such a recommendation include some or all the following.

- Strong market shares compared to other centres with the same designation.
- The size of the centre and provision of town centre uses is greater than other centres with the same designation.
- Planned investment or regeneration that will lead to an increase in supply or demand for retail, leisure and/or service function.

9.12.4 The LP has taken account of the above recommendations for Colombia Road and Redchurch Street. As such, development proposals within those designations will be subject to additional requirements in comparison to other neighbourhood centres. These requirements are set out in policy D.TC2 (parts 1, 2 and 7) which seeks to maintain the unique retail character of these centres.

9.12.5 It is considered that this approach is sufficiently clear in the LP, and we have also sought to clarify within policy D.TC2 in an amendment that the policy applies to the 'boundaries' of Columbia Road and Redchurch Street, as these centres do not have primary or secondary frontages (PSMM84 and PSMM86).

9.13 Is policy S.CF1 positively prepared, justified by the evidence base and consistent with national policy?

9.13.1 Policy S.CF1 is based on the Infrastructure Delivery Plan (SD06) and the Indoor Sports Facilities Strategy (SED38). The Tower Hamlets Infrastructure Delivery Plan sets out a framework for the effective allocation and provision of new social infrastructure based on an assessment of projected residential development which is derived from a housing trajectory (see appendix 7 of the LP) up to 2031. The Tower Hamlets Indoor Sports Facilities Strategy provides an overall decision making framework for optimising indoor sports facilities in the borough and considers the potential investment over the coming decade in council-owned facilities. Therefore, policy S.CF1 is justified and based on strategies which seek to meet identified gaps in the provision of social infrastructure requirements.

9.13.2 Paragraph 70 of the NPPF requires planning policies to plan positively for the provision of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. The IDP seeks to address the existing and future need for community facilities. Part 3 of policy S.CF1 encourages the use of shared space and the provision of high quality community facilities to serve a wide range of uses. 9.13.3 Paragraph 70 of the NPPF requires planning policies to guard against the unnecessary loss of community facilities and ensure their enhancement. Part 1 of policy S.CF1 seeks to safeguard community facilities against their loss to ensure that sufficient provision is available to meet community's needs. Part 2 of the policy promotes opportunities to expand and improve capacity, quality, usability and accessibility of existing community facilities taking account of future needs to support the creation of sustainable places. A minor modification (PSMM102) will be made to part 1 of the policy to strengthen the wording of the policy.

9.13.3 Community facilities will be directed towards the borough's town centres. As these locations are considered to be the most accessible places in the borough, community facilities will be accessible to all users which accords with principle 1 of Sport England's Active Design Guidance. Furthermore, given that town centres include a variety of other uses, the need for a town-centre location will support linked trips which is in line with policies S.TC1 and S.SG1 and principle 4 of the Active Design Guidance. We consider that this approach is integrated and consistent with paragraph 70 of the NPPF.

9.13.4 Policy S.CF1 will be delivered in accordance with the Tower Hamlets Green Grid Strategy (SED42) which seeks to address a lack of connectivity and accessibility to a number of community facilities and, as such, will create walkable communities in line with principle 2 of the Active Design Guidance.

9.13.5 In the light of the above, it is considered that appropriate strategies have been prepared to ensure that social infrastructure will be delivered in accordance with the needs of the borough. The policy has been positively prepared and it is justified by the strategies set out above. The policy is also consistent with national policy and guidance.

9.14 What is the rationale for the separate policy approach to indoor sports and leisure facilities (policy S.CF1) and policies S.OWS1 and D.OWS3 which deals with playing fields and outdoor sports provision? Is this approach justified and effective?

9.14.1 The rationale for the separate approach to policy S.CF1 of the LP which deals with indoor sports and leisure facilities and policies S.OWS1 and D.OWS3 that deal with playing fields and outdoor sports provision is outlined in the evidence base. The proposed amendment to paragraph 7.7 (MM154) makes it clear that playing fields and outdoor sport facilities will be addressed in policies S.OWS1 and D.OWS3.

9.14.2 The Tower Hamlets Open Space Strategy (SED39) focuses on ensuring that the network of open spaces and playing fields in the borough will be of sufficiency quantity, quality, accessibility and suitability. For the purposes of the LP, we have adopted a broad definition of open space to cover all forms of open spaces as required in the London Plan. The Open Space Strategy (SED39) confirms that there is an overall deficiency of open spaces in the borough when compared to the local open space standard of 1.2 hectares per 1000 residents. As such, there is a clear need to adopt a more holistic approach to open spaces as set out within policies S.OWS1 and D.OWS3. The policies, therefore, protect and enhance the borough's valuable network of open space (including playing fields and outdoor sports facilities) regardless of their size, accessibility, type and ownership.

9.14.3 Policy S.CF1 seeks to protect, enhance and promote a range of community facilities. For the purposes of the LP, community facilities have been defined as a range of social infrastructure that provides services to the community. Paragraph 7.6 of the supporting text lists community facilities which are covered in chapter 7, including indoor sports and leisure facilities. The Indoor Sports Facilities Strategy (SED38) focuses on ensuring that the network of indoor sports facilities in the borough will be of sufficient quantity, quality, accessibility and suitability.

9.14.4 The Infrastructure Delivery Plan (SD06) identifies the infrastructure and services that will be required to meet the anticipated growth targets and objectives set out in the LP. As such, the IDP ensures the effective provision of any social infrastructure which includes indoor sports and leisure facilities, outdoor sports facilities and playing pitches.

9.14.5 Separate policies have been created to guide proposals involving indoor sports and leisure facilities, outdoor sports facilities and playing pitches to make sure they are based on appropriate standards set out in relevant strategies. However, paragraph 7.7 of the supporting text to policy S.CF1 which relates to community facilities recognises that outdoor sports facilities and playing fields are important community facilities.

9.15 Is policy D.CF3 sufficiently flexible to ensure implementation?

9.15.1 Policy D.CF3 of the LP seeks to ensure that appropriate community facilities are provided in appropriate locations throughout the borough to adequately support the growing population and meet identified needs. The policy is considered sufficiently

- flexible to ensure the delivery of high quality community facilities in line with policy S.CF1.
- 9.15.2 Part 1 of the policy promotes the provision of new community facilities in accessible locations such as town centres. This is in line with paragraph 70 of the NPPF which requires '*an integrated approach to considering the location of multiple uses such as housing, economic uses and community facilities and services*'. It is also designed to support the vitality of our town centres, as required under paragraph 23 of the NPPF.
- 9.15.3 The requirements for a town centre location is also in accordance with the principles set out in Sport England's Active Design Guidance which recommends that facilities should be accessible to all users, located within prominent locations, within easy reach of each other, surrounded by a mix of land uses to promote linked trips.
- 9.15.4 Part 1 of the policy provides sufficient flexibility which allows community facilities to be located outside the borough's town centres where an up-to-date and robust evidence can demonstrate that the local needs cannot be met elsewhere in the neighbourhood. Detailed information on required evidence regarding the location of community facilities is provided in paragraph 7.19.
- 9.15.5 The location and need requirements in part 1 are necessary and sufficiently flexible to ensure the delivery of purposely built community facilities in locations where they are needed and to promote the best use of land, as well as to support the vitality of town centres.
- 9.15.6 A minor modification (PSMM106) is proposed to delete part 6 from the policy as part 1 of the policy already provides sufficient guidance, in line with paragraph 70 of the NPPF which promote leisure activities in town centres
- 9.15.7 Part 2 relates to community facilities within larger developments which should be accessible to people outside of the host development. Given that this requirement will not only apply to new community facilities, a minor modification (PSMM106) will be proposed to ensure that part 2 of the policy applies to all community facilities.
- 9.15.8 London Plan policy 3.16 states that the multiple uses of premises should be encouraged wherever possible. More specifically, paragraph 3.89 of the London Plan encourages existing or new development to extend the use of facilities to serve the wider community to promote the effective use of resources and land. Part 3 of policy S.OWS1 seeks to promote the provision of multi-purpose and shared services. As such, it is considered more appropriate to propose minor modifications to delete part 4 from policy D.CF3 (PSMM106) and embed its principles in policy S.CF1 (PSMM103) which would promote the shared use of community facilities.
- 9.15.9 Parts 3 and 5 of the policy relate to the requirements for new education facilities. Department of Education's *Building Bulletin 103: Area guidelines for mainstream schools* provides guidance on minimum recommended areas for indoor and outdoor space for the development of new schools, refurbishment and extensions to existing schools. Sport England's guidance on Planning for Sport Development Management provides advice on preparing, assessing and determining planning applications that either affect or propose sporting provision within education facilities. The requirements of parts 3 and 5 of the policy will ensure the delivery of high quality educational facilities.