

# Duty-to-cooperate Statement and Statement of Common Ground

Between the London Borough of Tower Hamlets and the London  
Borough of Hackney

July 2018

**Role of this document:**

This statement has been prepared to formalise the agreement prior to the London Borough of Tower Hamlet's examination in public to confirm that the London boroughs of Hackney and Tower Hamlets have shared objectives for the development of the Bishopsgate Goods Yard site, which is a site allocation in the Tower Hamlets Local Plan 2031 and Hackney's Site Allocation Local Plan (2016).

**Background:**

Bishopsgate Goods Yard is a large strategic site located in Shoreditch, and falls within the administrative boundaries of the London Borough of Tower Hamlets and the London Borough of Hackney.

The site has two temporary uses (Box Park and five a side football pitches), which will cease when the site is redeveloped.

The site is allocated in the Tower Hamlets adopted Managing Development Plan Document to accommodate a comprehensive mixed-use development and this has been rolled forward into the new Local Plan (see site allocation 1.1 in section 4).

As the site straddles the administrative boundary between Hackney and Tower Hamlets, identical hybrid planning applications (part outline/ part full) for the comprehensive mixed-use development were submitted in July 2014, with a start date of September 2014<sup>1</sup>. In December 2014, Tower Hamlets and Hackney provided comments on the applications. In July 2015, the applicant submitted amendments with an amended financial viability assessment, and in September 2015 the applicant made a request to the Mayor of London to become the local planning authority. The Mayor of London issued a decision to act as the local planning authority for the purpose of determining the applications. Both Tower Hamlets and Hackney held simultaneous planning committees in December 2015, where both boroughs formally requested that the Mayor of London refuse the application in its submitted form. The application remains undetermined and Tower Hamlets, Hackney and the GLA are working with the applicants to secure amendments to the application.

**Duty-to-cooperate:**

The duty-to-cooperate places a legal duty on local planning authorities, amongst other bodies, to engage constructively on an ongoing basis to help maximise the effectiveness of the preparation of the Tower Hamlets Local Plan with regards to strategic cross boundary matters.

During the preparation of the Local Plan, two public consultations (regulation 18) took place: the first (December 2015 – February 2016) focusing on issues

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<sup>1</sup> London Borough of Tower Hamlets references: PA/14/02011 & PA/14/02096; London Borough of Hackney references: 2014/2425 & 2014/2427; GLA references: D&P/1200B&C/JPC

and options and the second (November 2016 – January 2017) setting out detailed visions, objectives, policies and site allocations. No objections were raised from the GLA or the London Borough of Hackney in relation to the allocation of the Bishopsgate Goods Yard site. Hackney's Site Allocation Local Plan, adopted in July 2016, includes Bishopsgate Goods Yard as a site allocation (site 108).

During the regulation 19 consultation (October 2017 – November 2017), the London Borough of Hackney made representations to the Tower Hamlets Local Plan, including with comments regarding the Bishopsgate Goods Yard site allocation. This reflected each borough's assessment of the site capacity and re-stated the agreement to produce a statement of common ground.

A duty-to-cooperate meeting took place between the London Borough of Tower Hamlets and the London Borough of Hackney on 25th September 2017, as set out in the Duty to Cooperate Statement (SD11).

In light of the above, this statement confirms that the London Borough of Hackney has no objections to the site allocation, as presented in appendix 1 below.

### **Agreed actions<sup>2</sup>**

In particular, the London Borough of Hackney supports the requirements for the site allocation to deliver:

- a mixed-use development which strikes a positive and appropriate balance between optimising housing numbers (including maximising the delivery of genuinely affordable housing) and maximising employment space (including affordable workspace);
- publically accessible strategic open space (reflecting the open space deficiency in the Weavers and Spitalfields and Banglatown wards in Tower Hamlets and in the Hoxton East & Shoreditch ward in Hackney); community facilities that would help to deliver a 'local presence' in Tower Hamlets and Hackney, and space for indoor sport and recreation on the site;
- walking and cycling routes to improve the connectivity to the surrounding area and through the site; and
- development which is of excellent architectural design.

Land use:

- Housing
- Employment: a range of floorspace sizes, including small-to-medium enterprises

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<sup>2</sup> Please note: existing modifications are in red (which were submitted to the Planning Inspectorate on 28<sup>th</sup> February 2018) and the proposed new modifications in response to the Inspectors main matters are in green.

Infrastructure requirements:

- Strategic open space (**minimum of 1 hectare**)
- Community/local presence facility
- Leisure centre facility

Design principles:

An amendment has been made to the following design principle under minor modification MM222:

- *improve walking and cycling routes to, from and within the site to establish connections to Shoreditch High Street Overground station, Brick Lane district town centre, **Shoreditch Triangle** and the new open space. These should align with the existing urban grain to support permeability and legibility;*

An amendment will be made to the following design principle:

- *protect or enhance heritage assets on site including the existing grade II-listed Braithwaite viaduct, Oriel gate and the forecourt wall fronting Shoreditch High Street and sensitively consider its impacts on the conservation areas, strategic and local views. Development should also protect or enhance heritage assets in the surrounding areas (including within the London Borough of Hackney);*

Figure 23:

The following modifications have been made:

- State that the plans are for illustrative purposes: **For illustrative purposes** (see minor modification MM 204)
- Remove active ground floor uses and plots (see minor modification MM 205)

The following modification will be made:

- Figure 23: Fade the portion of the site occupied by the London Borough of Hackney

It is also agreed that the site should not be within a tall building zone due to, amongst other things, the heritage sensitivities of the wider area (proximity to conservation areas listed buildings and the London View Management Framework) and the need to avoid significant detrimental impacts on views as well as protect existing residential amenities. However, this does not preclude the development of tall buildings on the site, providing they meet the policy requirements set out in part 3 of policy D.DH6 of the Tower Hamlets Local Plan and other relevant policies. In addition, it is agreed that proposed land use and infrastructure requirements for the site are appropriate:

*IMR*

Signed on Behalf of the London  
Borough of Hackney

26.7.18

Date

*Philip Wadsworth*

Signed on Behalf of the London  
Borough of Tower Hamlets

26.7.18

Date



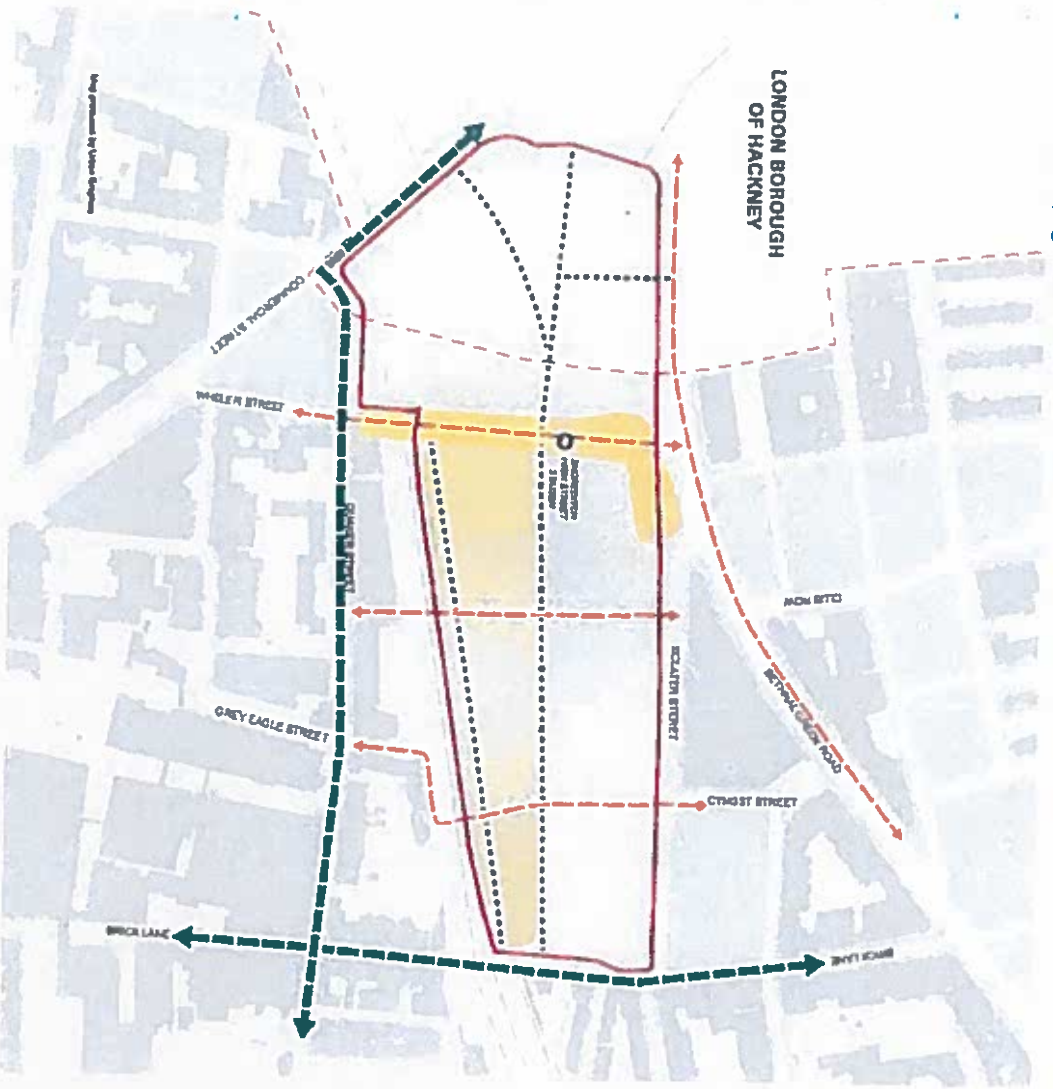
## Appendix 1: Bishopsgate Goods Yard site allocation (1.1)

Address	Shoreditch High Street	
Size (hectares)	4.24	
Public transport accessibility levels	6a-6b (2017)	6a-6b (by 2031)
Flood zone	1	
Land use requirements	<ul style="list-style-type: none"> <li>Housing</li> <li>Employment: a range of floorspace sizes, including small-to-medium enterprises</li> </ul>	
Infrastructure requirements	<ul style="list-style-type: none"> <li>Strategic open space (1 hectare)</li> <li>Community/local presence facility</li> <li>Leisure <b>facility centre</b></li> </ul>	
Design principles	<p>Development will be expected to:</p> <ul style="list-style-type: none"> <li>respond positively to the existing scale, height, massing and fine urban grain of the surrounding built environment;</li> <li>protect or enhance heritage assets on site including the existing grade II-listed Braithwaite viaduct, Oriel gate and the forecourt wall fronting Shoreditch High Street and sensitively consider its impacts on the conservation areas, strategic and local views. Development should also protect or enhance heritage assets in the surrounding areas (including within the London Borough of Hackney);</li> <li>focus larger-scale buildings around Shoreditch High Street Overground station;</li> <li>integrate development with the surrounding area and improve the street frontage and public realm on key routes, particularly along Wheeler Street and ensure it is well integrated into public squares to the east and south of the station;</li> <li>maximise the provision of family homes;</li> <li>improve walking and cycling routes to, from and within the site to establish connections to Shoreditch High Street Overground station, Brick Lane district <b>town centre</b>, <b>Shoreditch Triangle</b> and the new open space. These should align with the existing urban grain to support permeability and legibility;</li> <li>provide open space with a minimum size of 1 hectare, consolidated and integrated with the green grid along Quaker Street and Brick Lane in the form of a multi-functional local park located above the Braithwaite Viaduct;</li> <li>improve biodiversity and ecology within open space and green infrastructure; and</li> <li>improve movement through the area and repair fragmented urban form (e.g. locate a community/local presence facility on key routes).</li> </ul>	
Delivery considerations	<ul style="list-style-type: none"> <li>Community infrastructure requirements should be delivered in the early stage of the development to ensure the provision of new homes and jobs are supported by infrastructure.</li> <li>The community/local presence facility should be delivered within or adjacent to the Brick Lane district centre.</li> <li>Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.</li> <li>Development should carry out meaningful consultation with a wide range of residents and local organisations.</li> </ul>	





Figure 23: Bishopsgate Goods Yard



- 1.1 Bishopsgate Goods Yard  
(for illustrative purposes)
- KEY
- Site boundary
  - Open space
  - Public square
  - Strategic pedestrian/cycling routes
  - Green grid
  - Local pedestrian/cycling routes
  - London Borough of Tower Hamlets boundary
  - London Borough of Hackney boundary
  - London Borough of Newham boundary
  - London Borough of Waltham Forest boundary
  - London Borough of Enfield boundary
  - London Borough of Haringey boundary
  - London Borough of Islington boundary
  - London Borough of Camden boundary
  - London Borough of Westminster boundary
  - London Borough of Southwark boundary
  - London Borough of Lambeth boundary
  - London Borough of Lewisham boundary
  - London Borough of Greenwich boundary
  - London Borough of Barking and Dagenham boundary
  - London Borough of Havering boundary
  - London Borough of Epping and Basildon boundary
  - London Borough of Thurrock boundary
- Railway Station



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