

Committee: Cabinet	Date: 9th May 2012	Classification: Unrestricted	Report No: CAB 113/112
Report of: Corporate Director Development & Renewal Originating officer(s) Owen Whalley – Head of Planning and Building Control Michael Bell – Strategic Planning Manager		Title: Bromley-by-Bow Masterplan Supplementary Planning Document (SPD) Wards Affected: Bromley-by-Bow	

Lead Member	Cllr Rabina Khan (Cabinet Member for Housing)
Community Plan Theme	A Great Place to Live
Strategic Priority	Providing quality affordable housing Improving the public realm Improving local transport links and connectivity Supporting more people into work Improving educational aspiration and attainment Fostering enterprise and entrepreneurship Promoting healthy lifestyles

1. SUMMARY

- 1.1 In August 2011 Cabinet approved the draft Bromley-by-Bow Masterplan Supplementary Planning Document (SPD) for a 6 week period of statutory public consultation. A wide range of community groups, residents, developers and other stakeholders made formal responses to the Masterplan SPD as part of the consultation process.
- 1.2 This report summarises the main issues that were raised during the consultation, proposes amendments to the Masterplan SPD to address these issues. As part of this, the report seeks Cabinet approval to adopt the Masterplan SPD. Amendments arising from Cabinet and resolution to grant planning permission for a 9 form entry secondary school at Bow Locks, will be reflected in the final adopted Masterplan SPD.
- 1.3 Bromley-by-Bow is an area in transition. There is a need to adopt the Masterplan as an SPD to ensure a coordinated approach to regeneration that is consistent with the vision and objectives set out in the Local Development Framework (LDF) Core Strategy 2025.

- 1.4 In adopting the Masterplan SPD, the Council can also help ensure that development proposals benefit the local community in context of the new London Mayoral Development Corporation (MDC). From 1st October 2012, the MDC will take over plan making powers for the part of Tower Hamlets east of the A12 and north of the District Line. This includes part of the Bromley-by-Bow masterplan area (see Appendix 1 for boundary).

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Consider the representations received during the consultation on the draft Bromley-by-Bow Masterplan SPD annexed as Appendix 3
- 2.2 Agree the summary of the main representations and the proposed responses to these representations as contained in Appendix 3, and to approve the subsequent necessary amendments to the Bromley-by-Bow Masterplan SPD.
- 2.3 Approve the final Bromley-by-Bow Masterplan SPD for adoption and authorise officers to prepare and publish an adoption statement .
- 2.3 Authorise the Corporate Director of Development and Renewal to make any necessary factual or minor editing changes prior to publishing the final Bromley-by-Bow Masterplan SPD.

3. REASONS FOR THE DECISIONS

- 3.1 The adoption of the Masterplan as a SPD will consolidate the work undertaken in the area by the Council and partner agencies to support the comprehensive regeneration of Bromley-by-Bow. It will ensure the vision and strategic development principles set out in the LDF Core Strategy are delivered, including the provision of the necessary supporting infrastructure. It will be a material consideration in the determination of planning applications within the defined boundary and will provide certainty and guidance to investors, developers and the community.
- 3.2 Approval of the Masterplan will also confirm the Council's vision for the regeneration of Bromley-by-Bow prior to the MDC taking over plan making powers for part of the Bromley-by-Bow area from 1st October 2012.

4. ALTERNATIVE OPTIONS

- 4.1 The LDF Core Strategy and emerging 'Managing Development' Development Plan Document (DPD) provide a vision and strategic development principles for the Borough as a whole. An alternative option would be to rely on these

documents to support and guide development in the area, without a detailed masterplan.

- 4.2 This option was considered inadequate as it would not provide a sufficiently robust framework to support the comprehensive regeneration of Bromley-by-Bow. Without the additional guidance provided by an adopted Masterplan, the DPDs do not in themselves provide the necessary level of detail to coordinate the scale of redevelopment envisaged in the area.
- 4.3 In particular, it would make it much harder for the Council to successfully negotiate with developers and landowners to secure key infrastructure interventions, such as improvements to Bromley-by-Bow Underground Station and connections over the A12 and River Lea Navigation. These are considered essential to support future housing, employment and other related growth.

5. **BACKGROUND**

Key Objectives for the Bromley-by-Bow Masterplan SPD

- 5.1 The Masterplan provides a clear vision, supported by detailed objectives and design principles to guide the regeneration of Bromley-by-Bow. These are based on the high level vision and priorities set out in the LDF Core Strategy. The key objectives for the Masterplan SPD, which are linked to the Mayors priorities, are as follows:
- Deliver approximately **1,500-2,500 new homes** within the Bromley-by-Bow area, and **promote affordable and social rented family housing**.
 - Create a new district (town) centre, and flexible commercial space, providing new **job opportunities for existing and future communities**.
 - Deliver a two form entry **primary school** and also a nine form entry **secondary school**.
 - Deliver **public green open space**.
 - **Improve** access and capacity of **Bromley-by-Bow Underground Station** to support growth.
 - **Improve connections** to mitigate the severance created by the **A12, railway** and the **River Lee Navigation**.
 - Set clear **urban and housing design principles** for new development,
 - Identify **public realm improvements** to improve the area's **permeability, legibility, safety and security** of the pedestrian and cycling environment, including the provision of CCTV in subways.
 - Recommend a **schedule and programme for infrastructure delivery**, which could be funded through a number of funding sources, including S106 and Community Infrastructure Levy (CIL).

Emerging Managing Development Plan Document (DPD)

- 5.2 In addition to the Masterplan SPD, the Council is also preparing the 'Managing Development' DPD, which is anticipated to be submitted to the Secretary of State in summer 2012. The DPD covers the whole of the Borough, setting out detailed policies for determining planning applications and allocating key sites to deliver new infrastructure. This includes sites within the Masterplan Area - Bow Locks which is allocated to deliver a secondary school and the 'North East Quadrant' which is allocated for the new district centre, primary school, local park and new homes. The Masterplan SPD promotes these land uses for these sites, providing an additional level of detail to the emerging Managing Development DPD.
- 5.3 Should Cabinet adopt the Masterplan SPD in May 2012, this will be ahead of adopting the Managing Development DPD, which is anticipated in early 2013. During the production and adoption process for the Managing Development DPD, should inconsistencies arise between the two documents, it would be appropriate to amend the Masterplan SPD to ensure that it remains consistent with the Managing Development DPD.

6 BODY OF THE REPORT

Consultation on the Bromley-by-Bow Masterplan SPD

- 6.1 Throughout the preparation of the draft Masterplan SPD, from January to June 2011, the Council undertook informal consultation with ward Members, key public sector agencies, landowners and relevant Council departments to feed into the evolution of the document. This is an important part of the preparation process, to ensure key issues are identified and resolved at the earliest opportunity.
- 6.2 A consultation draft Masterplan SPD was presented to Cabinet on 3rd August 2011, seeking approval to undertake formal public consultation. Following Cabinet approval, officers provided the public with the opportunity to attend consultation events and provide comments on the draft Masterplan SPD from 12 September to 24th October 2011. Further consultation was undertaken on the proposed Building Height plan to establish indicative height principles for the area from 11th January 2012 to 8th February 2012.
- 6.3 Consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement (SCI). A summary of the consultation methods are provided below:
- Advertisement in the East End Life newspaper.
 - Displaying publicity material in suitable locations throughout the Masterplan area.
 - Leaflet drop to residents and businesses within the Masterplan boundary area.

- Information on the Council's website.
- Three community consultation events at locations within the Masterplan area.
- Providing a telephone hotline and email address for queries on the SPD.
- Briefing and engaging with Members.

6.4 Over 30 people attended the consultation events held by the Council. In addition, 35 written representations were received from Members, local residents, statutory consultees, (including: Greater London Authority (GLA), London Thames Gateway Development Corporation (LTGDC), Transport for London (TfL), Environment Agency and English Heritage), landowners and developers. A further nine representations were received on the proposed Building Height plan consultation. This equates to 260 individual comments on the draft Masterplan SPD.

6.5 The Council has collated the individual comments made on the draft Masterplan SPD and formulated responses to each these comments. This process has been used to inform the finalisation of the Masterplan SPD. A statement setting out a summary of all of the representations received and the Council's proposed response to them has been appended to this Report, together with the final SPD, for approval (Appendix 3).

Overview of Consultation Feedback

Consultation on the draft Bromley-by-Bow Masterplan SPD – 12th September to 24th October 2011.

6.6 The overarching objectives for the Masterplan SPD to support and coordinate regeneration in the area were generally supported by the community and key stakeholders. There was particular support for:

- Improvements to access and connectivity across the A12 and River Lea Navigation.
- Delivery of a new District Centre, which provides a mix of uses and job opportunities.
- Design principles for key sites, including buildings height principles, and public realm.

6.7 Representations expressed concerns on:

- *Many local residents and key stakeholders, including TfL were concerned about the poor accessibility to the Bow Lock/Coventry Cross East site which is promoted in the draft Masterplan SPD for a secondary school – To respond to these concerns, the Masterplan SPD now provides greater emphasis on the principle of redeveloping the site with a secondary school to be predicated on improved*

pedestrian and cycle access, whilst ensuring other TfL priorities for the A12 are addressed.

These issues were considered and addressed as part of the determination for a 9 form of entry secondary school at Bow Locks. Following Cabinet approval, the final adopted Masterplan SPD will be amended to reflect the resolution to grant planning permission by LTGDC Committee on 12 April 2012.

- *Landowners and key stakeholders, including LTGDC, and Design for London (DfL) identified inconsistencies with the design guidelines for the District Centre and the adjoining 'Bromley-by-Bow North' site. A number of recommendations were suggested to ensure the sites were aligned and comprehensive – To respond to these comments, the Masterplan SPD has been amended and both sites now reflect the land use and design principles adopted in the existing 'Bromley-by-Bow Land Use and Design Brief'. In particular, the importance of riverside development and high quality public open have also been reinforced to strengthen the delivery of the sites.*
- *English Heritage, Thames Water and LTGDC expressed concern at the lack of clarity on phasing and infrastructure required to support development - To respond to these concerns, the Masterplan SPD has been amended to include a phasing statement to ensure the redevelopment of Bromley-by-Bow is coordinated in a comprehensive manner.*
- *The GLA raised concerns on the progression of the Masterplan SPD ahead the Managing Development DPD. The Masterplan promotes a secondary school on Bow Locks, which has been identified as a 'site allocation' within the Managing Development DPD. As indicated above, the resolution to grant planning permission for secondary school at Bow Locks is being determined by LTGDC.*

The Council has sought legal advice, which confirmed that should inconsistencies arise between the two documents, it would be appropriate to amend the Masterplan SPD to ensure that it remains consistent, with the Managing Development DPD. Reg 13(8) provides that policies in an SPD must be in conformity with the policies in the Core Strategy and the policies in *any other DPD* and Reg 21 provides that a Council 'may' revoke a SPD where it ceases to comply with this requirement. At the moment the SPD only need have regard to the Core Strategy but once the Managing Development DPD is adopted it would be appropriate to review the SPD to ensure that it is consistent. As such, the Council considers that the GLA's concern has been addressed.

- *A number of key stakeholders such as LTGDC, DfL and English Heritage recommended that further design guidelines should be set out to strengthen the deliver of key sites. In particular, it was considered necessary to set out indicative height guidance within the area to manage the transition in scale between new developments and adjoining sites.* – In response to these comments, the Council undertook further work to include a proposed building heights plan within the Masterplan. Given this was a substantial addition to the Masterplan, a further period of consultation was undertaken specifically on the proposed building heights plan.

Further consultation on the proposed Building Height plan – 11th January 2012 to 8th February 2012.

- 6.8 The key issues arising from further consultation, which have subsequently been addressed through additional amendments to the final Masterplan SPD, were as follows:
- The need to set out a upper limit threshold for the potential taller buildings in Stroudley Walk and the District Centre; and,
 - Reinforcing that the building heights proposed are indicative and developments should also consider the building heights policy within the emerging Managing Development DPD, as well as other relevant guidance.

7 COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 Following the completion of the formal consultation process, this report requests approval for the updated Bromley-By-Bow Masterplan to be adopted as a Supplementary Planning Document (SPD).
- 7.2 The Masterplan provides a framework to guide development and a programme for infrastructure delivery within the Masterplan area (outlined in Appendix 1). Part of the Masterplan area falls within the emerging MDC, who will take over plan making and decision powers from 1 October 2012. The Masterplan will guide redevelopment and influence the decisions made by the MDC.
- 7.3 For the remaining area outside of the MDC, the Masterplan will provide evidence to inform and assist future decisions on resource allocation in this part of the Borough. It will assist the Authority in determining and prioritising contributions due from developers as part of the current Planning Obligations or the future Community Infrastructure Levy systems.

- 7.4 Preparation of the Masterplan, including the consultation process, has cost in the region of £70,000, which has been part-funded by contributions from both the London Development Agency (£20,000) and the London Thames Gateway Development Corporation (£25,000). The balance of £25,000 is being funded through Section 106 resources agreed by the Planning Contributions Overview Panel (PCOP) in July 2010.

8 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 8.1 Supplementary Planning Documents (SPDs) provide detail to support policy in higher level Development Plan Documents (DPDs) or saved unitary development plan policies. They undergo a simpler preparation process than DPDs and in particular they are not subject to independent scrutiny by a planning inspector.
- 8.2 SPDs are subject to statutory preparation procedures under Regulations 11-14 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with regulation 13 a process of public consultation and engagement with relevant parties has been carried out and representations have been received, with the main issues summarised in this report.
- 8.3 Pursuant to Regulation 12 the Council must not adopt the Bromley-by-Bow Masterplan SPD until it has considered the representations made during the consultation period and prepared a statement setting out who was consulted, a summary of the main issues raised in the representations and how these main issues have been addressed in the SPD that the Council intends to adopt. This Report seeks member's endorsement of that statement.
- 8.4 By virtue of the default provisions in section 13(2) of the Local Government Act 2000 the SPD is required to be approved by Cabinet. Should members approve the SPD for adoption, the Council must publish the Regulation 18(4) (b) Statement, the adoption statement and the SPD on its website (Regulation 19).
- 8.5 Before adopting the SPD, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The report indicates that an equality analysis has been carried out and no negative equality impacts arise.
- 8.6 Once the SPD is adopted the Council must publish an adoption statement in accordance with Regulation 14 Town and Country Planning (Local Planning) (England) Regulations 2012.

9 ONE TOWER HAMLETS CONSIDERATIONS

Reducing Inequalities

- 9.1 An equality analysis has been undertaken in support of the SPD. The analysis reviews and assesses issues relating to the diversity of the borough including, race, gender, disability, age, sexual orientation faith and deprivation. The equality analysis is attached as Appendix 4 to the report. It identifies some positive impacts, but nothing negative from an equality perspective.
- 9.2 It should also be noted that the SPD is looking to support the delivery of the Council's LDF Core Strategy, which was itself subject to Equality Impact Assessment.

Ensuring Strong Community Cohesion

- 9.3 The promotion of strong community cohesion is a key objective of the Bromley-By-Bow Masterplan SPD and is central to the Borough's approach to promoting sustainable communities. Increased dialogue between groups from different backgrounds has been achieved and developed through the consultation events and related activities.
- 9.4 The impacts of community cohesion have been fully tested through the Core Strategy EqIA, and through the EA Screening for the Bromley-By-Bow Masterplan SPD. Similarly, consultation exercises provided the opportunity for the local community to identify any community cohesion issues that they considered important in the development of the Masterplan SPD

Crime and Disorder Reduction

- 9.5 The Bromley-by-Bow Masterplan SPD contains design and public realm principles to ensure new development improves security and safety in the area. This is achieved by influencing the siting of new developments, and setting out public realm improvements to create safe environments.
- 9.6 New developments will also have to satisfy the relevant policies in the Council's LDF relating to 'Secured by Design' principles. Development will be required to ensure crime prevention measures of development design are considered to assist with reducing the opportunity for crime and the fear of crime, by creating a safer and more secure environment.

10 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 The Masterplan SPD is subject to regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 ("the 'Regulations'"), which require the responsible authority to determine whether a Strategic Environmental Assessment (SEA) is necessary.

- 10.2 As the responsible authority the Council is of the view that an SEA is not required because the SPD is an elaboration of an existing plan or programme (and is therefore a minor modification of that plan or programme), and is unlikely to have significant environmental effects. It should also be noted that the Masterplan SPD is in conformity with the Council's Core Strategy Development Plan Document; and that a Sustainability Appraisal (SA) Review has shown that it does not give rise to significant effects that have not already been formally assessed through the SA for the Core Strategy.
- 10.3 The Council consulted statutory consultees under paragraph 9(2)(b) of the Regulations, none of which contested the Council's view. The Sustainable Appraisal Review, including the Council's SEA Screening Determination is provided at Appendix 5 to this Report.
- 10.4 In accordance with the LDF Core Strategy, the SPD will help ensure a greener environment in a number of ways, including: helping improve existing areas of open space and secure new areas of open space; promoting biodiversity; promoting sustainable transport options; and ensuring new buildings meet the highest environmental standards.

11 RISK MANAGEMENT IMPLICATIONS

- 11.1 An LDF Board was established in May 2010, chaired by the Corporate Director of Development & Renewal, to lead on the preparation of future planning documents within the LDF. Risk Management and mitigation is a standard item at monthly LDF Board meetings. As part of the Borough's LDF, the draft SPD has been subject to this risk management process.

12 EFFICIENCY STATEMENT

- 12.1 To date, with the draft Bromley-by-Bow Masterplan (2006), officers have negotiated, approximately £5m from the St Andrews development towards Bromley-by-Bow Underground Station, education, and highway improvements in the area. In partnership with LTGDC, officers have also secured open space, primary school, an Idea Store and key connection improvements over the A12, through the Tesco-led redevelopment.
- 12.2 The finalisation of the Masterplan SPD will also enable the sustainable regeneration of underused land to maximise the full potential of development opportunities for the area and local communities. This regeneration will facilitate further S106 contributions from forthcoming development sites, as well as guide where LTGDC and MDC should direct their funds and S106 from their Planning Obligations Community Benefit resources and any future Community Infrastructure Levy.

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

Brief description of “back ground papers”	Name and telephone number of holder and address where open to inspection.
None	N/A

APPENDICES

Appendix 1 – Bromley-by-Bow Masterplan area (including MDC boundary)

Appendix 2 – Final Bromley-by-Bow Masterplan SPD

Appendix 3 – Consultation and Engagement Report (including summary of representations received on the draft SPD and Council’s proposed response to them)

Appendix 4 – Equality Analysis

Appendix 5 – Sustainability Appraisal Review

APPENDIX 1 - Bromley-by-Bow Masterplan area – including MDC boundary

