

Committee: Cabinet	Date: 2 nd July 2008	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Paul Evans- Interim Corporate Director, Development and Renewal		Title: London Thames Gateway Development Corporation, Draft Bromley-by-Bow Land Use Design Brief		
Originating officer(s) Simone Williams, Major Projects Development Planner		Wards Affected: Bromley-by-Bow		

1. SUMMARY

- 1.1 The London Thames Gateway Development Corporation (LTGDC), in partnership with the Council, has prepared a draft Land Use and Design Brief for land at Hancock Road, Imperial Street and Three Mills Lane. The land is identified as a site within the draft Bromley-by-Bow Masterplan boundary, (see site plan, Appendix 1). The draft Brief will provide clear guidance for new development within the defined boundary for the determination of planning applications and, where necessary, support the case for public sector site assembly and development implementation. This work area has been prioritised due to increasing pressure from landowners, to develop individual sites in isolation. Furthermore, unlike the remainder of the draft Masterplan area, none of the land is currently under public ownership.
- 1.2 It is therefore proposed for the Council to work with the LTGDC to approve this draft Brief as 'Interim Planning Guidance'. It is also proposed that the final Cabinet approval of the Draft Bromley-by-Bow Masterplan is to be held back until this draft Brief, and other key areas of work outlined in this Report, are completed. This report updates members on the additional work that is being undertaken to progress the development principles identified in the draft Bromley-by-Bow Masterplan.

2. RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Approve the Draft Bromley-by-Bow Land Use and Design Brief (Appendix 2) for a 12 week period of statutory consultation to be carried out jointly between the Council and LTGDC prior to its approval by the Council as 'Interim Planning Guidance'.

- 2.2 Authorise the Corporate Director Development and Renewal, after consultation with the Lead Member Housing and Development, to make any appropriate and necessary minor amendments to the Bromley-by-Bow Land Use and Design Brief prior to statutory consultation from August 2008.

3. BACKGROUND

Draft Bromley-by-Bow Land Use and Design Brief

- 3.1 The draft Brief builds on the Mayor of London Lower Lea Valley Opportunity Area Planning Framework and draft Bromley-by-bow Masterplan to provide a framework for the comprehensive physical and economic transformation of the Hancock Road, Three Mills Lane and Imperial Street area of Bromley-by-Bow.
- 3.2 In accordance with the draft Bromley-by-Bow Masterplan, the draft Brief provides more detailed development principles for the creation of a new neighbourhood centre. The draft Brief identifies land use and urban design principles that new development will be expected to incorporate in order to achieve the following objectives:
- A comprehensive development that makes efficient use of land to create a well connected mixed used quarter of Bromley-by-Bow;
 - A mix of private and affordable housing, including a significant amount of family housing, that benefit from close proximity to Bromley-by-Bow station, the Lea Navigation Canal and historic Three Mills setting;
 - A neighbourhood centre, anchored by a supermarket, that includes new shopping facilities, a primary school, a healthcare facility and open space;
 - Modern and flexible industrial and business space providing new job opportunities that benefit from access to the strategic road network and public transport;
 - New pedestrian links and public transport accessibility enhancements that improve connections with surrounding communities, key destinations and future development sites;
 - Accessibility improvements that link existing neighbouring communities with access to new homes, jobs and community facilities and the amenities of the Lower Lea Valley's open spaces, waterways and heritage assets;
 - An innovative and exemplary approach to urban design and architecture that responds to the area's constraints and opportunities and creates a place in which people want to live, work and visit;
 - A development that achieves a combination of sustainable land use change, design excellence and commercial viability.
- 3.3 LBTH Council officers have taken a central role in this work from the outset, attending workshop sessions with LTGDC's consultants and providing detailed comments on the draft Brief to ensure that it is consistent with the objectives of the Council's Interim Planning Guidance and draft Bromley-by-Bow Masterplan.

- 3.4 It is noted that the proposed hotel use is not identified within the Leaside Area Action Plan as a preferred use for this location. This use will be given more detailed consideration in terms of need and its role within the new neighbourhood centre. Officers are also aware of the importance of ensuring improved connections between the new neighbourhood centre and the existing communities to the west of the A12 and also the Council's Bow Lock site to the south. The Council will continue to work closely with LTGDC and TfL to address these issues ahead of the final approval of the draft Brief. This builds on the extensive public consultation which was undertaken in respect of the draft Bromley-by-Bow Masterplan.
- 3.5 LTGDC has ensured that landowners and public sector stakeholders have been engaged in the preparation of the draft Brief. The results of landowner engagement have already become apparent, with evidence that landowners are looking to work together in order to deliver the objectives defined in the draft Brief.
- 3.6 This work area is one of many projects underway within the context of the draft Bromley-by-Bow Masterplan, prepared by the Council in 2006.

Bromley-by-Bow Draft Masterplan and Implementation

- 3.7 The draft Bromley-by-Bow Masterplan, produced by the Council was developed closely with its public sector partners and was prepared to ensure a coordinated approach to development and delivery of improvements for Bromley-by-Bow. It aims to transform Bromley-by-Bow into a "*distinctive, accessible and cohesive London neighbourhood with a strong community emphasis, a choice of local services and a high quality environment*" (draft Bromley-by-Bow Masterplan, 2006). This builds on the strategic land use objectives outlined in the Council's Leaside Area Action Plan (approved as Interim Planning Guidance) and the Mayor of London's Lower Lea Valley Opportunity Area Planning Framework
- 3.8 Following the statutory period of consultation on the draft Bromley-by-Bow Masterplan, which ended in March 2007, the Cabinet of the Council took the decision in July 2007 to delay its final approval to allow more detailed and complementary work to be undertaken in partnership with LTGDC and other public sector agencies. This further work was considered necessary to progress the development principles established by the Masterplan and improve its weight as a planning policy document, to guide development proposals and determine planning applications.
- 3.9 Officers subsequently established the Bromley-by-Bow Implementation Group, comprising representatives from key public sector agencies, to coordinate and deliver the additional work for the Masterplan. The following list identifies the main areas of work that relate to the Masterplan objectives:

- Trad Site Application Inquiry (site adjacent to Tesco store)
 - Draft Bromley-by-Bow Land Use and Design Brief
 - Bromley-by-Bow Retail Planning Assessment
 - Bromley-by-Bow Station Improvement and Integration Study
 - St Andrews Hospital Site
 - Bow Lock Site
 - A12 Network Management Plan
- 3.10 The Council originally intended to consolidate the additional work outlined above within the Masterplan and present an updated draft to Cabinet by July 2008, prior to further public consultation. However, as consultation is programmed to take place on the draft Land Use and Design Brief over the summer this would coincide with consultation on the updated Masterplan. LTGDC's legal advice is that parallel consultation would not only be confusing to the local community and landowners, but could undermine the integrity of both documents. Furthermore, whilst LTGDC is the determining Planning Authority for the part of Bromley-by-Bow to the east of the A12, LBTH is still the planning policy making body. The consolidation of the additional work of the Implementation Group and final approval of the draft Masterplan will be held back until the approval of the draft Brief
- 3.11 As such, LTGDC is seeking the Council's endorsement of the document as 'Interim Planning Guidance', to add weight to the document ahead of a potential Compulsory Purchase Order Inquiry and in the determination of planning applications. LTGDC has prioritised this work due to increasing pressure from landowners to develop individual sites in isolation. Unlike the remainder of the Masterplan area, none of the land is currently under public ownership.
- 3.12 It is considered that this is the most effective strategy for managing development pressure in the area, ensuring the timely delivery of the new neighbourhood centre and maximising the considerable resources that LTGDC has identified for investment in Bromley-by-Bow. To this end, Officers have taken a key role in the preparation of the draft Brief and are proposing a joint period of public consultation, subject to this approval by Cabinet.

Consultation of Bromley-by-Bow Land Use Design Brief

Informal Consultation

- 3.11 On 3rd March 2008 the LTGDC Board approved the draft Land Use and Design Brief for informal consultation with landowners, developers and public sector agencies to maintain the momentum created by the Trad Inquiry result and facilitate negotiations between landowners and developers' as well as the preparation of development proposals for the site. The deadline for submitting representations was 9th May 2008. This provided an opportunity for internal departments within the Council to comment on the draft Brief.

- 3.12 Appendix 3 provides a summary of the substantive comments received. The comments from the informal consultation are primarily from developers and primarily relate to viability and concerns that the draft Brief is overly prescriptive. However, it is considered that none of the comments justify a fundamental change to the form and content of the draft Brief at this stage, ahead of formal consultation.

Statutory Consultation

- 3.13 Subject to approval by Cabinet, a 12 week period of public consultation (6 weeks informal and the statutory 6 weeks formal) will be carried out jointly by LBTH and LTGDC, to commence in August 2008. This will include detailed consultation with statutory consultees, the local community and key local stakeholders.
- 3.14 Prior to the statutory consultation, Members will have the opportunity to comment on the draft Brief. Members will also be consulted on the outcome of the consultation and subsequent amendments to the draft Brief will be ahead of its final approval as 'Interim Planning Guidance'.
- 3.15 The draft Brief will also be subject to a summary Sustainability Appraisal and Scoping Equality Impact Assessment (EqIA). A full EqIA was not prepared for this draft Brief as a full EqIA was carried out for the draft Bromley-by-Bow Masterplan. This suite of documents will also inform any subsequent amendments to the draft Brief after statutory consultation. We hope to report back to Cabinet regarding the findings of the consultation in January 2009 for the final approval.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 Following Cabinet approval to delay the final approval of the Bromley-by-Bow Masterplan, in order that additional work could be undertaken in partnership with the London Thames Gateway Development Corporation, Members are asked to approve the commencement of statutory consultation of the draft Bromley-by-Bow Land Use and Design Brief with a view to its approval by the Council as 'Interim Planning Guidance'.
- 4.2 The consultation will be undertaken jointly between the Council and the LTGDC, with the direct costs (e.g. advertising, printing, hiring venues) being funded by the LTGDC. The only expense falling on the Authority will be the cost of officer time

5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 5.1 The Bromley-by-Bow Land Use and Design Brief will ultimately be adopted as a Supplementary Planning Document (“SPD”) in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004 (“2004 Regs”).
- 5.2 However, the Council is precluded by statute from adopting any SPD’s in advance of adopting Development Plan Documents (“DPD”), and therefore at this stage in the Council’s DPD programme, the Land Use and Design Brief can only be adopted as Interim Planning Guidance.
- 5.3 The Council is required to carry out formal public consultation in accordance with Regulation 17 of the 2004 Regs prior to formal adoption. Following adoption as Interim Planning Guidance, Land Use Design Brief will represent a material consideration to be taken into account in the development control process, as a statement of council policy.

6 EQUAL OPPORTUNITIES IMPLICATIONS

- 6.1 Equality Impact Assessments (EqIA) have been produced for the Draft Bromely-by-Bow Masterplan and the LTGDC draft Brief. The EqIA will form part of the final suite of the LTGDC draft Brief. The EqIA for the LTGDC draft Brief is provided in Appendix 4.

7. ANTI-POVERTY IMPLICATIONS

- 7.1 Tackling poverty and social exclusion are key objectives of Draft Bromely-by-Bow Masterplan and the LTGDC draft Brief and is central to the Borough’s approach to promoting sustainable communities. Antipoverty and social inclusion impacts are fully tested through the Sustainability Appraisal, which will form part of the final suite of draft Brief.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 A Sustainability Appraisal has been completed for the LTGDC draft Brief, in line with statutory requirements. The appraisal has informed the drafting of the document, to ensure it is robust and will achieve sustainable development objectives. The Sustainability Appraisal for the draft Brief is provided in Appendix 5.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The key risk associated with advancing more detailed planning guidance for the Hancock Road / 3 Mills Lane / Imperial Street area ahead of the approval of the overall Bromley-by-Bow Masterplan is that of the effective coordination of the wider Bromley-by-Bow area. In order to mitigate against this risk, Officers have established the Bromley-by-Bow Implementation Group to take forward and coordinate the additional work required for production of the Masterplan.
- 9.2 A further risk includes potential issues such as poor quality of the final document. This is mitigated by the project management of the draft Brief, within the Development Implementation Team. The draft Brief is allocated a project manager who will work closely with LTGDC to ensure the Implementation Programme is managed. In this way, the draft Brief and its Implementation is carefully watched on a daily basis.

Appendices

Appendix 1 – Site Plan

Appendix 2 – LTGDC, Draft Bromley-by-Bow Land Use and Design Brief

Appendix 3 – Consultation Summary

Appendix 4 – Equality Impact Assessment

Appendix 5 – Sustainability Appraisal

Local Government Act 1972 (as amended) Section 100D
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.
Draft Bromley-By-Bow Masterplan November, 2006	Simone Williams Development Implementation Ext. 3515