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| <b>Committee/Meeting:</b><br>Cabinet  | <b>Date:</b><br>1 <sup>st</sup> December<br>2010 | <b>Classification:</b><br>Unrestricted  | <b>Report No:</b> |
| <b>Report of:</b><br>Aman Dalvi - Corporate Director<br>Development & Renewal<br><br><b>Originating officer(s)</b> Owen Whalley,<br>Head of Planning & Building Control |  | <b>Title:</b><br>Local Development Framework Annual<br>Monitoring Report 2009-2010 / Local<br>Development Scheme (LDS) 2010<br><br><b>Wards Affected:</b> All |                   |

|                             |  |
|-----------------------------|--|
| <b>Lead Member</b>          | Councillor Rabina Khan, Cabinet Member for Housing |
| <b>Community Plan Theme</b> | A Great Place to Live, A Prosperous Community      |
| <b>Strategic Priority</b>   | All Priorities                                     |

## 1. **SUMMARY**

- 1.1 Each year the Council is required to submit an Annual Monitoring Report (AMR) to the Government and Mayor of London covering the previous year's progress relating to spatial planning and the Local Development Framework (LDF). The Council is also required to prepare and keep under review a Local Development Scheme (LDS) which establishes a 3-year production programme of Development Plan Documents (DPD) within the Local Development Framework (LDF).
- 1.2 Given the time lag in data collection and AMR reporting dates, this report is for the monitoring period between 1 April 2009 and 31 March 2010 and, whilst structured to follow the recently adopted Core Strategy, relates to policies in the UDP and Interim Planning Guidance.
- 1.3 The AMR covers progress made on preparing local planning documents against the timetable set out in the Council's Local Development Scheme (LDS), and the extent to which the policies in the Council's planning documents are being achieved. This sixth AMR reports on the monitoring period 1 April 2009 to 31 March 2010.
- 1.4 The information and findings will be used to inform planning policy and specifically the emerging LDF Development Management Development Plan Document (DPD), Sites and Placemaking DPD and Fish Island Area Action Plan (AAP). The AMR process has also identified the need for the Council to make revisions to its LDS for the preparation of these planning documents.

- 1.5 In September 2010 the Council adopted its LDF Core Strategy, which sets out the long term spatial vision for the borough and the overarching policies to achieve the vision. The Core Strategy has updated and strengthened the core policies in the Unitary Development Plan and Interim Planning Guidance, informed by outcomes identified in the AMR on the effectiveness and performance of the Council's planning policies. Examples include:
- Strengthening town centre policies by designating new town centres and creating a hierarchy of town centres across the borough with scale and type of uses to compliment the hierarchy.
  - Requiring student housing providers to work with the borough's universities to ensure the right amount of student housing is provided at the right time and in the right locations.
  - Supporting the provision of a range and mix of employment uses and spaces by designating Preferred Office Locations (LOL) and Local Office Locations (LOL) at suitable locations across the borough.

## 2. **DECISIONS REQUIRED**

In respect of the AMR, Cabinet is recommended to:-

- 2.1 Note the contents of this report and the Draft AMR for the period April 2009-March 2010 attached as Appendix 1.
- 2.2 Note that the AMR for the period April 2009-March 2010 will be submitted to the Secretary of State and Mayor of London before 31 December 2010.
- 2.3 Authorise the Corporate Director of Development and Renewal to make minor amendments prior to submission to the Secretary of State and Mayor of London relating to factual matters.

In respect of the LDS, Cabinet is recommended to:-

- 2.4 Approve the updated LDS set out in Appendix 2 of this report for submission to the Secretary of State and to the Mayor of London;
- 2.5 Agree that the updated LDS shall have formal effect four weeks after submission to the Secretary of State, provided that the Secretary of State does not propose to issue a call-in direction; and
- 2.6 Authorise the Corporate Director of Development and Renewal to make factual changes or minor changes to the approved scheme if so directed by the Secretary of State.

## 3. **REASONS FOR THE DECISIONS**

- 3.1 The AMR assesses the performance of the Council's spatial planning policies against key national and local targets. It is important that Members note the

findings of the AMR as these will directly inform the preparation of future planning policy documents under the Council's Local Development Framework.

- 3.2 It is a statutory requirement for the Council to have an up-to-date LDS. The proposed revisions to the LDS provide a deliverable 3 year programme for the preparation of key Development Plan Documents (DPDs) to complement the adopted Core Strategy. It is important that the LDS is revised prior to the first formal consultation on the DPDs scheduled to commence in spring 2011.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 The AMR provides factual information and has been used to inform the options on the LDF Core Strategy and will be used in the assessment of options for future DPDs.
- 4.2 With regard to the LDS, the alternative option would have been to have continued with the programme for DPD preparation as set out in the 2009 LDS. It is considered that this would not have enabled sufficient time for the preparation of robust planning documents, increasing the risk of legal challenge and limiting the extent of consultation with the local community and key stakeholders. Preparing an AAP for Poplar would have significant resource implications in an area where there are already existing mechanism to manage development pressure.

#### **5. BACKGROUND**

- 5.1 In accordance with Planning Policy Statement 12, an AMR should:
- Report progress on the timetable and milestones for the preparation of documents set out in the local development scheme including reasons where they are not being met.
  - Report progress on the policies and related targets in local development documents. This should also include progress against any relevant national and regional targets and highlight any unintended significant effects of the implementation of the policies on social, environmental and economic objectives. Where policies and targets are not being met or on track or are having unintended effects reasons should be provided along with any appropriate actions to redress the matter. Policies may also need to change to reflect changes in national or regional policy.
  - Include progress against the core output indicators including information on net additional dwellings (required under Regulation 48(7)) and an update of the housing trajectory to demonstrate how policies will deliver housing provision in their area.
  - Indicate how infrastructure providers have performed against the programmes for infrastructure set out in support of the Core Strategy. Annual Monitoring Reports should be used to reprioritise any previous assumptions made regarding infrastructure delivery.

- 5.2 There are strong links between Annual Monitoring Reports and Community Plan monitoring programmes. In addition, there is a cross-over of Local Area Agreement indicators, particularly relating to housing delivery and waste management.

## 6. **BODY OF REPORT**

### **Annual Monitoring Report Findings**

- 6.1 This section sets out Tower Hamlets' performance against the Local Development Scheme and the Council's planning policies operational over the 2009/10 monitoring period, contained in the Council's Interim Planning Guidance (and with reference to the Core Strategy, prior to its adoption in September 2010).
- 6.2 The 2009/10 monitoring period has seen good overall improvement in policy performance over the 2008/09 period with the number of policies either meeting or exceeding targets increasing considerably. A number of policies are also showing consistent improvement year on year towards the set target. A summary of the findings for 2009/10 is arranged by the Core Strategy themes below:

#### Planning in Tower Hamlets

- There were a total of 2,161 planning applications received by the Council during the monitoring period, a decrease of 346 from the previous monitoring period.
- 46 appeal decisions were made in relation to LBTH planning decisions. Of these 39 were dismissed in the Council's favour, with 7 being allowed.

#### Refocusing on our Town Centres

- Despite a slight rise in vacancy levels in all but three of the borough's town centres, vacancy levels for majority of the borough's town centres are between 0% and 7% and are considered to be low compared to the London average of 10%. Roman Road East and Salmon Lane are the only two centres with vacancy levels higher than the London average at 17% and 13.6% respectively.

#### Strengthening Neighbourhood Well-Being

- 2,452 net additional homes were completed, 387 less than the previous monitoring period.
- According to the Council's Affordable Housing Team, 1,754 gross affordable homes were completed, 1,219 (69%) of these were social rented and 535 (31%) intermediate
- 335 student bedrooms were completed
- Housing density has decreased from an average of 579 (2008/09) habitable rooms per hectare to 406 (2009/10)
- Major refurbishments of existing health facilities in Bethnal Green, Mile End and Isle of Dogs has resulted in increased capacity and services

- Planning obligations secured £1,361 per residential unit for health purposes in the 2009/10 monitoring period, down from £1,659 over the previous year
- Quantity of public open space has increased by 0.33 hectares, from 246 hectares to 246.33 hectares. However, the standard of 1.20 hectares per 1,000 population continues to drop and currently stands at 1.05 hectares per 1,000 population.
- Six parks in the Borough have Green Flag Award status, including Island Gardens, King Edward Memorial Park, Mile End Park, Millwall Park, Trinity Square Gardens and Weavers Fields, representing a third of the Borough's open space
- Recycling levels have increased from 15% to 26.5% in the past year. Waste sent to landfill sites has decreased.

#### Enabling Prosperous Communities

- 2009/10 monitoring period has seen a net loss of 33,129 sqm across all employment use classes almost offsetting the gain of 33,731 sqm the previous monitoring period.
- Following the delivery of 168 new hotel bedrooms the previous monitoring period, this period has seen no new hotel rooms delivered.
- 117.5 new businesses were registered per 10,000 adults.
- Planning obligations secured £1,753 per residential unit for educational purposes, an increase from the £1,590 secured last monitoring period.

#### Designing a High Quality City

- Recently completed residential developments consisting of 10 units and more have been assessed against the Building for Life criteria, developed by CABI to measure the quality of new residential developments. Of the 24 developments assessed, 11 received a 'Good' score, 10 received an 'Average' score and 3 'Poor'.
- 100% of major developments (10 units and more) approved in the monitoring period are 'car-free'.
- Number of Travels Plans submitted with major applications has increased significantly from a low of 5% in 2006/07 to 75.93% in 2008/09.
- Air quality improving, marking a change in trend from previous years, with actions in the Air Quality Action Plan being implemented across the Council
- The number of applications which have received comments from the Access Officer has increased from 41% to 61% since the last monitoring period.
- An additional Conservation Area, Limehouse Cut, has been adopted in the monitoring period.
- Number of listed buildings at risk has risen from 37 to 49 since the last monitoring period.

#### Data collection

- 6.3 Difficulties remain in collecting some indicators, including those relating to renewable energy and sustainable urban drainage systems. Improved data collection methods should help to ensure better information in these areas over the next monitoring period.

## **Analysis**

- 6.4 Analysis of the indicator findings have identified some issues that require further consideration and action to resolve. These are set out below under the themes of the LDF Adopted Core Strategy 2010.

### Refocusing on our Town Centres

- 6.5 Despite Roman Road East having a high vacancy level of 17%, the centre has seen a 2% reduction over the 2008/09 period. Work continues to regenerate this town centre with key local partners and stakeholders. The Core Strategy has also placed greater emphasis on Town Centres, which will improve the vitality and viability of this, and all the borough's centres.

### Strengthening Neighbourhood Wellbeing

- 6.6 Despite continuing to deliver a high number of housing, the number of net additional dwellings completed in the 2009/10 monitoring period has declined in comparison with the previous period. However, as indicated by the housing trajectory the Council expects to deliver significantly more new housing in the 2010/11 period, exceeding the London Plan target. The Council is also on track to deliver its full housing target over the lifetime of the Core Strategy. Any review of annual housing delivery needs to be considered in relation to the longer term trend.
- 6.7 According to the Affordable Housing Team (AHT), the Council, with its partners delivered a total of 1,754 gross affordable homes in the 2009/10 monitoring period, an increase of 790 from the 2008/09 period. Of these 1,219 (69%) were social rented and 535 (31%) intermediate.
- 6.8 In terms of family housing, 42% of social rented housing delivered were suitable for families (ie 3 bedrooms or more). Family housing in the intermediate and family sectors were lower than policy requirement with only 6% delivered in the intermediate sector and 3.6% in market sector. However projections by the AHT for 2010/11 monitoring period show that the percentage of family housing in the intermediate sector will rise to 28.6%.
- 6.9 Whilst the Council recognises the importance of continuing to provide student accommodation, the rate at which these are being delivered (782 bed spaces over the last two monitoring periods) have become a cause for concern. Continuing such a high rate of delivery is unsustainable and may compromise delivery of the Council's other commitments. The Council is therefore closely monitoring delivery of student housing requiring stronger evidence of its need and working closely with universities to ensure these are provided at the right location and at the right time and in the right quantity.
- 6.10 Whilst open space policy has been effective in maintaining and increasing slightly the quantity of open space, in the face of a growing population maintaining the standard of 1.2ha per 1,000 population is proving to be extremely difficult, with the standard slipping year on year. Given the difficulty in maintaining the standard in the face of a growing population, the Core Strategy, whilst still committed to delivering new open spaces, places greater

emphasis on the quality of open spaces over quantity. Furthermore, locations for delivering additional large open spaces are also being explored through the emerging Site and Placemaking DPD.

#### Enabling Prosperous Communities

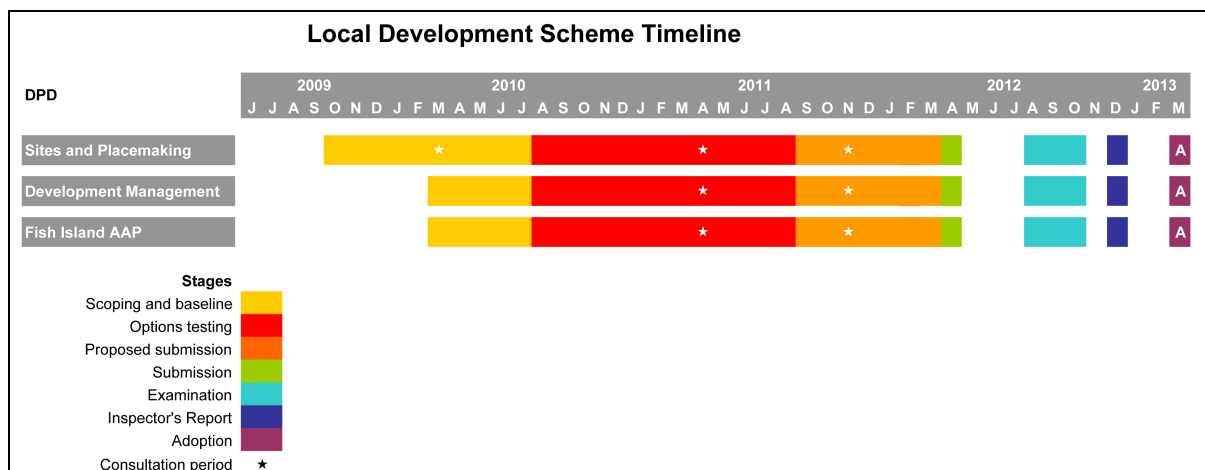
- 6.11 There has been a net loss 12,280 sq m of B1a employment floorspace, almost offsetting the previous monitoring period's gain of 13,142 sqm. This is mainly due to change of use from employment to residential. To ensure the borough retains sufficient amount of employment floorspace, the adopted Core Strategy has designated locations either as Preferred Office Location suitable for large floor plate offices, or as Local Office Locations suitable for a range and mix of employment. The Core Strategy also supports the retention and promotion of flexible workspaces in town centres, edge of town centres and along main street,
- 6.12 There is also concern with the drop in the number of enrolments on adult education courses. From a high of 74.87 per 1,000 population in 2006/07, the number of enrolments has dropped to 54.5 per 1,000 population, significantly lower than the target of 80. To address this negative trend, a comprehensive policy dedicated to improving education and skills in the borough amongst young people and the adult population has been included in the Core Strategy.

#### Designing a High Quality City

- 6.13 There has been a marked improvement in the quality of cycle routes and pedestrian walkways but there has not been any increase in the total distance of the routes and walkways, neither has there been any in the past three monitoring periods. There is scope to expand the new Core Strategy policy in the Development Management DPD to encourage further cycle routes and pedestrian walkways.
- 6.14 Although the indicator data for Air Quality has shown a drop in the number of days when air pollution has been high or moderate, the closure of the Bethnal Green monitoring site means that there is now only one site measuring air quality in the borough. With a number of major arterial commuter roads coming into the borough, one site is clearly not sufficient to provide a comprehensive measurement of air quality. Whilst the Core Strategy has identified Clear Zones within the borough to improve air quality, it is also proposed in the AMR that opportunities to increase sites in the borough to measure air quality are investigated.
- 6.15 Whilst no applications were approved that would result in the loss of listed buildings, the number of listed buildings at risk has risen from 37 to 49 in the 2009/10 monitoring period. The Core Strategy has generic policies on listed buildings which can be strengthened further through the Development Management DPD to prevent listed buildings from falling into disuse. The Council has also recently adopted a Conservation Strategy which will contribute to maintaining listed buildings.

## Local Development Scheme

- 6.16 All Councils are required by law to prepare a Local Development Scheme (LDS) which establishes a 3-year production programme of Development Plan Documents (DPD) within the Local Development Framework (LDF). The LDS must, under current law, be submitted to, and approved by, the Secretary of State (Department for Communities and Local Government) and the Mayor of London.
- 6.17 In March 2005 the Council adopted its first LDS and it has been subsequently reviewed on 3 previous occasions, the last time being in November 2009.
- 6.18 The Council adopted its Core Strategy in September 2010, in accordance with the timetable set out in the 2009 LDS. The 2009 LDS also set out a timetable for the preparation of 4 further Development Plan Documents, namely:
- Development Management – Provides clear criteria-based policies to inform planning decisions and manage sustainable development.
  - Sites and Place-making - Identifies all development sites within the Borough and the preferred uses for each site.
  - Fish Island Area Action Plan (AAP) - Provides detailed guidance on how development and change should be managed within Fish Island.
  - Poplar area AAP - Provides detailed guidance on how development and change should be managed within and around Poplar
- 6.19 It is proposed to make two amendments to the LDS:
- (i) *To extend the period for the preparation of the DPDs in accordance with the timeframes set out below.*



- 6.20 It has not been possible to adhere to the timetable set out in the 2009 LDS for the following reasons:
- The Officer resource requirements for the examination and adoption of the Core Strategy meant it was not possible to commence work on the DPDs at the same time. The experience of the Core Strategy also highlighted



that responding to representations and preparing for examination takes longer than the period originally accounted for in the 2009 LDS.

- Officers did not consider it appropriate to consult on the DPDs during autumn 2010 given the Mayoral elections.
- The DPDs will contain a number of technical policies which need to be based on a comprehensive evidence base and tested with specialist Council Officers and statutory consultees. Preparing this evidence and initial testing of policies has taken longer than originally envisaged in the 2009 LDS.

6.21 Additional time will also enable Officers to engage with the local community, key stakeholders and developers to ensure a comprehensive programme of consultation is in place to support the preparation of the DPDs from the outset.

(ii) *Not to proceed with the Poplar Area AAP*

6.22 Officers have reviewed the main areas of development pressure in the Poplar area and identified that there are already existing mechanisms in place to manage this development. For example the Council is working in partnership with Poplar HARCA to secure the redevelopment of Chrisp Street town centre and also the regeneration of Bartlett Park. In Bromley-by-Bow the Council is working in partnership with London Thames Gateway Development Corporation and other key local stakeholders in refreshing the 2007 draft Bromley-by-Bow Masterplan which will provide detailed guidance for future development, building on the momentum of the recently approved new district centre, and ensure the timely delivery of supporting social and physical infrastructure.

6.23 An Area Action plan for Poplar is therefore no longer considered to be necessary at this stage, although this will be kept under review through the AMR.

## **7. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

7.1 The submission of an Annual Monitoring Report is a requirement of the plan-making system, and assesses progress in meeting the targets set out in the Local Development Framework.

7.2 This is the sixth Annual Monitoring Report completed by the Authority. The costs of collecting and collating the data are met from within existing Directorate resources.

7.3 Although there are no specific financial implications arising from the report itself, the performance indicators do inform the Local Development Framework process, as well as reflecting the effects of the current economic climate. The performance in certain areas could potentially affect future resources that are available to the Council but these must often be seen in the context of overall nationwide statistics e.g. the number of actual housing unit completions compared to target.

- 7.4 This report also asks Cabinet to approve a revised Local Development Scheme (LDS) to facilitate the on-going preparation of the constituent elements of the Local Development Framework (see paragraphs 6.15 to 6.22).
- 7.5 The main costs associated with the development of the Local Development Framework are staffing related and have historically been part supported through Housing and Planning Delivery Grant. The various development plan documents listed in this report will be the subject of on-going consultation processes which will incur costs on items such as advertising, printing, hiring venues and facilitating public meetings. Although the Housing and Planning Delivery Grant regime ended in 2009-10, resources have been earmarked to fund this expenditure. The final stage of the LDF process is an 'inspection in public' for which the Authority must incur all costs, including those of the appointed inspectors. Resources have previously been set aside as part of the budget process to contribute towards the funding of these costs.

## **8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 8.1 This Cabinet report seeks noting and approval of two separate, but related, planning documents, namely the AMR 2009/2010 and the revised LDS 2010.
- 8.2 The preparation and submission of the Annual Monitoring Report ("AMR") to the Secretary of State is a statutory requirement pursuant to Section 35 of the Planning and Compulsory Purchase Act 2004.
- 8.3 The AMR must comply with Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004. The report at Appendix 1 fulfils these statutory requirements.
- 8.4 The first LDS and its subsequent revisions (the latest revision being 2009) have all been prepared and adopted in accordance with section 15 of the Planning and Compulsory Purchase Act 2004 and Regulations 6 to 10 of the Town and Country Planning (Local Development) (England) Regulations 2004 ("the LD Regs"). The 2010 LDS accords with the same legislative requirements.
- 8.5 In order to bring into effect the LDS, the Council is required to submit the LDS to the Secretary of State and to the Mayor of London, and comply with Regulation 11 of the LD Regs.
- 8.6 Regulation 11 stipulates that in order to bring a revised LDS into effect, the Council must receive notice from the Secretary of State he does not intend to give a Direction for amendments to the LDS. When such notice is received, the LDS is brought into effect when the Council formally resolves that the LDS shall have effect. That resolution must also specify the date from which the LDS shall have effect.

## **9. ONE TOWER HAMLETS CONSIDERATIONS**

- 9.1 The LDS is project plan for the preparation of future DPDs and therefore does not in itself have any specific equalities impacts. However, all DPDs identified in the LDS will be subject to Equalities Impact Assessment, to understand potential impacts of each document on people in these areas. More specifically the EqlAs will review and assess issues relating to the diversity of the borough and the wide cross section of equality and diversity strands including, race, gender, disability, age, sexual orientation faith and deprivation. This will ultimately help to address inequalities through regeneration, growth and service provision in the most appropriate locations within the borough.
- 9.2 An Equalities Impact Assessment was completed for the Interim Planning Guidance and the LDF Core Strategy. In addition the AMR includes indicators which monitor equalities impacts, including the percentage of young people not in education and training, and the percentage of reported hate crime resulting in formal action.

## **10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1 A detailed Sustainability Appraisal was completed for the Interim Planning Guidance and the LDF Core Strategy. All DPDs identified in the LDS will also be subject to Sustainability Appraisal. The Sustainability Appraisal process informs the drafting of the Development Plan Documents at every stage to ensure they are robust and will work to achieve sustainable development. The Annual Monitoring Report includes a range of indicators on the environment.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 The Annual Monitoring Report has identified areas of risk relating to the mix of housing being delivered, student accommodation, provision of open space, waste management, and noise. Mechanisms have been identified to address these issues, working with key partners.
- 11.2 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.

## **12. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1 The AMR provides a good indication of levels of domestic burglaries. Data collected for the AMR reveal a steady drop in the number of domestic burglaries over the last four year, dropping from 16.95 burglaries per 1,000 households in 2006/07 to 10.3 per 1,000 households in the 2009/10 monitoring period. Findings in the AMR are crucial to identifying planning polices not performing as intended and for formulating new policies.

**13. EFFICIENCY STATEMENT**

- 13.1 In reviewing the operation of the Council’s planning policies, the AMR ensures that the Council is able to identify and mitigate against areas of poor performance.
- 13.2 The proposed revisions to the LDS provide a deliverable programme of DPD production over the next 3 years, based on a detailed understanding of available resources, to be kept under continual review by the LDF Board.

**14. APPENDICES**

Appendix 1 – Draft Local Development Framework Annual Monitoring Report: April 2008 - March 2009  
Appendix 2 – Proposed Local Development Scheme 2010

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

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