

<b>Cabinet</b> 4 December 2013	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Aman Dalvi – Corporate Director Development & Renewal	<b>Classification:</b> Unrestricted
<b>Whitechapel Vision Masterplan Supplementary Planning Document</b>	

<b>Lead Member</b>	<b>Councillor Rabina Khan</b>
<b>Originating Officer(s)</b>	Michael Bell, Strategic Planning Manager Richard Finch, Team Leader, Plan Making Duncan Brown, Deputy Team Leader, Plan Making
<b>Wards affected</b>	Whitechapel Bethnal Green South Spitalfields and Banglatown St Dunstons and Stepney Green
<b>Community Plan Theme</b>	<b>Great Place to Live</b>
<b>Key Decision?</b>	Yes

### Executive Summary

- 1.1 The Whitechapel Vision Masterplan Supplementary Planning Document (SPD) will ensure a co-ordinated approach is taken to the physical and socio-economic regeneration of Whitechapel to 2025. It sets out a clear and unique vision for Whitechapel, provides guiding planning principles across the area as a whole and identifies 6 ‘Key Place Transformations’ which outline the development priorities on private sites and public land.
- 1.2 The Whitechapel Vision Masterplan SPD will be a material planning consideration for the determination of applications within the defined Masterplan area and will provide guidance and certainty for landowners, developers, Registered Providers (RPs), the local community and other key stakeholders.

### Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the representations received during the consultation on the draft Whitechapel Vision Masterplan SPD contained in Appendix 2
2. Agree the summary of the main representations and the proposed responses to these representations as contained in Appendix 2, and to approve the subsequent necessary amendments to the Whitechapel Vision Masterplan SPD.

3. Approve the final Whitechapel Vision Masterplan SPD for adoption and authorise officers to prepare and publish an adoption statement.
4. Authorise the Corporate Director of Development and Renewal to make any necessary factual or minor editing changes prior to publishing the final Whitechapel Vision Masterplan SPD.
5. Note that the Corporate Director of Development and Renewal in consultation with the Mayor and Lead Members will investigate options regarding the delivery of the Whitechapel Vision Masterplan SPD post adoption.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The adoption of a SPD for Whitechapel will ensure that the expected future regeneration and growth of the area can be appropriately managed and coordinated until 2025, the Local Plan period. This coordinated approach should maximise the benefits of growth for the community by delivering new affordable housing, local enterprise and employment opportunities, public realm enhancements, and community infrastructure through various mechanisms, including Section 106 and Community Infrastructure Levy (CIL) funding arising from new developments.
- 1.2 The Whitechapel area is already seeing an increase in development activity with a number of significant proposals coming forward. The SPD sets out an ambitious vision to promote the area to inward investment but in doing so will ensure that the Council takes a leading role, identifying key community priorities and providing concise planning principles for the area. The SPD will provide a robust planning framework to assist the Council's current and future negotiations with landowners, developers, RPs and other key stakeholders.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Council's Local Plan, comprising the Core Strategy (2010) and Managing Development Document (MDD) (2013), provides a vision and strategic development principles for the borough as a whole and individual places, including Whitechapel. The Local Plan could be used to guide and support development in the Whitechapel area on its own.
- 2.2 Relying on the Local Plan is not considered to be sufficient in that it does not provide the necessary level of detail needed to plan for and coordinate the scale of development expected in Whitechapel. The additional guidance provided by the SPD will ensure that there is a more detailed local planning framework to manage and guide development sites coming forward and to deliver the necessary infrastructure, public realm improvements and community benefits.

## **3. DETAILS OF REPORT**

- 3.1 The Mayor for Tower Hamlets considers Whitechapel and its surroundings as a major development and growth opportunity waiting to happen, linked to the new TfL Crossrail station opening in 2018. It can make a significant contribution to the Mayor's overarching priorities for the Borough, including the delivery of more affordable family homes, promotion of skills and employment, increasing educational attainment, and creating safer, cleaner and inclusive neighbourhoods for all to enjoy.
- 3.2 In January 2013, following a competitive tender process, the Council procured the services of Building Design Partnership (BDP) (town planning/architecture/urban design) and their sub consultants, Montagu Evans

(property), Regeneris (economic) and Urban Flow (transport) to commence work on the Masterplan.

### Planning Policy Context

- 3.3 The Masterplan has been prepared to elaborate on the existing planning policy context set out in the Council's Local Plan – comprising the Core Strategy (2010) and MDD (2013) – and the London Plan.
- 3.4 The Council's Core Strategy sets out a strategic vision for Whitechapel as “a historic place set around Whitechapel Road with Crossrail and the Royal London Hospital providing a regional role”. More specifically, it is identified as a thriving regional hub set along the historic and vibrant Whitechapel Road. It includes key priorities and principles which will need to inform the next planning and regeneration responses. In addition, the MDD (2013) designates the town centre around Whitechapel Road as a District Centre, Local Office Location and key Transport Interchange Area.
- 3.5 On a metropolitan level, the Mayor for London includes Whitechapel within the draft City Fringe Opportunity Area with key policies identified to promote complimentary land uses to support the City as a financial district for London. The Masterplan area is also within the GLA's draft Tech City document which is intended to become Supplementary Planning Guidance in 2014.

### Masterplan Vision: 6 Key Place Transformations

- 3.6 The Masterplan sets out an ambitious vision for the future of Whitechapel, based on extensive local and other stakeholder consultation, with a detailed baseline analysis and an understanding of the Mayor's priorities for the area. The vision is based on expanding and enhancing the town centre and surrounding areas to support existing and higher order retail, civic and employment uses, with striking new architecture and high quality public realm.
- 3.7 The Masterplan identifies six key interventions to transform Whitechapel into a world class place to live, work, learn and visit. These are elaborated through more detailed design and planning guidance for the 6 defined sub areas known as 'Key Place Transformations' which will guide new development and associated future public realm improvements. These proposed key interventions are as follows:
  - 1. **Revitalising Whitechapel Road** – supporting the town centre through making the main road easier for pedestrian and cycling movement, as part of a major public realm improvement scheme, including enhancement to the street market and building a new iconic structure.
  - 2. **New Civic Hub** – bringing back the former Royal London Hospital buildings into civic use to improve the range of public services provided in the town centre, as well as creating wider employment opportunities set around a new civic open space.

3. **Durward Street Gardens** – a new high quality urban quarter to enliven the area around the new Crossrail Station providing new homes, retail and public spaces, including modernising and redeveloping the leisure centre and building over the station and railway track.
4. **Med City Campus** – supporting the expansion of the health, bio-tech and life sciences research activities of Queen Mary University London (QMUL) and the Royal London Hospital (RLH) based around a new 'green spine' open space with a significant number of new homes at the former Bart's Charity Trust site.
5. **Raven Row** – a new neighbourhood within Whitechapel centred on residential led development with supporting employment space and open space with improved links to the town centre and hospital.
6. **Cambridge Heath Gateway** – redevelopment of the Sainsbury's site with a new larger store, residential and community facilities, including the potential relocation of the leisure centre, focused around a future secondary Whitechapel station entrance and new open spaces linking Brady Street to Cambridge Heath Road.

#### Delivering the Vision

- 3.8 The SPD also contains a Delivery and Implementation Plan which sets out the key strategies and physical interventions intended for the area, and the timescales, delivering bodies and potential funding streams for each of these project interventions.
- 3.9 The report requests that members note that Officers will proceed to investigate options regarding the mechanisms for the delivery of the Whitechapel Vision post adoption of the SPD in consultation with the Mayor and Lead Members.
- 3.10 During the preparation of the Masterplan document council service directorates were consulted regarding specific proposals within the Masterplan and their impact for the future growth and delivery of council assets and services in the Whitechapel area.
- 3.11 Further work on the each of the above projects with detailed feasibility work is required to take place post adoption of the document to ensure operational factors, service continuity and future benefits are established.

#### Preliminary Consultation and Engagement

- 3.12 The preparation of the Masterplan commenced in February 2013 with approximately 7 months of informal consultation and engagement until August 2013. A wide variety of meetings and events took place during this period, with identified stakeholders in the Whitechapel area. These included a diverse range of key landowners, developers, institutions, businesses, resident groups, community organisations and statutory government bodies. The Consultation Report in Appendix 2 details and records the date and outcomes of these meetings.

### Statutory Six Week Public Consultation

- 3.13 The draft SPD for public consultation was approved at the 11<sup>th</sup> September 2013 Cabinet meeting. In accordance with the Council's Statement of Community Involvement (SCI) a six week period of public consultation commenced on Monday 23<sup>rd</sup> September 2013 and closed on Monday 4<sup>th</sup> November 2013.
- 3.14 Two public 'drop in' events have taken place at the Whitechapel Idea store on the 1<sup>st</sup> and 16<sup>th</sup> October 2013 with an additional stakeholder event held on the 8<sup>th</sup> October hosted by Councillor Rabina Khan. A further drop-in surgery event was held for residents of Albion Yard, Kempton Court, Durward Street, Trinity Hall, Unze Court and Wodeham Gardens on 24<sup>th</sup> October 2013 in response to local resident interest in this sub area of the Masterplan. A drop-in event was held for Whitechapel market traders on 31st October 2013 at the Idea Store.
- 3.15 Officers presented the draft Masterplan to the Tower Hamlets Housing Forum, which represents registered housing providers across the borough, on the 9<sup>th</sup> October 2013.
- 3.16 The Council published an interactive webpage on its website advertising the Masterplan consultation and inviting comments, in addition to displaying a public notice in East End Life in the 18<sup>th</sup> September 2013 edition.
- 3.17 The Consultation Report in Appendix 2 provides details of the outcome of these events, the detailed representations that have been received on the draft Masterplan and the Council's proposed response to these representations.

### Summary Responses to Statutory Public Consultation

- 3.18 The statutory public consultation has engaged broad support from the local community and key major landowners and developers in the area.
- 3.19 Key landowners and developers that have offered their broad support through submitted representations include QMUL, Barts Health NHS Trust, Sainsbury's, Safestore and Cavell Street owners.
- 3.20 Statutory consultees namely Transport for London and the Greater London Authority offer strong support for the Masterplan in their submitted representations. The Environment Agency and Natural England have also expressed broad support of the document with detailed technical requests set out within their representations.
- 3.21 English Heritage has made representations on the Masterplan referencing concern regarding the indicative design proposals in Key Place Transformation sub areas and the deemed adverse impact upon existing heritage assets within Whitechapel. The Council notes these concerns and is proposing a number of minor amendments to emphasise the safeguards in the masterplan which, together with adopted Local Plan policies and national planning and heritage

legislation, provide a comprehensive basis to preserve and enhance heritage assets within the Masterplan area.

- 3.22 Some local residents of north Durward Street have expressed concerns regarding the potential demolition of their properties as shown under 'Key Place Transformation 3: Durward Street Gardens'. Officers have considered these representations and have proposed amendments to the Masterplan that achieve the regeneration ambition for this sub area without the redevelopment of existing residential properties. The proposed change is set out in paragraph 3.26 below.
- 3.23 Some residents of Kempton Court have also expressed concern regarding future environmental and amenity impacts of the development guidance proposed within the Masterplan on land adjacent to their properties located to the south at Whitechapel station under 'Key Place Transformation 3: Durward Street Gardens'. Officers consider that existing local planning policies will apply to mitigate any impacts through the planning applications process and do not consider an amendment to the Masterplan is required in this respect.
- 3.24 Some residents of Albion Yard object to the Masterplan proposals for a new open space at the rear of Albion Yard under 'Key Place Transformation 6: Cambridge Heath Gateway' with regard to perceived adverse impacts on their amenity and privacy. In addition, some residents have drawn Officer's attention to the associated car park site currently occupied by Crossrail under a temporary lease arrangement during the construction period at Whitechapel until 2018 when works are due to be complete. Officers have considered these representations and propose minor amendments to the Masterplan regarding associated car parking provision that serves the site and recognise the existing land ownership arrangements directly linked with Albion Yard development. The proposed minor plan changes are set out in paragraph 3.28 below.
- 3.25 Tower Hamlets Homes (THH) has expressed concern regarding social tenant and leaseholder properties which are managed by THH on the north side of Vallance Gardens. Officers recognise that the indicative development guidance for these properties does not reflect THH's plans to refurbish these properties and therefore propose minor amendments to these affected properties, together with other properties on Old Montague Street and Hanbury Street as set out below under Paragraph 3.27.

#### Proposed Amendments to the draft Masterplan

- 3.26 In consultation with local residents, and Transport for London, together with advice from the Council's consultant team, it is proposed that the properties 57-71 and 73-95 Durward Street previously identified for redevelopment within the draft Masterplan sub area 'Key Place Transformation 3: Durward Street Gardens' (ref Figure 13, Figure 15, Figure 22) are retained in order to protect, sustain and enhance the existing mixed and balanced resident community within this part of Whitechapel. The reconfigured plans will continue to provide the necessary guiding framework to achieve and deliver comprehensive regeneration above Whitechapel station and at the Whitechapel Leisure centre in order to maximise

the benefits of new housing, employment space, retail/leisure opportunities and new open space.

- 3.27 It is proposed that THH properties identified for redevelopment, together with other properties on Hanbury Street and Old Montague Street (ref Figure 13, Figure 15, Figure 22) are removed from the plans as these properties lie outside of the Key Place Transformation sub areas.
- 3.28 It is proposed that Figure 32 is amended within 'Key Place Transformation 6: Cambridge Heath Gateway' to remove the 'L' shape strip of open space and trees shown on plan at the immediate rear boundary of properties at 333-337 Albion Yard. The amendment is necessary because this land is subject to an approved planning application from Crossrail in 2011 and is subject to a legal leaseholder arrangement between residents of Albion Yard and Crossrail. The proposed amendments will not affect the ambition of the regeneration guidance for this sub area and also the Council's long standing aspiration to deliver a second entrance to Whitechapel station and potential ticket hall at Cambridge Heath Road.
- 3.29 It is proposed there are a number of further minor changes to the Masterplan in response to representations made by consultees. These are set out in Appendix 2.

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 This report seeks Mayoral approval to consider the representations received during the consultation on the draft Whitechapel Vision Masterplan Supplementary Planning Document (SPD), agree the proposed responses (Appendix 2), approve the subsequent necessary amendments to the Whitechapel Vision Masterplan SPD, and authorise officers to publish an adoption statement.
- 4.2 The Masterplan provides a framework to guide development and a programme for infrastructure delivery within the Masterplan area. It will provide evidence to inform and assist future decisions on resource allocation in this part of the Borough, and 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.
- 4.3 The Masterplan area includes several properties that are either currently Council owned or are possible locations for future service delivery. Although only indicative proposals, the possible future use of these sites is incorporated into the public consultation documentation. Any proposals for these sites will have significant financial implications for the Council and although not required at this Masterplanning stage, if pursued, will ultimately be subject to separate Member consideration. Each initiative will require detailed financial appraisal considered within the context of the resource position of the Council.



- 4.4 The cost of preparation of the Masterplan, including the consultation process, is estimated at approximately £150,000. These costs are being met from revenue resources set aside for this purpose within existing budgets.

## **5. LEGAL COMMENTS**

- 5.1. 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.
- 5.2. Pursuant to Regulation 12 the Council must not adopt the Whitechapel Vision Master plan 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 as set out in Appendix 2.
- 5.3. The report also confirms compliance with the authorities duties under the Environmental Assessment of Plans and Programmes Regulations 2004 and concludes that no Strategic Environmental Assessment is required.
- 5.4. 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).
- 5.5. 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.
- 5.6. 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 which this report seeks authorisation to do so.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 An equality analysis (EqA) has been undertaken in support of the SPD to meet the Council objective of achieving 'One Tower Hamlets'. The analysis reviews and assesses any impacts of the SPD relating to the diversity of the borough including, race, gender, disability, age, sexual orientation, faith and deprivation. The Equality Analysis Scoping Report is attached as Appendix 4 to this paper. It identifies some positive impacts, but nothing negative from an equality perspective. The proposed design amendments to the Masterplan as referenced

in paragraph 3.26-3.29 are not considered to affect the EqA as detailed in Appendix 4.

- 6.2 It should also be noted that the SPD is consistent with the Council's Core Strategy which was itself subject to a full Equality Impact Assessment (EqIA).

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

- 7.1 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.
- 7.2 The Whitechapel Vision Masterplan SPD is subject to regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 ("the 'Regulations'"), which requires the responsible authority to determine whether a Strategic Environmental Assessment (SEA) is necessary.
- 7.3 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. The Masterplan SPD is in conformity with the Council's Core Strategy Development Plan Document and Managing Development Document which were both subject to Sustainability Appraisal and Strategic Environmental Assessment. The Sustainability Appraisal (SA) Review has shown that the Masterplan SPD does not give rise to significant environmental effects which have not already been formally assessed through the SA for the Core Strategy and Managing Development Document.
- 7.4 The Council consulted statutory consultees under paragraph 9(2)(b) of the Regulations. Of the statutory bodies that responded, the Environment Agency, Natural England and Thames Water did not contest the Council's view.
- 7.5 English Heritage stated that the Council had not addressed the question of whether the Masterplan is likely to have significant environmental effects, based on the criteria set out in Annex II of the SEA Directive. As a result English Heritage has requested the screening statement is updated.
- 7.6 The Council is satisfied it has fully complied with the Directive and Regulations. The SA Review uses the Core Strategy Sustainability Objectives which were developed specifically to ensure compliance with the requirements of the Directive and Regulations. The Council is satisfied these provide robust a basis to come to the conclusion that the Masterplan is unlikely to have significant environmental effects. The Council has written to English Heritage to clarify this and has updated the SEA Screening Determination to provide further clarity in this respect.
- 7.7 Additionally the Council does not support English Heritage's concluding comments that the SPD does not meet the sustainability appraisal objectives identified for the historic environment in that the SPD may allow for proposals to cause harm to

Conservation Areas. Individual development proposals within the Masterplan area will be subject to Local Plan policies which, together with the additional detail provided by the masterplan, provide a comprehensive basis to ensure development preserves and enhances the character of Conservation Areas within the Masterplan area.

7.8 Following statutory consultation on the Masterplan, a number of amendments are being proposed to the Masterplan prior to its adoption as an SPD. The Council has assessed these amendments and is content they do not alter the SA Review or the Council's SEA Screening Determination.

## **8. RISK MANAGEMENT IMPLICATIONS**

8.1 The Whitechapel Vision Masterplan has being reported through the Council's Asset Management and Strategic Capital Board who consider risk management issues and mitigation. The Board will continue to monitor risk regarding impact on Council services and assets.

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

9.1 The Whitechapel Vision 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 living environments.

9.2 New developments will also have to satisfy the relevant polices in the Council's Local Plan relating to 'Secured by Design' principles. Development will be required to ensure crime prevention measures are considered to assist with reducing the opportunity for crime and the fear of crime, by creating a safer and more secure environment.

## **10. EFFICIENCY STATEMENT**

10.1 The Whitechapel Vision Masterplan SPD will enable the sustainable regeneration of underused land to maximise the full potential of development opportunities for the area and for local communities. This regeneration will release further S106 and CIL contributions from forthcoming development sites, which in turn will deliver new affordable housing, local enterprise and employment opportunities, public realm enhancements, and community infrastructure.

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

NONE

### **Appendices**

- Appendix 1: Whitechapel Vision Masterplan SPD
- Appendix 2: Consultation and Engagement Report
- Appendix 3: Strategic Environmental Assessment Screening and Sustainability Appraisal Review Report–
- Appendix 4: Equalities Analysis (EqA) Scoping Report

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- Consultation Representations

### **Officer contact details for documents:**

- Duncan Brown, Plan Making Team x 3308