

Appendix 1
Planning Policy Explanatory Note - Tall Buildings

April 2016

1. Summary

- 1.1. Tower Hamlets is currently receiving an unprecedented number of applications for “Tall Buildings”. This is happening across the Borough and in places which historically have not had many, if any, “Tall Buildings.” The Mayor, Councillors and our local community have expressed concern that the development industry is increasingly seeing much of the Borough as an opportunity for Tall Buildings, outside of those areas identified as suitable in our Local Plan. There is also concern that developers are often pursuing substantial heights before discussing the proposal in detail with the Council’s planning department.
- 1.2. The Council is in the process of preparing a new Local Plan that will include a new policy on “Tall Buildings”. Draft policies in the new Local Plan are anticipated to be published in autumn 2016 and adopted in 2017. However in the interim, it is acknowledged that more applications for “Tall Buildings” are likely. The Mayor has therefore requested that officers ensure that the Council’s policy on “Tall Buildings” is clearly communicated to interested parties. This explanatory note has been produced for this purpose.
- 1.3. This planning policy explanatory note, **agreed by the Mayor in Cabinet on 10 May 2016**, is intended to reiterate Tower Hamlets’ approach to Tall Buildings through its existing Local Plan. This explanatory note will not be used to refuse inappropriate building heights; it does not amount to a material planning consideration and so it will have no material weight in planning decisions, rather it is provided to ensure that the existing Local Plan policy is being interpreted accurately, consistently and as intended. It does not introduce new policy or guidance.
- 1.4. With regard to residential buildings, it is important to note that high density does not necessarily mean tall buildings.
- 1.5. This note covers the following:
 - Introduction
 - Defining a “Tall Building” in Tower Hamlets;
 - The Policy Context;
 - Understanding the Town Centre Hierarchy/building heights approach, including illustrative building heights;
 - Local context considerations and building heights; and
 - London Borough of Tower Hamlets new Local Plan.

1 Introduction

2.1 Tall Buildings that are sensitively sited within cities, respecting views and local characteristics, can have a potentially strong contribution to make to the vitality, economic health, and attractiveness of Tower Hamlets. However, Tall Buildings can have greater impacts on their surroundings than other buildings types because of their significant visual effect, their intensity of use which may impact the transport network and overload infrastructure, services and facilities, create adverse micro-climatic conditions and, if poorly designed and sited, severely damage the image and character of Tower Hamlets. Therefore the Tower Hamlets Local Plan has an important role to play in managing and checking Tall Building development to ensure that it achieves the most sustainable outcomes for the Borough.

2.2 Tower Hamlets has seen the number of planning applications for “Tall Buildings” in Borough rising significantly over the last two years. Though this follows a trend across London, recent research by New London Architecture and GL Hearn highlights that Tower Hamlets is the focus of most “Tall Buildings” under construction and in the pipeline. The Council is satisfied that the planning applications it approves for “Tall Buildings” satisfy the existing Local Plan requirements. However, increasingly the Council is received applications that do not meet the Council’s planning policy requirements for “Tall Buildings” and have been refused for this reason. This including recent planning applications for Bishopsgate Goodsyard, Enterprise House and 50 Marsh Wall. It is therefore considered important that the Council’s planning policy position with regard to “Tall Buildings” is clearly understood in order to encourage sustainable development in the Borough.

2.3 Tower Hamlets’ adopted Local Plan (comprised of the Core Strategy 2010 and the Managing Development DPD 2013), does provides an approach. The Council’s clear and robust planning policy position regarding “Tall Buildings” is clearly articulated in policy DM26 of the Managing Development DPD. This policy is arguably one of the more assertive planning policies towards “Tall Buildings” in London, demanding as it does that development proposals satisfy 12 criteria listed in the policy together with a town centre hierarchy in Fig 9. The purpose of this policy is to ensure all planning applications for “Tall Buildings” are sustainable in terms of location, design and function and that they help contribute to the overall vision for Tower Hamlets that is set out in the Local Plan.

3 Defining a Tall Building in Tower Hamlets

3.1 The Council considers that the following definition of “Tall Buildings” can be applied:

- a) In line with Policy 7.7 of the adopted London Plan, a tall Building is defined as a building of more than 30 metres (approximately 10 storeys) because

- this height is larger than the threshold size set for the referral of planning application to the Mayor of London, outside the City of London; and
- b) The adopted LBTH Core Strategy (2010) defines tall buildings as “any building that is significantly taller than their surroundings and/or have a significant impact on the skyline”.

3.2 When considering development on a particular site, the predominant heights of buildings in the surrounding area provide a local reference point against which you can make a planning judgement on what is considered to be a “Tall Building”. The definition of a “Tall Building” in the Borough will therefore depend on its location and the predominately height of buildings in the local context. For example in a predominately two storey residential neighbourhood in Jesus Green conservation area a “Tall Building” might be considered to be less than 10 storeys. Consequently, in an area like Canary Wharf a 10 storey building may not be considered tall.

3 The Policy Context

3.1 The design of developments for Tall Buildings in London Borough of Tower Hamlets needs to take into account and satisfy the planning policy requirements of a suite of national, regional and local planning policy documents. These are summarised below for information.

3.1 The National Planning Policy Framework (2012) The Government’s objectives for new development are set out in the National Planning Policy Framework (NPPF), which states that the purpose of the planning system is to contribute to the achievement of sustainable development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in the economic and social aspects of people’s quality of life (paragraph 9 NPPF). Furthermore the core planning principles state that planning should always, amongst other things, seek to: secure high quality design; take account of the different roles and character of different areas; and conserve heritage assets for this and future generations (paragraph 17 NPPF). Paragraph 152 states that local planning authorities should try to avoid any significant impacts on economic, social and environmental dimensions of sustainable development and, where possible, alternative options which reduce or eliminate such impacts should be pursued.

3.2 The NPPF also makes it clear that the Government attaches ‘great weight’ to the conservation of designated heritage assets, including their settings (paragraph 132 NPPF), and ‘great importance’ to the design of the built environment (paragraph 56 NPPF). The design policies in paragraphs 56 to 68 of the NPPF make several references to the importance of good design responding to local character and history, and integrating new buildings into the historic environment.

3.3 **The London Plan (2015)** - Produced by the Mayor of London, the London Plan recognises that Tall Buildings can form part of a strategic approach to meeting the regeneration and economic development goals for London, particularly in order to make optimal use of the capacity of sites with high levels of public transport accessibility. However, the plan recognises that tall buildings should be resisted in areas that will be particularly sensitive to their impacts and only considered if they are the most appropriate way to achieve the optimum density in highly accessible locations, are able to enhance the qualities of their immediate and wider settings, or if they make a sensitive contribution to local regeneration.

3.4 **Tower Hamlets' Core Strategy (2010)** -To manage the impact that Tall Buildings can have on the built environment and the activities of local people in the Borough, the Council's Core Strategy (Policy SP10 (5)) identifies Canary Wharf and Aldgate as location acceptable for Tall Buildings. These locations are identified because they are part of an existing economic cluster and respond to the existing built character of the area, have a large floor plate office typology and are areas of high accessibility. The Policy also states that all Tall Buildings including those outside the two identified locations will be assessed against the policies in the Managing Development DPD 2013. Tall Buildings are defined in the Core Strategy as 'any building that is significantly taller than their surroundings and/or have a significant impact on the skyline.

3.5 **Tower Hamlets' Managing Development DPD (2013)** - Policy DM26 'Building Heights' provides the basis for managing the pressure for Tall Buildings in addition to the areas identified above in the Core Strategy. The policy, which is included as an appendix to this report, states that "Building heights will be considered in accordance with the town centre hierarchy (as illustrated in Figure 9) and the criteria stated in part 2". This diagram is included below for information.



Figure 9: Illustration showing building heights for the Preferred Office Locations and the town centre hierarchy

3.6 Figure 9 of Policy DM26 illustrates the Council's expectation that the height of Tall Buildings will progressively decrease moving down the hierarchy from Core Strategy Tall Buildings locations which includes Aldgate and Canary Wharf

Preferred Office Locations; to major centres that includes Canary Wharf Town Centre; to district centres that includes Whitechapel Town Centre and neighbourhood town centre that includes Stepney Green Town Centre.

- 3.7 Policy DM26.2 includes criteria a-l, which provides a more detailed checklist of requirements that new development for Tall Buildings need to satisfied. Criterion a) is particularly noteworthy and states that new developments should be *“Be of a height and scale that is proportionate to its location within the town centre hierarchy and sensitive to the context of its surroundings”*. This criterion is applied to all locations identified in Figure 9. The principle of the policy and this criterion is described in more detail in section 4 and section 5 below.

4 Tower Hamlets’ Town Centre hierarchy/building heights approach

- 4.1 The evidence base supporting the adopted Local Plan identified that Tall Buildings should be located in town centres, which have a greater intensity of uses and density of development and correlate to the Borough’s transport nodes, civic commercial centres, and along main roads to signify location and support way finding to services and transport hubs. This sits alongside the criteria based approach to enable the Council to determine applications for Tall Buildings on a site by site basis, enabling development to demonstrate compliance with the Council’s Local Plan policy.
- 4.2 Figure 9 taken from the adopted Managing Development DPD illustrates the hierarchy of town centres in Tower Hamlets and provides a useful generalised silhouette outline of building heights in the areas. Whilst the figure is for illustrative purposes only and building heights should continue to be subject to the criteria of the Local Plan and dependent on local context, the figure is an important tool for assessing an appropriate building height. The figure illustrates policy: firstly by identifying the locations suitable for Tall Buildings set out in the Core Strategy, as well as other areas within the Town Centre hierarchy and outside town centres; and secondly the silhouettes should assist with considerations of local context, which will include considerations of prevailing and existing building heights which are important to determine an appropriate building height.
- 4.3 During the preparation of the Managing Development DPD, the Council prepared an expanded version of the figure above which sought to illustrate maximum building heights in each category of the town centre hierarchy. The figure was removed from an early draft of the Managing Development DPD but still forms part of the Council’s evidence base. The expanded figure was removed because it was considered to be too prescriptive for the Local Plan. The expanded version of Figure 9 is below.

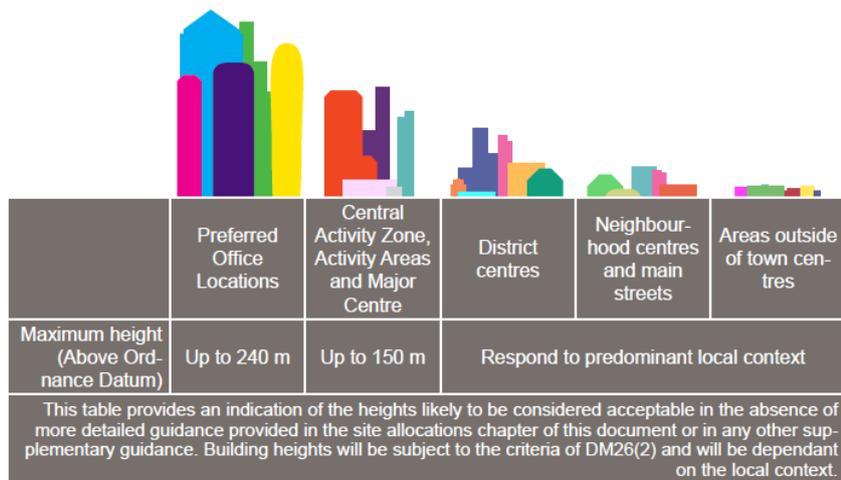


Figure 9: Indicative building heights for the Preferred Office Locations and town centre hierarchy
 NB: Residential storey = approximately 3 to 4 m
 Non-residential storey = approximately 4 m

4.4 The Council believe that both versions of figure 9 could helpfully assist in the consideration of an appropriate building height. The figures, which are not policy themselves, provide useful illustrations to aid understanding of what ‘tall’ might mean in the identified location for Tall Buildings. Where the figure is not as helpful as it could be (and this requires further explanation in this explanatory note), is in respect of the unidentified areas, and the columns right of the Central Activity Zone, Activity Areas and Major Centres. These areas, including district centres and areas outside of Town Centres, specific growth pressures, especially where they overlap with GLA Opportunity areas, transport interchanges and new infrastructure (such as Crossrail) and, for areas where the Council has encouraged growth, the expectation from applicants is heightened. The next section expands on what is meant by ‘respond to predominant local context’ in the second figure 9 above.

5 Local context considerations and building heights.

5.1 It is critical that new developments are designed in a way the respects the character and context of the local area. This is supported by Policy DM26.2a. The Council believes that appropriate building heights, outside of areas specifically identified for Tall Buildings, which respond to the local character and context of the places they are situated are likely to be more sustainable and acceptable.

5.2 Heights that respect the surrounding built character and context; and local community’s sense of identity and distinctiveness; as well as facilitate levels of growth and change, will lead to sustainable development. Planning applications for Tall Buildings in areas outside those identified for Tall Buildings should consider the predominant local character and context using the following definitions set out in the Mayor of London’s Shaping Neighbourhood SPG:

- **Character** - is created by the interplay of different elements, including the physical or built elements that make up the place, the cultural, social and economic factors which have combined to create identity, and the people associated with it through memories, association and activity.
- **Context** can be defined as the way in which places, sites and spaces inter relate with one another whether physically, functionally or visually, or the way in which they are experienced sequentially and understood Sense of place and identity form the setting to the lives of people and communities, through experience, association, and use or activity.

6 London Borough of Tower Hamlets new Local Plan

- 6.1 The Council has started to prepare a new Local Plan. Addressing concerns about Tall Buildings in the Borough will be a key aim.
- 6.2 The Council is in the process of preparing evidence to support the new Local Plan. This evidence will provide guidance on “Tall Buildings, including where these are considered appropriate and what we mean by appropriate on a location by location basis. This will inform the new Local Plan and a new policy on Tall Buildings. This will be published in autumn 2016. At this time the Council will consider the status of the existing policy and what weight will be applied to the new policy.

Appendix 1

Tower Hamlets Local Plan: Managing Development Document

The text below is taken from Policy DM26 Buildings heights and its supporting text.

Building height

How this will be managed DM26

- 1.** Building heights will be considered in accordance with the town centre hierarchy (as illustrated in Figure 9) and the criteria stated in part 2.

- 2.** Proposals for tall buildings will be required to satisfy the criteria listed below:
 - a.** Be of a height and scale that is proportionate to its location within the town centre hierarchy and sensitive to the context of its surroundings;
 - b.** Within the Tower Hamlets Activity Area, development will be required to demonstrate how it responds to the difference in scale of buildings between the CAZ/Canary Wharf Major Centre and the surrounding residential areas.
 - c.** Achieve high architectural quality and innovation in the design of the building, including a demonstrated consideration of its scale, form, massing, footprint, proportion and silhouette, facing materials, relationship to other buildings and structures, the street network, public and private open spaces, watercourses and waterbodies, or other townscape elements;
 - d.** Provide a positive contribution to the skyline, when perceived from all angles during both the day and night, assisting to consolidate clusters within the skyline;
 - e.** Not adversely impact on heritage assets or strategic and local views, including their settings and backdrops;
 - f.** Present a human scale of development at the street level;
 - g.** Where residential uses are proposed, include high quality and useable private and communal amenity space and ensure an innovative approach to the provision of open space;
 - h.** Not adversely impact on the microclimate of the surrounding area, including the proposal site and public spaces;
 - i.** Not adversely impact on biodiversity or open spaces, including watercourses and waterbodies and their hydrology, as well as their settings and views to and from them;
 - j.** Provide positive social and economic benefits and contribute to socially balanced and inclusive communities;
 - k.** Comply with Civil Aviation requirements and not interfere, to an unacceptable degree, with telecommunication, television and radio transmission networks; and
 - l.** Demonstrate consideration of public safety requirements as part of the overall design, including the provision of evacuation routes.

- 3.** Proposals to replace existing tall buildings will need to be in accordance with part (1).

26.1 Core Strategy Spatial Policy 10 identifies Canary Wharf and Aldgate as appropriate locations for Tall Buildings. Following the criteria stated in Core Strategy SP10(5), these Tall Building locations are defined to be the Aldgate and Canary Wharf Preferred Office Locations. The English Heritage/CABE “Guidance on Tall Buildings” (2007) is used to provide the definition of Tall Buildings. Given the level of housing and employment growth in Tower Hamlets there is pressure for tall buildings in other parts of the Borough. This policy provides the basis to manage this pressure by considering tall buildings within the wider Core Strategy objective of refocusing on our town centres and providing detailed criteria to ensure all Tall Buildings are designed to the highest standards with any negative impacts appropriately mitigated. This is supported by existing supplementary planning guidance; future supplementary planning guidance may also be developed by the Council to provide additional detail.

26.2 Tall Buildings are likely to have greater impacts on their surroundings than other building types, due to impacts such as their significant visual impact, their impacts on the transport network, microclimate and surrounding occupants’ access to daylight and sunlight. Town centres generally have a greater intensity of uses and density of development and are better able to sustain these impacts. Tall Buildings also offer the potential to regenerate our town centres and contribute to civic functions and identity.

26.3 Canary Wharf and Aldgate are at the top end of the town centre hierarchy, containing Preferred Office Locations which can accommodate large floorplate office developments. The scale of Tall Buildings will progressively decrease moving down the hierarchy to major, district and neighbourhood town centres. Not all town centres will be appropriate locations for Tall Buildings. Heritage assets or the scale of existing development may mean that a proposal is unable to meet the criteria set out under (2).

26.4 The criteria under (2) compliment and should be read in conjunction with those set out in London Plan Policy 7.7 and the London View Management Framework. They provide additional detail which is important for Tower Hamlets’ local context. In order to enable assessment against the criteria under (2), the Council will require an Accurate Visual Representation to be submitted, in addition to a Design and Access Statement. This should show the proposal in near, middle and distant views, including the public realm and its appearance at street level. This should include a 360 degree view analysis and a study of relative heights of buildings in the surrounding area. An architectural model may be required to be submitted depending on the scale of the proposal.

26.5 Proposed buildings 90 metres tall and greater must be referred to the Civil Aviation Authority and the London City Airport to ensure the proposal will not be a potential hazard to aviation safety, which is a critical issue to consider in Tower Hamlets, due to the proximity of the London City Airport.

26.6 Where feasible Tall Buildings should provide publicly accessible areas within the building, including the ground floor, and where there are opportunities to provide viewing platforms at the top floor.

26.7 This policy applies to proposals for Tall Buildings on existing tall building sites. The presence of an existing Tall Building on the site will not in itself be regarded by the Council as justification for replacement with another Tall Building or the commencement of a building cluster.