

<p><b>Cabinet</b></p> <p>28 July 2021</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Ann Sutcliffe, Corporate Director Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Adoption of the Central Area Good Growth Supplementary Planning Document</b></p>	

<b>Lead Member</b>	<b>Councillor Eve McQuillan, Cabinet Member for Planning and Social Inclusion</b>
<b>Originating Officer(s)</b>	Mariana Lembo Schiller
<b>Wards affected</b>	Bethnal Green, Bow East, Bow West, Bromley North, Bromley South, Lansbury, Limehouse, Mile End, Shadwell, St Dunstan's, St Katharine's and Wapping, St Peter's, Stepney Green
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	1 June 2021
<b>Reason for Key Decision</b>	Significant in terms of its effects on communities living or working in an area comprising two or more wards.
<b>Strategic Plan Priority / Outcome</b>	A borough that our residents are proud of and love to live in

## **Executive Summary**

The Central Area Good Growth SPD provides supplementary guidance on the design of residential developments on small sites that respect and enhance the well-established character of the Central Area, as set out in the Tower Hamlets Local Plan 2031 (adopted January 2020), in particular policies S.DH1: Delivering High Quality Design, S.H1: Meeting housing needs and D.H3: Housing standards and quality. The SPD also provides supplementary guidance on achieving the vision set out by the Local Plan for the sub-area: Central. Furthermore, the SPD seeks to help to deliver the Mayor's manifesto pledges to improve the quality and fairness of housing and make development work for local people.

The Central Area Good Growth SPD has been through an extensive preparation process that included evidence-base gathering - including character analysis, mapping and compilation of existing small sites in the Central Area, early-stage online survey, workshops with Council services and industry professionals (March-September 2020); preparation of draft document and testing of draft design guidance and recommendations (May-December 2020); and, statutory consultation (January-February 2021). A wide range of community groups, residents, architects, developers and other stakeholders engaged with the Central Area Good Growth SPD and made formal responses as part of the consultation process.

It is now necessary to adopt the Central Area Good Growth SPD to further enable clear and robust guidance to inform development proposals which will ensure that existing character is respected and enhanced by new residential developments and that these have high-quality standards to meet existing and future needs in accordance with corporate and Council objectives and the Development Plan (Local Plan and London Plan).

## **Recommendations:**

The Cabinet is recommended to:

1. approve the Central Area Good Growth SPD (Appendix 1) for adoption and authorise officers to prepare an adoption statement and publish the Regulation 18(4)(b) Statement and adoption statement so it can be considered a material planning consideration in the assessment of planning applications for residential developments on small sites in the Central Area of Tower Hamlets.
2. authorise the Corporate Director of Place to make any necessary factual or minor editing changes prior to publishing the final Central Area Good

Growth SPD.

3. note the representation schedule summarising representations received during the consultation and the responses to these representations as set out in the Consultation and Engagement Report in Appendix 2.
4. note the Strategic Environmental Assessment Screening as set out in Appendix 3.
5. note the Equalities Impact Assessment Screening as set out in Appendix 4.

## **1 REASONS FOR THE DECISIONS**

- 1.1 Tower Hamlets has the highest target for new homes under the new London Plan. The emerging Tower Hamlets Local Plan sets out how the borough will grow and develop from now until 2031. It recognises that during this time Tower Hamlets will continue to be home to diverse communities and that it needs to support existing residents and welcome new people to make their home within liveable, mixed, stable, inclusive and cohesive neighbourhoods, which contribute to a high quality of life and more healthy lifestyles. The plan also highlights under policies S.DH1: Delivering high quality design and S.DH3: Heritage and the historic environment the importance of developing neighbourhoods with high-quality buildings and well-designed spaces, whilst ensuring a sensitive integration of old and new in order to preserve the character of the different areas that define Tower Hamlets and that make the borough unique.
- 1.2 In order to positively manage development opportunities and the growth expected to occur over the next decade, the Local Plan identifies four sub-areas within the borough. These are City Fringe; Isle of Dogs & South Poplar; Lower Lea Valley; and the Central Area. Three of those (City fringe; Isle of Dogs & South Poplar; and Lower Lea Valley) are covered by Opportunity Area Planning Frameworks designated by the London Plan and that provide further detailed guidance about how growth will be accommodated in those areas. The Central Area, on the other hand, is not covered by any additional area-wide guidance to manage change, but it is still expected to contribute with 14% of the total housing to be delivered in Tower Hamlets. The Central Area sits at the approximate centre of the borough and it has a well-established residential character as well as several conservation areas and listed buildings with settings that should be preserved and enhanced. One of the key objectives for the sub-area is to deliver a range of housing choice in order to contribute to mixed and balanced communities. Under Key objective 1:

Managing the growth and shaping change, the Local Plan also highlights the need for new development to respond positively to the surrounding context and to deliver growth in a balanced way.

- 1.3 With limited land available for significant redevelopment and only two medium-sized sites allocated in the Local Plan, it is expected that the Central Area will go through a gradual intensification through development of small sites, extensions, infill development, and some piecemeal redevelopment. The importance of unlocking small sites in order to meet housing needs has been increasingly highlighted by regional and national planning policy and guidance. The National Planning Policy Framework (NPPF) considers that smaller sites can make an important contribution to meeting an area's housing needs, particularly as they are often built-out relatively quickly. The London Plan highlights under Policy H2 - Small Sites the importance of boroughs pro-actively supporting well-designed new homes on sites below 0.25 hectares in size in order to diversify the sources, locations, types and mix of housing supply, and to support small and medium-sized housebuilders as well as communities seeking to lead their own residential developments.
- 1.4 Unlocking several small sites could have a significant cumulative impact on the Central Area's character and heritage assets, particularly if sites are taken forward without an agreed design approach. The Central Area Good Growth SPD provides design guidelines based on a character appraisal of the area to ensure that residential developments on small sites are sympathetic to the surrounding context and that growth is achieved in a balanced and positive way.

## **2 ALTERNATIVE OPTIONS**

- 2.1 The Tower Hamlets Local Plan provides a vision and strategic development principles for residential developments and achieving high-quality design (among other policy themes and spatial guidance). An alternative option would be to rely on this document to support and guide the development and assessment of residential developments on small sites in the Central Area, without further detailed design guidelines.
- 2.2 This option was considered inadequate as it would not provide sufficiently detailed design guidelines based on an extensive and detailed character appraisal of the Central Area to guide housing growth in this particularly sensitive part of the borough. Without the additional design guidelines provided by the SPD, the Local Plan does not provide the necessary level of detail to secure high-quality design that respects and enhances the Central Area's existing character.

### **3 DETAILS OF THE REPORT**

#### **Background**

- 3.1 The Strategic Planning service has prepared a Supplementary Planning Document (SPD) that provides supplementary guidance on the design of residential developments on small sites that respect and enhance the well-established character of the Central Area, as set out in the Tower Hamlets Local Plan 2031 (adopted January 2020), in particular policies S.DH1: Delivering High Quality Design, S.H1: Meeting housing needs and D.H3: Housing standards and quality. The SPD also provides supplementary guidance on achieving the vision set out by the Local Plan for the sub-area: Central. Furthermore, the SPD seeks to help to deliver the Mayor's manifesto pledges to improve the quality and fairness of housing and make development work for local people
- 3.2 The project responds to important recent changes in national and regional policy. Firstly, the significant emphasis that the new London Plan places on increasing housing supply by bringing small sites forward for residential development. Secondly, the NPPF and new London Plan place great emphasis on design quality to achieve high quality buildings and places. The NPPF encourages plans and supplementary guidance to provide maximum clarity about design expectations at an early stage through visual tools such as design guidelines. The guidance provided by the Central Area Good Growth SPD seeks to provide a clear design vision and set expectations for future development in the borough.
- 3.3 The project's main objective is to ensure that the design of new residential developments on small sites in the Central Area respect and enhance existing character. It will also enable stakeholders, such as residents, Members, developers and officers, to better understand the role of design in small-scale residential developments in areas of well-established, historic character.

#### **SPD process**

- 3.4 There have been a number of different stages to the SPD development and the project has been informed by extensive engagement throughout its duration with a range of internal and external stakeholders such as Members, community groups, neighbourhood forums, architects, developers and relevant Council departments. This was crucial to ensure that key issues were identified and resolved at the earliest opportunity. The main methods of engagement were workshops, presentations and briefing sessions. Due to constraints to in-person events brought by the COVID-19 pandemic, innovative methods were implemented to ensure that the process was

accessible and engaging. One of the tools trialled in the council by the Central Area Good Growth SPD Project Team was the online open-source software Miro, which allowed for online workshops to take place in an easy and effective manner.

- 3.5 Internal stakeholders included a range of council services, such as those with a responsibility for processing planning applications, heritage, design, housing, building control, regeneration, transport, and waste. Engagement was also thoroughly conducted with external stakeholders such as local residents and students, industry professionals, housing associations, developers, architects, community groups and neighbourhood forums.
- 3.6 Finally, as the two officers forming the SPD's Project Team were part of the Public Practice network, which is formed by built environment experts working across local authorities in London and is supported by the GLA, regular discussions were held with officers working on similar SPDs or other projects related to housing delivery on small sites. This culminated in the creation of the Small Sites Working Group, which met regularly to discuss matters related to housing delivery on small sites such as increasing planning certainty through design recommendations, site identification work and engagement with local communities. Discussions held at this forum also helped to inform the Central Area Good Growth SPD and to learn from best-practice initiatives being implemented by other local authorities and the GLA.
- 3.7 The paragraphs below summarise the key stages of developing the SPD, highlighting the key tasks and engagement methods implemented in each of them.

### **Project scoping and evidence gathering**

- 3.8 As part of this work, and in order to inform and provide a robust basis for drafting the supplementary policy, extensive research has been carried out on the existing character of the Central Area and the existing challenges to delivering high-quality homes on small sites. Project scoping and evidence gathering took place between October 2019 and September 2020. This research and evidence gathering builds on work that had already been done, for example by the Tower Hamlets Local Plan, to respond to accommodating new housing developments on areas of well-established character. The following steps formed part of the evidence-gathering:
  - 3.9 First, a desk-based research was conducted to understand and assess potential gaps in existing policy and relevant evidence to help define the key priorities for the SPD to provide guidance on.

- 3.10 Second, an updated Character Appraisal was conducted for the Central Area. This built on the Urban Structure and Characterisation Study (2009) and the Urban Structure and Characterisation Study – Addendum (2016), both of which form part of the Tower Hamlets Local Plan 2031 evidence-base. The updated appraisal has a particular focus on studying existing housing typologies in the Central Area to inform the SPD’s design guidelines. An early-stage online survey was also conducted to gather feedback from members of the public on their views about the area’s existing character and to also gather ideas on what the specific purposes of the SPD should be. 30 detailed answers were received in response to the survey. An internal workshop was also held with the Place-Shaping Team to discuss the Character Appraisal.
- 3.11 Third, to understand the key challenges to delivering high-quality homes on small sites, a desk-based study of developments that came forward in the borough in the last 10 years was conducted to identify the main reasons for granting permission and refusal. This was complemented by workshops where Development Management officers brought for the discussion residential schemes that had changed significantly from the first pre-application meeting to the point when they were granted permission. This helped to identify key advice provided by officers that could be turned into design guidelines and the main gaps that the SPD needed to cover. Finally, a site identification work was also conducted to identify the main types of small sites presented in the Central Area. This allowed an understanding of the types of sites that are likely to come forward and that the SPD should address with its guidelines.
- 3.12 This research and evidence gathering, alongside early-stage engagement, allowed for a draft document to be developed in preparation for further engagement and formal consultation.

### **Drafting of document**

- 3.13 The evidence-gathering and early-stage engagement outlined above informed the first draft of SPD. The drafting process of the two parts that form the document - the Character Appraisal and the Guidelines for Good Growth - spanned from May until October 2020, in an iterative process which took place alongside the evidence-gathering and early-stage engagement described in the previous section.
- 3.14 Through a variety of engagement methods such as workshops, briefings, and several presentations, feedback was sought on the draft design guidance and recommendations and how they should relate both to the Character Appraisal as well as to the main types of small sites identified in the Central Area. This took place between October and November 2020 and it included engagement

with a variety of internal and external stakeholders including internal Council teams, Lead Member for Planning and Social Inclusion, Divisional Director and Deputy Director for Planning and Building Control, the Council's Conservation and Design Advisory Panel (CADAP), housing associations, architects, developers and officers from the Public Practice and Small Sites Working Group network.

- 3.15 These discussions helped to inform the development of the SPD and a consultation draft was finalised between November and December 2020.

### **Statutory consultation**

- 3.16 Consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement (SCI), the Council's Consultation and Engagement Handbook and in collaboration with the Communications Team. It ran for six weeks from 11<sup>th</sup> January to 21<sup>st</sup> February 2021. The statutory consultation on the draft SPD was designed to test the content of the document in supporting the delivery of high-quality homes on small sites in a way that is respectful of local context. The main consultation and engagement methods implemented were:

- Advertisement in the in the Docklands & East London Advertiser and London Gazette
- Paid ads on social media
- Information on the Council's website and newsletter
- Targeted emailing
- Flyers delivered to every household in the Central Area
- Posters put in parks and Idea Stores across the Central Area
- Draft document available online and for borrowing in Idea Stores (due to COVID-19 restrictions the document could not be made available for browsing, only borrowing)
- Online survey and interactive map allowing comments to be added to specific locations
- Series of online events, workshops and drop-in sessions between January and February 2021: these were designed to be accessible and open to everybody and tailored to address a range of audiences
- Providing an email address for queries and comments on the SPD

- 3.17 The consultation events were planned with a view of offering a variety of sessions to account for diverse audiences and interests: some sessions focused on specific neighbourhoods covered by the Character Appraisal, whilst others presented the design guidelines; targeted workshops were also conducted with officers from the Public Practice network, self-build and



neighbourhood forum groups, and young residents and students. In total, 8 events were carried out and 88 people attended them. The events were also used as an opportunity to involve officers from other Council teams and each of them was chaired by an officer outside of the SPD's Project Team and from teams such as Development Management, Plan-Making, Housing and Regeneration. Sessions were hosted on Microsoft Teams and instructions on how to join events and use the software's interactive functions were explained to attendees in detail.

3.18 In order to respond to the context and restrictions brought by the COVID-19 pandemic and adapt the statutory consultation the Council undertook the following measures:

- The Consultation lasted for 6 weeks instead of the minimum stipulated of 4 weeks by Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012
- A page for the consultation was set up on Let's Talk Tower Hamlets which included a detailed explanation about the SPD and background to the project; the draft SPD to be downloaded (in its entirety or only specific chapters); FAQs; links to register for the consultation events; email address to contact the team and an online survey and interactive map
- Every session always allowed for at least 30 minutes dedicated to questions and comments from the public which could be asked by participants and/or written in the chat; officers also used sessions to remind attendees of the ways in which they could submit formal feedback on the draft SPD
- The consultation was widely publicised through social media (including Facebook, Twitter and LinkedIn) and 400 targeted emails were sent to Local Plan Database, statutory consultees and local community groups

3.19 In addition to 88 people attending the consultation events, 74 people responded to the online survey and provided over 146 written comments. 10 comments were added to the online interactive map and 16 written representations were received via email. During consultation there were over 3,000 visits to the SPD's Let's Talk Tower Hamlets Page and 955 downloads of the draft document. Comments were received from members, local residents, young students, self-build groups, neighbourhood forums, architects, planners and statutory consultees, (including, Transport for London, Historic England, Thames Water and Canal and River Trust).

3.20 The Council has collated the individual comments made on the draft Central Area Good Growth SPD and formulated responses to themes (see next

section) that have been used to inform the finalisation of the SPD. In accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, a statement setting out a summary of all of the representations received and the Council's proposed response to them has been appended to this Report, together with the final SPD, for approval.

### **Overview of Statutory Consultation Feedback**

- 3.21 This section provides an overview of the feedback received through the consultation on the SPD. More details can be found in Appendix 2 – Consultation and Engagement Report, including a table highlighting quantitative data collected through the online survey.
- 3.22 In addition to being asked about specific sections of the SPD, survey respondents were also asked to consider the main goals of the SPD and whether in their view the document helps to achieve them. The aims with which the SPD was particularly successful on according to responses were on providing guidance to help deliver housing growth and helping to ensure that new developments respect and enhance the well-established character of the Central Area.
- 3.23 Moreover, written representations included concerns about and suggestions on:
- The lack of clarity on who should use the document and how, specially how the SPD relates to other policy documents
  - The document using some technical terms which were not accessible
  - The need to add more details to the descriptions of some of the Character Places and residential typologies, particularly related to residents' lived experiences of residential buildings
  - The need for design guidelines to promote a sense of community in developments
  - The need to avoid attaching a negative association to cycling as a result of addressing waste and bike storage under the same design principle and to also add existing cycling routes to movement maps to highlight this mode of transportation
- 3.24 The document has been amended to respond to the representations above. Specifically:
- The Introduction to the SPD, has been amended to include a clearer explanation about the aims of the document and how its two parts

(Character Appraisal and Guidelines for Good Growth) work together; a diagram and accompanying text was included to explain how the SPD relates to the Development Plan; a paragraph was also included to clarify who should use the document and at what stages of the planning process it will be used and how. It was also made clear that the SPD provides guidelines for anyone (developers, homeowners, community groups, the council, housing associations) who is putting forward a planning application for a residential development on a small site in the Central Area of Tower Hamlets.

- Terms specifically pointed out as inaccessible jargon such as ‘urban grain’ and ‘subservient’ were replaced and a thorough review of all terminology used in the SPD was also conducted.
- More descriptions of lived experiences were added to the typologies’ analysis and quotes received about specific Character Places were added in an anonymised manner to the introduction of each Character Place as a way of directly reflecting local views in descriptions.
- A new design principle was added to the SPD specifically focused on community and with recommendations to promote spaces that foster shared activities between residents such as allotments and spaces for gardening and that include furniture that promotes communal uses. The principle also highlights that small sites present a good opportunity for community-led housing, including developments that cater for specific needs such as co-housing schemes.
- It is considered appropriate to address bin and bike storage under the same principle as these are usually challenging in designing for housing on small sites and earlier feedback from Development Management officers and architects praised them being tackled together. The finalised SPD now includes, however, more guidelines and examples for well-designed bike storage to promote its importance and ensure a positive view is attached to cycling and existing cycling routes were also added to movement maps.

### **Next Steps**

- 3.25 To make any necessary factual or minor editing changes prior to publishing the final Central Area Good Growth SPD.
- 3.26 To prepare an Adoption Statement to accompany the Central Area Good Growth SPD in accordance with Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Adoption Statement sets out:
  - a. date which the Central Area Good Growth SPD was adopted; and

- b. notice that any person with sufficient interest in the decision to adopt the supplementary planning document may apply to the High Court for permission to apply for judicial review of that decision, and
- c. that any such application must be made promptly and in any event not later than 3 months after the date on which the supplementary planning document was adopted; and.

3.28 Subject to Cabinet adopting the Central Area Good Growth SPD, both the SPD and an adoption statement, will be finalised and published on the Council's website and made available in the borough's Idea Stores, libraries and planning reception at the Town Hall. The Central Area Good Growth SPD will become a material consideration in the assessment of residential developments on small sites in the Central Area.

3.29 Under Regulation 11 of The Town and Country Planning (Local Planning) (England) Regulation 2012 section, an application can be made within three months of adoption to the High Court to have a judicial review of that decision. However, we can still put full weight on the policies in the plan during the challenge period. Therefore, following adoption of the Central Area Good Growth SPD there will be a statutory three months legal challenge period. The three months will commence from the date of adoption which will be the date of the Cabinet meeting. In the event of such a challenge, a further report will be presented to Cabinet to provide a suitable update on the expected process and associated risks.

#### **4 EQUALITIES IMPLICATIONS**

4.1 We have completed the Equalities Impact Assessment Screening checklist attached as Appendix 4.

#### **5 OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

- Data Protection / Privacy Impact Assessment.

5.2 There are no other statutory implications.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 There are no direct financial implications emanating from this report which provides guidance to developers when designing residential developments on small sites in the Central Area.

6.2 The cost of producing the Central Area Good Growth SPD was met from the Council's Local Infrastructure Fund and GLA funding.

## **7 COMMENTS OF LEGAL SERVICES**

7.1 The Executive (Mayor and Cabinet as defined in section 9(c) of *the Local Government Act 2000*) is authorised to consider the proposed recommendations in this report by virtue of the SPD comprising a 'Key Decision' as defined in Section 3 of the Council's Constitution. Paragraph 6 of Section 3 of the Constitution defines 'Key Decision' as an executive decision which is likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions. As stated above in this report, this SPD if implemented will have a significant effect on 13 wards in the borough as it will comprise a material planning consideration in the assessment of new planning applications for residential developments on small sites.

7.2 The SPD itself is a document defined in regulation 5 of the Town and Country (Local Planning) (England) Regulations 2012 ('the Regulations') to encompass any document prepared by a local planning authority which contains statements (insofar as they relate to this SPD) regarding:

- the development and use of land which the local planning authority wish to encourage during any specified period; and
- any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land.

The SPD comprises a category of planning documents termed as local development documents, which only supplement the policies in a local plan. Unlike local plans, SPDs are not required to be submitted to independent examination.

7.3 The SPD has been prepared in accordance with s19 of the Planning Compulsory Purchase Act 2004 and the procedures set out in the Regulations.

- 7.4 Pursuant to s149 of the Equality Act 2010, the Council is under a duty to have due regard to think about the need to:
- Eliminate unlawful discrimination;
  - Advance equality of opportunity between people who share a protected characteristic and those who don't;
  - Foster or encourage good relations between people who share a protected characteristic and those who don't.
- 7.5 The completed Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report at Appendix 3 of this report has been prepared pursuant to regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 7.6 The completed Equalities Impact Assessment Screening checklist at Appendix 4 of this report demonstrates the Councils compliance with its public sector equality duty under the Equality Act 2010.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

None

### **Appendices**

- Appendix 1 – Central Area Good Growth SPD
- Appendix 2 – Consultation and Engagement Report
- Appendix 3 – SEA/HRA Screening Determination Letter
- Appendix 4 – Equalities Impact Assessment Screening

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

None

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

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