

# **Isle of Dogs Neighbourhood Planning Forum Assessment of the: Land at former Westferry Printworks site, 235 Westferry Road, London E14 3QS**



PINS ref: APP/E5900/W/19/3225474

LBTH ref: PA/18/01877/A1

As at 28<sup>th</sup> January 2021

## **Introduction**

Ultimately it is for the local planning authority (or another authority) to determine whether or not an application is compliant with all aspects of planning policy including the Isle of Dogs Neighbourhood Plan, but the Forum believes it would be useful if it were to lay out its views on whether or not an application is compliant in its judgement with its policies.

As a reminder the key dates of the Isle of Dogs Neighbourhood Plan are:

- The Isle of Dogs Neighbourhood Plan Examination report was issued on the 14<sup>th</sup> April 2020 and was approved to go to referendum by Mayor John Biggs on the 12<sup>th</sup> May 2020.
- The Regulation 16 consultation on the Isle of Dogs Neighbourhood Plan took place between 9<sup>th</sup> January and 19<sup>th</sup> February 2020.
- The Regulation 14 consultation took place from the 3<sup>rd</sup> April 2019 to 16<sup>th</sup> May 2019.
- There was an earlier Neighbourhood Plan rejected by the Examiner in 2018 as the GLA had not in the end publicly released a key document on which the Neighbourhood Plan evidence had been based until the evening before the public examination.

So, the policies of the Neighbourhood Plan have carried significant weight since April 2020 and the objectives of the Neighbourhood Plan have largely been the same since 2016 even if the policy wording has changed over the years.

## **Summary of Compliance**

The application site is wholly within the Neighbourhood Plan area and is of sufficient size for all of its policies (except those related to estate regeneration) needing to be considered.

The history of planning on this site mirrors the history of the Forum to some extent, both went public in 2014, with important milestones in 2016 and 2018 as well as two separate applications / plans submitted. And both remain unresolved in 2021 (as we await a date for the Neighbourhood Plan referendum).

One of the clear objectives of the Forum since its inception has been to encourage that infrastructure should be delivered to support development on a cumulative basis looking at the wider picture of development rather than being considered in isolation with each site application, that infrastructure is ideally delivered on site and that infrastructure is delivered at the same time as (or before) new

residents move in. There is not enough publicly owned land for infrastructure to be delivered in any other way however much cash is paid by developers.

Therefore, the new secondary school, with its facilities available out of hours to the wider community, the D1 community centre, the D1 healthcare space, the D1 creche, the new green space and the new retail on site all deliver on our policy aspirations and would meet the underlying objectives of Policy D1 even if no impact assessment had been undertaken.

However there has been no progress on the secondary school since 2016 so we are concerned over the security of that offer and we object to the loss of green space from the new tower. We also remain concerned about the ability of the wider area to support the more intense 2018 planning application, in terms of issues like sports facilities, transport and utilities and note that the Isle of Dogs & South Poplar Opportunity Area Planning Framework and its corresponding Development Infrastructure Funding Study were based on the smaller 2015 application, so we remain concerned about wider infrastructure issues even if the site itself is providing welcome new infrastructure. So, we believe in these areas an Infrastructure Impact Assessment still needs to be done given the density of this development and others nearby. We refer you to our letter to Mr Barber at MHCLG of the 23<sup>rd</sup> September 2020 which goes into this issue in more detail.

As regards our other policies it is unclear in some areas whether or not they have been met as we do not have access to that information ourselves e.g., we do not know whether or not a 3D model has been supplied to LBTH or whether the Home Quality Mark has been adopted. We would hope that the examination process will be able clarify whether this happened or not.

We should point out that our policy CC2 was based in part on what Northern and Shell and Mace were already doing as regards communication on their earlier phases of construction work on the Westferry Printworks site and was in fact quoted by us as an example of the good communications work some developers were already doing. So, this policy has already been delivered.

### **Summary of Policy Relevance and Compliance to the Neighbourhood Plan**

<b>Policy</b>	<b>Relevant to this application?</b>	<b>Compliant with Neighbourhood Plan</b>	<b>Comment</b>
D1 Infrastructure Impact Assessment	Yes	Maybe but no Infrastructure Impact Assessment	Depends on delivery of secondary school but in principle meets core policy objectives IF wider area can support higher density
D2 High Density Developments	Yes	?	Unclear as have not found a summary detailing how or whether compliant with Housing SPG
ES1 Empty sites	Yes	No	Site demolished in 2017 so overtaken by events to some

			extent but still a concern for this site long term
CC1 Construction co-ordination	Yes	Not an issue yet	No major work has been undertaken on the site since April 2020 requiring a new plan
CC2 Construction communication	Yes	Yes	Has been delivered in the past
CC3 Control of dust	Yes	Moot	Demolition + basement already dug mean policy largely superseded by events
SD1 BREAAAM	Yes	No	Very good standard, not excellent as we prefer
SD1 Home Quality Mark	Yes	?	Unknown if compliant
3D1 3D Model	Yes	?	Not sure if 3D model delivered
RB1 Residents ballot	No	n/a	Not applicable

For the sake of clarity, the Neighbourhood Plan policies are below in *Blue Italics*

## **POLICY D1 – INFRASTRUCTURE IMPACT ASSESSMENT**

*A. To support Sustainable Development and in view of the strain on Infrastructure in the Area and the shortage of publicly owned land, applicants for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the planning application.*

Does the development exceed 1,100 hab rooms & PTAL 5 or under?	Yes
Has an Infrastructure Impact Assessment been completed?	No

### **Comment**

The delivery of the secondary school and the associated internal and external sports facilities would together be a very important contribution to local infrastructure. They would clearly demonstrate the main intent of this policy which is the on-site delivery of new infrastructure. But we note there is no sign of any delivery of the school despite the site having been cleared. See comments above in the Summary.

*B. Where the Infrastructure Impact Assessment indicates that there is sufficient planned and delivered Infrastructure capacity to support proposed densities, the proposal will be supported.*

<b>Comment</b>
No, Infrastructure Impact Assessment has been provided but see comments above.

- C. Where the Infrastructure Impact Assessment indicates that there is insufficient planned and delivered infrastructure capacity to support proposed densities then potential improvements to Infrastructure capacity should be assessed and proposed, having regard to the CIL contribution that the development will make, and the requirement for planning obligations to be necessary, directly relevant, and reasonably related in scale and kind to the development.*

<b>Comment</b>
No, Infrastructure Impact Assessment has been provided but see comments above.

**POLICY D2 – HIGH DENSITY DEVELOPMENTS**

*Planning applications for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less shall specify how they conform to paragraphs 1.3.51 to 1.3.52 of the GLA’s Housing SPG, and not only that they are of a high design quality. Applications that do not adequately demonstrate this will be considered unacceptable.*

<i>Does the development exceed 1,100 hab room</i>	<i>Yes</i>
<i>Does the application specify how it confirms to the GLA Housing SPG</i>	<i>Not known</i>
<i>Does the application demonstrate conformity to the SPG?</i>	<i>Not known</i>

<b>Comment</b>
We have not yet found a summary in the application detailing how the developer believes that they have met the specifications in the GLA Housing SPG.

**POLICY ES1 – USE OF EMPTY SITES**

*To support Sustainable Development in the Area and the productive use of available land:*

- A. Applications for Strategic Development should submit a feasibility study for one or more potential meanwhile uses on their sites (including for existing buildings) which could be implemented – whether by the applicant or by third parties – if the development is not begun in accordance with the substantive planning application for more than twelve months after gaining final planning consent*
- B. An obligation will be made part of any Section 106 agreement on Strategic Developments within the Area, stating that the length of planning permission will be extended to five years if the developer takes reasonable endeavours to make the site available for a meanwhile use within twelve months of the substantive planning application gaining consent. If such reasonable endeavours are not made, the permission will remain at three years.*
- C. If a proposed meanwhile use requires planning permission, this will be the subject of a separate planning permission.*
- D. Such meanwhile uses should be for one or more of the following purposes, subject to site specific constraints:*
  - Temporary pocket parks*
  - Affordable workspace or housing*

- *Temporary farmers' markets or commercial markets*
- *Pop-up retail and/or restaurants*
- *Cultural and sporting activities*
- *Public art and lighting installations*
- *Other purposes agreed with LBTH*

*Such sites should be used for meanwhile uses on the basis that they can be recalled by the developer to build out the development in accordance with the substantive planning application, on reasonable notice in the context of the meanwhile use to which each site has been put.*

Is this a Strategic Development	Yes
Has a feasibility study been undertaken?	No
Has a Meanwhile use been identified?	No

**Comment**

Given that the site was demolished in 2017 and a basement dug in 2018 this policy is rather moot. But it does exemplify our fundamental concern in that we have a large area of valuable land currently sitting unused even if for valid reasons. We would hope that development of the whole site and especially the school proceeds without further delay (whether the 2015 or 2018 applications) but that it should not be due to market uncertainty that some productive use for the land still be found and identified and that the secondary school should proceed regardless.

**POLICY CC1 – CONSTRUCTION COORDINATION**

*To support Sustainable Development in the Area, no construction management plan changes should be agreed unless and until the local community has been publicly notified in advance and has had a reasonable opportunity to be consulted.*

**Comment**

Has not been an issue since April 2020 as little work has been undertaken on the site during that period that required an updated construction management plan.

**POLICY CC2 – CONSTRUCTION COMMUNICATION**

*To support Sustainable Development in the Area, applicants or their relevant contractors shall notify all affected local residents as soon as reasonably practicable: whenever they propose a change to normal working hours or conditions for which they have to seek consent from LBTH; and of such consents being granted.*

**Comment**

We can happily confirm that one of the reasons we believed that Policy CC2 was deliverable was because Northern & Shell and Mace were already largely delivering this policy requirement in their demolition and basement digging phase. In fact the Policy evidence base quoted the Printworks as an example of good practise in this area, see table below from our Plan. But we hope to see what is already standard practise being continued on this site.

Development	Westferry Printworks	Landmark Pinnacle	Canary Wharf Group
Name of developer/main contractor	Mace	Chalegrove	CWG
Emailed newsletters	Yes	Yes	No
Information shared on Facebook	By arrangement	By arrangement	By arrangement
Public meetings	Yes	No	Yes
Dedicated & named contact person	Yes	Yes	Yes
Dedicated phone number & email	Yes	Yes	Yes
Separate Public Relations firm?	Yes	Yes	In-house staff
Drop-in sessions available	Yes	No	No

**POLICY CC3 – CONTROL OF DUST AND EMISSIONS DURING CONSTRUCTION AND DEMOLITION**

*To support Sustainable Development in the Area, construction management plans shall specify how they comply with the GLA’s Dust and Emissions SPG.*

**Comment**

Since demolition has occurred and the basement has been dug out, we hope that the worst of the dust and emissions are behind us. But the desire for a policy like this has been influenced by what happened on this site and the discomfort caused locally although we do not doubt that Northern & Shell, Mace and their contractors did make attempts to limit this and did change their operating procedures in response to complaints and what they themselves observed.

**POLICY SD1 – SUSTAINABLE DESIGN**

*To support sustainable development in the plan Area all Major and Strategic Developments are strongly encouraged to meet the highest levels of design and environmental standards, including:*

- *For non-residential buildings, the BREEAM Excellent standards; and*
- *For residential buildings, the Home Quality Mark.*

<i>Is the development Major or Strategic</i>	<i>Yes</i>
<i>What is the BREEAM standard for Non- Residential?</i>	<i>Very good not Excellent</i>
<i>Has the Home Quality Mark being used?</i>	<i>Not known</i>

**Comment**

Both standards pre-existed the Neighbourhood Plan and are independent of it. The BREEAM standard being used is Very Good not Excellent. The status of the Home Quality Mark is unknown as we could not find it in the application material.

## **POLICY 3D1 – 3D MODEL FOR APPLICATIONS**

*All applications for Strategic Developments must be accompanied by a 3D model and in a form that is compatible with the model used for assessment as part of the development management process.*

<i>Has a 3D model been submitted?</i>	<i>Not known</i>
<i>Is it in a compatible form?</i>	<i>Not known</i>

### ***Comment***

We do not know from public records what has been supplied to LBTH who have a license for the Vu.City 3D model.

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## **POLICY RB1 – RESIDENT BALLOT**

Policy is not applicable to this development as not an estate regeneration.

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## **COMMUNITY ASPIRATIONS**

These are not land use policies, but they have been included here for completeness.

### **ASPIRATION ER1 – Estate Small Business, Retailers, and Community Organisations**

Not applicable

### **ASPIRATION ER2 – Public Reinvestment**

Not applicable

### **ASPIRATION GR1 – Helping Establish New Residents' Associations**

Applicable – given the potential size of the new community we hope that Northern & Shell think in advance about how to structure its relationship with new residents.

### **ASPIRATION AQ1 – Air Quality**

Applicable – given the size of the site and its close proximity to existing very dense residential areas (including Millharbour the densest place in the UK) we hope that all can be done to meet this aspiration.

Please contact the Isle of Dogs Neighbourhood Planning Forum at [isleofdogsnpf@gmail.com](mailto:isleofdogsnpf@gmail.com) if you have any questions.