

VIP Trading Estate, Charlton Riverside

in the Royal Borough of Greenwich

planning application no. 16/4008/F

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Redevelopment to provide 11 buildings ranging from 2 to 10 storeys in height for residential use (771 units), with flexible uses commercial (Use Classes B1/A1/A2/A3/D1/D2) alterations to existing vehicular access and creation of new pedestrian accesses, open space and landscaping, associated car and cycle parking, refuse and recycling storage, plant and all other associated works.

The applicant

The applicant is **Leopard Guernsey Anchor Propco Ltd** and the architect is **Simpson Haugh and Partners**.

Key dates

Pre-application meetings: 4 December 2015, 19 November 2016

Stage 1 representations issued: 20 February 2017

Greenwich Council planning committee: 9 July 2018

Strategic issues summary

Greenwich Council has resolved to refuse permission for this application. The Mayor must consider whether the application should attract a direction to take over determination of the application under Article 7 of the Mayor of London Order 2008 or whether he wishes the draft decision to proceed unchanged.

Having regard to the details of the application and other relevant matters, it is considered that the development is of such a nature and scale that it would **have a significant impact on the implementation of the London Plan and draft London Plan policies on housing and affordable housing supply and Opportunity Areas**, and it is considered that there are **sound planning reasons for the Mayor to intervene** in this case and issue a direction under Article 7 of the Order 2008.

The Council's decision

In this instance Greenwich Council has resolved to refuse permission.

Recommendation

That Greenwich Council be advised that the Mayor will act as the local planning authority for the purposes of determining this application.

Context

1 On 11 January 2017 the Mayor of London received documents from Greenwich Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under the following categories of the Schedule to the Order 2008:

- 1A – *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- 1B(c) – *Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside of Central London and with a total floorspace of more than 15,000 square metres.”*
- 1C – *“Development which comprises or includes the erection of a building more than 30 metres high outside the City of London.”*

2 On 20 February 2017 the Mayor considered planning report D&P/3800/01, and subsequently advised Greenwich Council that the application was not compliant with the London Plan, but could become compliant with the London Plan if the matters set out in paragraph 55 of that report are resolved.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report.

4 On 9 July 2018 Greenwich Council, against officer recommendation, resolved to refuse planning permission for the application and on 31 July 2018 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor has until 13 August 2018 to notify the Council of his decision and to issue any direction.

5 The Council’s draft decision notice cites the following reason for refusal:

- “Due to the excessive height of the buildings, together with their massing and design, the proposed development would result in the overdevelopment of the site and would fail to adhere to the vision for the redevelopment of the area set out in the Charlton Riverside SPD 2017. As such the proposal is contrary to policies 3.4, 3.5, 7.4, 7.6 and 7.7 of the London Plan (2016) and policies H5, DH1 and DH2 of the Royal Greenwich Core Strategy with detailed Policies (2014) and the guidance set out in the Charlton Riverside SPD 2017.”*
- “The proposed proportion of family sized housing falls below that envisaged by the Charlton Riverside SPD 2017 and the application fails to demonstrate that the amount of family sized housing within the development has been maximised. The proposal is therefore contrary to policy H5 of the Royal Greenwich Core Strategy with detailed Policies (2014) and policy 3.8 of the London Plan (2016).”*
- “The proposed development would fail to provide a safe and convenient vehicular access to the adjacent business premises at Imex House and, in the absence of a satisfactory scheme of soundproofing to Imex House, would introduce noise sensitive uses to the site with the potential to create conflict between the existing business and future occupants of the development. The proposed development is therefore contrary to policies DH1 and E(a) of*

the Royal Greenwich Core Strategy with detailed Policies (2014) and policies 7.6 and 7.15 of the London Plan 2016.”

- iv. *“The proposed development would result in the loss of existing employment floorspace and fails to make appropriate replacement employment floorspace provision which meets the needs of and which is affordable to small and medium sized businesses in the area. The proposal is therefore contrary to policy EA1 of the Royal Greenwich Core Strategy with detailed Policies (2014) and the guidance provided by the Charlton Riverside SPD 2017 (in particular section 5.4).”*
- v. *“Due to the height of the proposed buildings and their proximity to existing residential properties the proposed development would result in an unacceptable reduction in daylight and overshadowing of external amenity spaces to properties in Atlas Gardens and Anchor and Hope Lane as well as a loss of privacy to properties in Derrick Gardens, Atlas Gardens and Anchor and Hope Lane through overlooking. In addition the proposal fails to provide adequate levels of internal daylight and sunlight to the proposed residential units within the development. As such the proposal would adversely affect the amenity of neighbouring occupiers and would provide a poor quality living environment for future occupants of the development contrary to policy 7.6 of the London Plan (2016) and policies DH(b) and H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies July 2014.”*

6 The environmental information for the purposes of the applicable Town and Country Planning (Environmental Impact Assessment) Regulations has been taken into account in the consideration of this case.

7 The Mayor’s decision on this case, and the reasons, will be made available on the GLA’s website www.london.gov.uk.

Article 7: Direction that the Mayor is to be the local planning authority

8 Before the Mayor exercises his power to make himself local planning authority in respect of a PSI application (within categories 1 and 2 of the schedule to the Order 2008), thereby taking over and thereafter determining such an application, he must be satisfied that certain statutory tests set out in article 7 of that Order are met. At this stage, these tests relate to whom the decision maker in respect of the application should be, and not whether planning permission should ultimately be granted or refused

9 The relevant statutory tests comprise the following three parts, all of which (subject to paragraph 11 below) must be met in order for the Mayor to take over the application:

- a) significant impact on the implementation of the London Plan;
- b) significant effects on more than one London borough; and
- c) sound planning reasons for issuing a direction.

10 Parts (a) and (b) of the test concern the impact an application would have on the Mayor’s policies and the geographical extent of the impact, whilst part (c) deals with the overall planning reasons for the Mayor’s intervention. These tests are intended to ensure that the Mayor’s powers of intervention are exercised only in respect of the most significant of applications which are referred to him.

11 As set out above, the application is for 771 residential units. Article 7(4) of the Order sets out that where a development falls within Category 1A of the Schedule, namely that over 150

residential units will be delivered, part (b) does not apply. As such, only parts (a) and (c) of the statutory tests are engaged in respect of the present application.

12 Moreover, article 7(3) of the 2008 Order requires the Mayor, when considering whether to exercise his power to become local planning authority in respect of a PSI application, to take account of certain matters. Where the proposed development falls within Category 1A of the Schedule to the 2008 Order, the Mayor is required to take account of the extent to which the relevant London Borough is achieving its targets for new housing including affordable housing, and in respect of all categories of PSI application, the Mayor is required to take account of whether the London Borough has achieved any other relevant development plan targets.

13 This report considers the extent to which the statutory tests under Article 7(1) are met and whether, having regard to the matters to which the Mayor is required to take account pursuant to article 7(3), the Mayor should direct that he is to be the local planning authority. This report does not consider the merits of the application, although consideration has been given to what are considered to be the key planning issues in respect of assessing the statutory tests in Article 7(1) as set out below.

Statutory test 7(1)(a): Significant impact on the implementation of the London Plan

14 There are significant impacts on the implementation of the London Plan for the reasons set out in the following paragraphs. It should be noted that the relevant test under Article 7(1)(a) relates to significant impacts on the implementation of the “spatial development strategy”, namely the current adopted London Plan and this is therefore the focus to the consideration of article 7(1)(a) set out below. However, for completeness consideration has also been given to the emerging draft London Plan.

London Plan and draft London Plan policy context – housing and affordable housing

London Plan

15 London Plan Policy 3.3 (Increasing Housing Supply) recognises the pressing need for new homes in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Part B of this policy states that the Mayor will seek to ensure that the housing need identified in paragraphs 3.16a and 3.16b of the London Plan is met particularly through provision consistent with at least an annual average of 42,000 net additional homes across London. Moreover, London Plan Policy 3.11 seeks provision of at least 17,000 net affordable homes per year in London.

Draft London Plan

16 Draft London Plan Policy H1 (Increasing Housing Supply) sets ten-year targets for net housing completions, which each borough should plan for. Part B2 of the Policy requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites. The Strategic Housing Market Assessment (SHMA) that supports the draft London Plan identifies a need for 66,000 net additional homes per year. Draft London Plan Policy H5 sets a strategic target for 50% of all new homes delivered across London to be affordable, although the SHMA recognises that the actual need is higher, at circa 43,500 affordable homes per year.

Recent delivery

17 Table 1 below sets out pan-London delivery against the current London Plan targets between 2014-2017, the most recent years for data is available.

Total completions	FY2014 -2015	FY2015 -2016	FY2016 -2017	Total	Delivery
<i>Homes target</i>	32,210	42,388	42,388	116,986	91% of target
Homes delivered	30,164	35,080	41,391	106,635	
<i>Affordable homes target</i>	13,200	17,000	17,000	47,200	46% of target
Affordable homes delivered	7,588	6,982	7,347	21,917	

Table 1: Delivery against pan-London net housing and affordable housing targets (source: London Development Database).

18 Based on Table 1 it is evident that the delivery of new homes and net additional affordable housing on a pan-London basis is significantly below the London Plan target.

19 At a borough level, the London Plan allocates Greenwich a target of 26,850 homes between 2015 and 2025. The draft London Plan increases this ten-year target to 32,040. In monitoring delivery against these targets, Greenwich has been assigned an annual target of a minimum of 2,685 net additional homes per year, increasing to 3,204 in the draft London Plan (this target was 2,595 net additional homes per year under the 2011 London Plan). The Greenwich Local Plan sets a local borough-wide target of 35% affordable housing, equating to a numerical target of 940 affordable homes per year based on the London Plan housing target and 1,121 based on the draft London Plan (and 908 net affordable homes per year under the 2011 London Plan).

20 Table 2 below sets out delivery against the above-mentioned borough level targets during the financial years 2014-2017.

Total completions	FY2014 -2015	FY2015 -2016	FY2016 -2017	Total	Delivery
<i>Homes target</i>	2,595	2,685	2,685	7,965	80% of target
Homes delivered	1,618	2,318	2,443	6,379	
<i>Affordable homes target</i>	908	940	940	2,788	55% of target
Affordable homes delivered	298	820	403	1,521	

Table 2: Delivery against London Plan net housing target and Local Plan affordable housing target (source: London Development Database).

Assessment – London Plan

21 From Table 2 it is evident that the Royal Borough of Greenwich has fallen significantly short of the aggregated London Plan and Local Plan annual monitoring target for total new homes and affordable homes over these three years. It should also be noted that all targets are expressed as minimums, with a clear expectation in the London Plan and Local Plan that delivery of housing should be maximised.

Assessment – draft London Plan

22 As noted in paragraph 16, the latest SHMA and draft London Plan significantly increase the housing target, and consequentially affordable housing target, for the borough. Policy H5 also sets out the Mayor’s 50% strategic target for affordable housing. Were delivery to continue in line with the past record discussed above, there would be a further shortfall against draft London Plan targets for housing and affordable housing.

Potential contribution of this scheme to London Plan and draft London Plan objectives – housing and affordable housing

23 The proposal will deliver 771 residential units which would equate to 29% of the Council’s annual housing target and 24% of the draft London Plan target. This is an accessible, underutilised, brownfield site in an Opportunity Area and is therefore of strategic importance for

housing delivery. The Opportunity Area is expected to deliver at least 3,500 new homes by optimising housing growth in appropriate locations, such as this. This target increases to 8,000 new homes in the draft London Plan. As set out within the consultation stage report (ref: D&P/3800/01), the proposed development of the site to provide a significant amount of housing is supported by London Plan Policy 3.3 (Increasing Housing Supply). It is also supported by draft London Plan Policy H1.

24 Currently, the application proposes to provide 250 units as affordable housing units, 162 of which would be for social rent and 88 shared ownership. Notwithstanding the comments in paragraph 40 below, the extent of delivery of affordable housing will contribute significantly to both London wide as well as Greenwich's annual affordable housing delivery targets.

25 It is considered that the nature and scale of delivery of housing (including affordable housing) through the proposal, and its contribution to Borough and London-wide housing targets within the adopted (as well as the emerging) London Plan, are such that (subject to the details of the proposals being acceptable) it is considered to be a development which would have an important and significant impact on the implementation of the London Plan and draft London Plan in terms of provision of new homes in particular.

Potential contribution of this scheme to London Plan and draft London Plan objectives – Opportunity Area

26 London Plan Policy 2.13 and draft London Plan Policy SD1 identifies Charlton Riverside as an Opportunity Area, which has the capacity to accommodate at least 3,500 new homes (increasing to 8,000 in the draft London Plan) and at least 1,000 new jobs.

27 As well as new housing discussed above, the scheme would provide flexible spaces totalling 3,210 sq.m. at ground and first floor level for use as employment (Use Class B1), retail (Use Class A1-A3) or community and leisure (Use Class D1-D2), which could result in 212 new full-time equivalent jobs (an uplift of approximately 122). In addition to new housing, the application would provide new employment opportunities, as well as public realm improvements and a contribution towards a new east-west route through the area, in line with the objectives of London Plan Policy 2.13 and draft London Plan Policy SD1. The retail and employment uses would contribute towards the creation of a neighbourhood shopping centre to serve the new community, whilst the community uses would also support the future population.

Test 7(1)(a) Conclusion

28 As noted, Greenwich Council's recent delivery of housing and affordable housing is below the minimum targets and the proposed development has the potential to make a substantial and positive contribution to the strategic housing and affordable housing targets of the London Plan by optimising the use of an accessible and underutilised site, thereby helping to address recent under-delivery both in the Borough and strategically. Furthermore, the Council's targets for completions and approvals are expected to increase under the draft London Plan.

29 Having regard to the above, and in particular the London-wide shortfall against the minimum strategic housing and affordable housing targets more generally, this development proposed has the potential to make an important and significant contribution to housing and affordable housing supply in response to London Plan Policies 3.3 and 3.11. This also relates to the draft London Plan Policies H1 and H5. This is an accessible, underutilised, brownfield site in an Opportunity Area and is therefore of strategic importance for housing delivery.

30 Accordingly, it is considered that the scale and nature of the proposed development, in terms of its potential to contribute to delivery of market and affordable housing in particular, are such that, if approved, it would have an important and a significant impact on the implementation of the adopted London Plan (in line with the test set out in Article 7(1)(a) of the Order 2008). The application would also contribute towards housing and job creation targets in the emerging London Plan and also, in particular, to meeting the adopted and emerging Plan’s policy objectives for the proposed Charlton Riverside Opportunity Area. As such, it is considered that the test set out within article 7(1)(a) of the 2008 Order is met.

Statutory test 7(1)(c): Sound planning reasons for intervening

31 Part (c) of the statutory test within Article 7(1) of the 2008 Order concerns whether the Mayor considers there to be sound planning reasons to exercise his power to become local planning authority in respect of the application. As discussed above, this site, and the development proposed, is considered to be of strategic as well as Borough importance for housing delivery, and the redevelopment proposed has the potential to make a significant contribution to strategic housing and affordable housing targets. The development would also provide new public routes and open space, employment space and social infrastructure to support the delivery of Opportunity Area objectives. This report concludes (paragraphs 14 to 30) under Test 7(1)(a) that the proposed development through the nature and scale of housing delivery proposed and supporting infrastructure for the Opportunity Area would have significant impacts on the implementation of the London Plan. The same is considered to also apply to the draft London Plan.

32 The current and recent performance of the Council against development plan targets for the delivery of housing and affordable housing has been considered above. Given the potential for the development to contribute to meeting both on-going Borough requirements for housing but also, importantly, strategic objectives for housing and affordable housing delivery in the London Plan, as well as the delivery of public realm, connectivity, social infrastructure, open space and Opportunity Area objectives more generally, it is considered that there are sound planning reasons for the Mayor to intervene so that the application is not refused at this stage, as the Borough resolved to do so, but that he becomes local planning authority in respect of the application, so as to provide the opportunity for him to give further consideration to the application and to determine it himself.

Matters which the Mayor must take into account

33 The Mayor must take account of the Council’s current and past performance against development plan targets for new housing and affordable housing. The Mayor must also take account of any other targets set out in the development plan which are relevant to the subject matter of the application. In this case the relevant development plan targets relate solely to supply of net additional homes and net additional affordable homes. The relevant targets in this regard are set out within paragraphs 15 and 16 above. Whilst paragraphs 17 to 22 above present the position in terms of recent delivery against these development plan targets (i.e. in terms of new build completions), Table 3 below sets out the Council’s performance in terms of planning approvals for housing and affordable housing in the borough.

Total approvals	FY2014 -2015	FY2015 -2016	FY2016 -2017	Total	Performance against target
<i>Homes target</i>	2,595	2,685	2,685	7,965	275% of target
Homes consented	4,357	15,340	2,191	21,888	(+13,923 units)
<i>Affordable homes target</i>	908	940	940	2,788	140% of target
Affordable homes consented	817	2,719	368	3,904	(+1,116 units)

Table 3: Performance against London Plan housing target and Local Plan affordable housing target in terms of planning approvals (source: London Development Database).

34 Table 3 demonstrates that the Council is currently performing well in securing planning approvals for additional housing and affordable housing relative to its annual targets, which will contribute to the future pipeline supply of housing in the borough. It is noted however that the significant over-delivery in 2015-16 is largely due to the approval of the Greenwich Peninsula Masterplan outline application, comprising around 12,000 new homes. Furthermore, over these three years, the proportion of affordable homes as a percentage of total housing approved is just 18%, therefore, the overall approvals fall considerably short of the 35% target within the Council's Local Plan. It also falls short of the Mayor's strategic target of 50% set out in the draft London Plan. Therefore these figures represent a significant undersupply of affordable housing in the pipeline.

35 As discussed above in paragraphs 26 and 27, the net increase in jobs as a result of the development would also make a positive contribution towards the 1,000 new jobs expected to be generated in the Charlton Riverside Opportunity Area and the wider objectives of the London Plan.

Issues raised at consultation stage

36 Notwithstanding the above, when considering whether to take over the application it is also relevant for the Mayor to have regard to the following planning issues which were raised at consultation stage. In this context, it should be noted that at this stage the Mayor is only considering whether to intervene by becoming the local planning authority. The Mayor is not at this stage required or being invited to reach any decision on the overall merits of the proposal and whether or not to grant planning permission. The planning issues identified at consultation stage (set out at paragraph 55 of the Stage 1 report) were identified as follows:

- **Principle of development:** the principle of the residential-led, mixed-use development of this site that will deliver a significant quantum of new homes within the Charlton Riverside Opportunity Area is supported in principle. Further clarification on the existing and proposed employment density is required.
- **Housing & affordable housing:** 143 units, or 16% on a habitable room basis. The current offer is unacceptable and GLA officers will robustly interrogate the viability with the Council and the applicant to ensure that the maximum reasonable amount of affordable housing is delivered that appropriately responds to the requirements of the draft SPG, London Plan Policy 3.11 and local policy.
- **Density:** the principle of a high density development in this location is supported in principle, however, the design issues must be addressed before the proposed density can be considered acceptable.
- **Urban design:** the general layout is supported and aligns with principles to improve wider connectivity and permeability across the masterplan area. The applicant should revise the proposed scale and massing of the taller elements in response to concerns over impacts on overall design quality and proposed amenity spaces, in addition to those comments raised above with regards to ensuring the proposed buildings positively address the Yarn Lane and Mirfield Street and the delivery of public realm proposals outside of the red line boundary.
- **Inclusive design:** further information on the proposed landscape treatments are required in addition to an increase in disabled parking provision.

- **Sustainable development:** the strategy is generally supported; however further information to verify the savings claimed including construction details, cooling demand and overheating, the site heat network and CHP analysis is required.
- **Transport:** further information demonstrating how the proposals will fit into the emerging masterplan is required, in addition to financial contributions towards improvement of the local bus network to mitigate increased demand. Car parking, electric vehicle charging points, travel, delivery and servicing, and construction logistics plans should be secured by planning condition or obligation.

Principle of development

37 At consultation stage, the mix of uses proposed was broadly supported, but the applicant was requested to increase employment floorspace and provide diverse spaces that could accommodate a range of commercial uses, including SME space and affordable workspace.

38 As part of amendments made to the scheme since consultation stage, the B1 floorspace has increased from 1,560 sq.m. to 2,623 sq.m.. The loss of employment space is cited as a reason for refusal by the Council. Whilst the amended scheme would still result in a considerable reduction compared to the existing situation (6,341 sq.m.), the employment density is expected to increase significantly and the nature of the space would enable flexible occupation, with the space designed to meet the needs of SMEs.

39 Heads of terms have been agreed and set out in the committee report relating to marketing of the business space, rent levels, affordable workspace and a business relocation strategy, with a number of details still to be agreed. Should the Mayor call this application in for his own determination, GLA officers will work with the applicant to develop and secure these provisions.

Housing and affordable housing

40 At consultation stage, the provision of 16% affordable housing was considered to be unacceptable. Following robust interrogation of the applicant's viability assessment, this has been increased to 35% by habitable room with a 70:30 split between social rent and intermediate, and verified as the maximum. The offer now comprises 162 social rented units and 88 shared ownership and this is broadly supported, although should the Mayor recover the application GLA officers will work with the applicant to increase this provision, including through the use of grant funding, in view of the 50% threshold for industrial land set out in draft London Plan Policy H6 and the Mayor's Affordable Housing & Viability SPG. Early and late stage reviews were agreed by Council officers as part of their recommendation to committee and are likely to be required should the Mayor decide to call the application in, unless the scheme becomes Fast Track compliant.

41 The scheme's response to London Plan, draft London Plan and Local Plan policy on housing mix, as cited in the Council's second reason for refusal, will also be fully considered should the Mayor issue a direction to take over the determination of the application.

Urban design, inclusive design and density

42 At consultation stage, the overall layout and its response to the SPD masterplan was supported, but the applicant was requested to revise the scale and massing of the taller elements and improve the relationship of the buildings with proposed public realm.

43 There have been extensive amendments made to the scheme, including a reduction in height from a maximum of 28 storeys to a maximum of 10 and a rationalisation of the layout towards a linear block arrangement in the mainly residential north-eastern part of the site and a podium block on the south-western part, accommodating the enlarged commercial uses. Overdevelopment, height, design and massing is cited in the first and fifth reasons for refusal. The amendments made have resulted in a much improved block arrangement, which appropriately define the future character of the two parts of the site, in line with the objectives of the Council's SPD. There is the potential for further changes to massing to address the fifth reason for refusal cited by the Council, relating to amenity impacts, should the Mayor take over determination of the application.

44 The scheme's response to development plan policy on massing and design, as cited in the Council's first reason for refusal, as well as the impact on the adjacent music studio at Imex House, cited in the third reason for refusal, will also be fully considered should the Mayor recover the application.

Climate change

45 At consultation stage, the applicant was requested to verify the claimed carbon dioxide savings, including construction details, cooling demand and overheating, the site heat network and CHP analysis. Should the Mayor take over the determination of the application, GLA officers will work with the applicant to address the outstanding matters, to ensure compliance with London Plan Policies 5.2 and 5.13 and draft London Plan Policies SI2 and SI13.

Transport

46 At consultation stage, further information was requested to demonstrate how the proposed development will fit into, and facilitate, the masterplan objectives for the site, without precluding any potential key east-west transit route through the site. In this regard, the applicant has engaged in further discussions with GLA and Transport for London (TfL) officers and has identified two options with indicative layouts for the future route, that would require some landtake from adjacent sites when they come forward, that would not preclude the future delivery of the transit route. It is noted within the Council's committee report, that Council officers considered these options made adequate provision to deliver the future roadway and were acceptable. Heads of terms have been agreed and set out in the Council's committee report securing land to construct the access road and a financial contribution of £2.1m, in addition to £150,000 for local junction and cycle route improvements and a Section 278 agreement for re-provision of footways.

47 In response to other requests made at consultation stage, heads of terms to secure £830,000 towards bus service enhancements, extensions to the controlled parking zone to incorporate the site, and a travel plan have been agreed. Planning conditions to secure a car parking management plan, electric vehicle charging facilities, cycle parking facilities including details of design, a delivery and servicing plan and construction logistics plan have also been agreed.

48 Should the Mayor call this application in for his own determination, GLA officers will work with the applicant to develop and secure the above-mentioned provisions. The scheme's impact on the vehicle access to the music studio at Imex House, cited in the Council's third reason for refusal, will also be fully considered.

Response to consultation

Response to neighbourhood consultation

49 Greenwich Council publicised the application by notifying approximately 1,000 properties by letter, as well as issuing site and press notices. The Council received 90 responses from local residents and business, 83 of which were in objection and 7 in support.

50 The grounds for objection included the lack of affordable housing; non-compliance with the Charlton Riverside Masterplan SPD; low level of family housing; lack of play space; excessive height and density; heritage impact; poor design; prematurity and piecemeal development; loss of business space; object to new retail; lack of green space; sustainability; could impact on wharves; impact on infrastructure and schools/health facilities; impact on adjacent recording studio and business uses; traffic congestion and poor air quality; construction impact; too much parking; impact on neighbouring parking and public transport; daylight and overlooking impact; subsidence and flood damage risk; drainage problems; noise nuisance; and increased security risk.

51 The support comments welcomed new housing; the masterplan; enhanced use of the river; reduction in height since original submission; the proposed green space; the improved public realm and the potential to be a catalyst for wider regeneration.

52 **Matthew Pennycook MP** objects on the grounds of excessive height and massing, design, affordable housing, housing mix and excessive parking.

Statutory consultees

53 The following statutory consultees have also commented:

- **Environment Agency:** No objection, subject to a condition requiring a basement evacuation strategy and protection to ground water.
- **Historic England:** Application should be determined in accordance with local conservation advice.
- **Network Rail:** Raised concerns over capacity of local railway stations and seek to ensure that residential development does not prejudice use of aggregates depot.
- **Natural England:** No objection in relation to statutory protected sites, standing advice should be referred to and biodiversity enhancements secured.
- **London City Airport:** No objection, request consultation on the use of cranes.
- **Port of London Authority:** Concern over noise impact from aggregates wharf.
- **Historic England (Archaeology):** Raised no objections and no further assessment or conditions considered necessary.
- **Sport England:** Requested contributions towards sports facilities and new walking and cycling routes within the scheme.
- **NHS Greenwich CCG:** Request for health facilities to be incorporated into the masterplan to serve the wider area, with a preference for a single facility.
- **Metropolitan Police:** Request condition requiring the development to meet Secured by Design standards and a request for space to be made available for Police use.
- **London Fire & Emergency Planning Authority:** Satisfied with the proposals.
- **Thames Water:** Conditions requested regarding waste water, water supply, surface water drainage and piling.

- **Scotia Gas Networks:** Objects pending detailed assessment.
- **UK Power Networks:** Confirmed location of cables and advised on safe digging practices.
- **Zayo Group UK (fibre optic cables):** Confirmed location of apparatus and advised on need for trail digging and diversionary works.

Local amenity groups

54 The following local amenity groups have raised objections:

- **Charlton Society:** Welcome the efforts to amend the scheme, but still concerned about disregard for the SPD masterplan, building heights, impact on local views and urban landscape, contribution to place-making, density, affordable housing, family housing, green spaces, community facilities, shopping facilities, traffic impact and sustainability.
- **Charlton Central Residents' Association:** Raises concerns over lack of affordable and family housing, height and design quality, lack of contribution to infrastructure and undermining the SPD masterplan vision.
- **Greenwich Conservation Group:** Concerned that the proposals are a departure from the SPD and set a bad precedent for future development, excessive building height and density, poor residential and open space quality, impact on local views, low affordable and family housing.
- **Derrick and Atlas Gardens Residents' Association:** Object to departure from the SPD masterplan, building heights, impact on conservation area, loss of light and privacy, lack of parking, lack of family housing, impact on schools, impact on buses and trains, traffic, low affordable housing and affordability, low infrastructure contribution, air quality impact, barrier effect of east-west route, lack of integration with existing developments, excessive density and impact on community cohesion.
- **Transport for Charlton:** Raised concerns over impact on public transport, impact on health, education and other infrastructure, displacement of businesses and impact on economy and non-compliance with SPD.

Representations to the Mayor of London

55 Charlton Together, a network of Charlton residents and community groups, made representations directly to the Deputy Mayor for Planning, Regeneration and Skills, the Deputy Mayor for Housing and Residential Development and Nicky Gavron AM and Chair of the Planning Committee in July 2018. The representations expressed the groups full support for Greenwich Council's resolution to refuse planning permission and forwarded representations previously submitted to Greenwich Councillors raising concerns with regards to the proposed height and density and the planning process in the Royal Borough of Greenwich more generally. In addition, an online petition containing 636 signatures addressed to the Council requesting it enforce the terms of the Charlton Riverside SPD was shared and a meeting was sought with GLA officers to discuss the enclosed representations in more detail.

Response to consultation – conclusion

56 Should the Mayor take over the application for his own determination, the consultation responses, and the issues raised within them, will be fully considered as part of GLA officer's assessment of the application.

Legal considerations

57 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction (refer to paragraphs 8 to 27 above).

Financial considerations

58 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs Greenwich Council to do so) and determining any approval of details (unless Greenwich Council agrees to do so).

Conclusion

59 Having regard to the details of the application and the development proposed, to the matters set out in Article 7(3) of the Mayor of London Order 2008, to the relevant planning issues, the Council's committee report and the Council's draft decision notice, it is concluded that the nature and scale of the proposed development and the issues raised are such as to give rise to a significant impact on the implementation of the London Plan (as well as having a similar impact on the draft London plan), in particular with respect to housing and affordable housing supply and Opportunity Areas, and that there are sound planning reasons for the Mayor to intervene and issue a direction under Article 7 of the Order 2008.

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