

22 November 2021

Woolwich Exchange, Woolwich

in the Royal London Borough of Greenwich

planning application no. 20/3385/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

The demolition of the existing buildings (excluding the Grade II listed Former Woolwich Covered Market and 1a-c to 11 Woolwich New Road) and the construction of a mixed use development in buildings with a maximum building height of 23 storeys, comprising 801 residential dwellings, commercial, business and service uses, drinking establishments and a cinema, new public square and new public realm.

The applicant

The applicant is **Spray Street Quarter LLP** and the architects are **Panter Hudspith Architects** and **HTA Design**.

Key dates

Pre-application: 27 May 2020.

Stage 1 reporting: 15 February 2021.

Planning Committee: 25 May 2021.

Strategic issues

Affordable housing: The scheme proposes 25% affordable housing by habitable room which has been viability tested and has been found to be the maximum viable amount. Early review, and late review mechanisms have been secured in accordance with the London Plan 2021 (Paragraphs 18 to 21). Issues have also been resolved in relation to **community facilities, retail, equalities, design and heritage, play space, energy, flood risk and transport**.

The Council's decision

In this instance **Greenwich Council** has resolved to grant permission.

Recommendation:

That Greenwich Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 17 December 2020 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 Category 1A, 1B and 1C, 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: 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: (c) outside Central London and with a total floorspace of more than 15,000 square metres.*
- *1C(c): Development which comprises or includes the erection of a building of one or more of the following description: (c) the building is more than 30 metres high and is outside the City of London.*

2 On 15 February 2020 the Mayor considered planning report GLA/6868/S1, and subsequently advised Greenwich Council that the application did not comply with the London Plan and the then Publication London Plan, for the reasons set out in paragraph 93; but the possible remedies set out in that paragraph could address these deficiencies:

- **Principle of development:** The proposed mixed-use redevelopment of this brownfield site in Woolwich Town Centre and Opportunity Area is supported in principle. The proposed relocation strategy for retail and business uses is supported and should be secured in the s106 agreement. Further information about the relocation/reprovision of existing community uses should be provided. The provision of social infrastructure uses within the scheme must be further considered in conjunction with Greenwich Council, to address local need.
- **Affordable housing:** 25% affordable housing by habitable room is proposed, which is substantially lower than the amount proposed in the previous application and falls short of expectations. The applicant's Financial Viability Assessment (FVA) is undergoing robust assessment, working in partnership with the applicant, Greenwich Council and its independent assessors, to ensure that the maximum contribution is secured in accordance with the Mayor's Affordable Housing and Viability SPG and policies H6 and H7 of the Publication London Plan.
- **Design and heritage:** The site is considered appropriate for tall buildings in Greenwich Council's local plan documents. The layout and massing has evolved following extensive pre-application discussions and design review and the principles of the masterplan are supported. The design and residential quality is of a high standard, however, further work is required in relation to design of the public realm and green space provision. The integration of heritage assets including the Grade II listed covered market building is welcomed. The proposals will cause less than substantial harm to the significance of designated heritage assets, including the Woolwich and Arsenal Conservation Areas and the settings of listed buildings. The loss of non-

designated heritage assets is proposed. The public benefits of the scheme, including the level of affordable housing, will need to be confirmed before a conclusion can be reached on whether the public benefits outweigh the harm identified.

- **Children's play space:** The applicant has provided child yield calculations and a play strategy and sufficient space has been provided for door-step play and 0-11 age groups. However, the 11+ age group has very limited provision and Greenwich Council should secure a financial contribution for offsite provision which should be secured in the s106 agreement.
- **Inclusive design:** The Council should secure appropriate planning conditions to ensure the measures described within the access statement are delivered in the detailed design stages.
- **Sustainable development:** Further work is required on the energy strategy, flood risk and surface water mitigation to confirm compliance with London Plan policy.
- **Transport:** The proposed level of blue badge car parking is not supported on this highly accessible, town centre site and should be reduced in accordance with London Plan and Publication London Plan standards. Further work is required in relation to healthy streets, trip generation, car and cycle parking, and the delivery and servicing plan. The construction logistics, delivery and servicing and travel plans should be secured by condition.

6 A copy of the above-mentioned report is available on the GLA's public register (link [here](#))¹ 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. Since then, the application has been revised in response to the Mayor's concerns (see below). On 25 May 2021 Greenwich Council decided that it was minded to grant planning permission for the application, and, following a period of negotiation with the GLA on details of the S106, on 9 November 2021 the Stage 2 referral was validated. 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, direct Greenwich Council under Article 6 to refuse the application or issue a direction to Greenwich Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 22 November 2021 to notify the Council of his decision and to issue any direction.

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

Update

8 Since Stage 1, GLA officers have engaged in discussion with the applicant, Greenwich Council and TfL to address the above outstanding issues. Revisions to the proposals have been submitted by the applicant and Greenwich Council has secured planning obligations and conditions which ensure the development is acceptable in strategic planning terms.

¹ <https://planning.london.gov.uk/pr/s/planning-application/a0i4J000002USXWQA4/20206868?tabset-c2f3b=2>

Relevant policies and guidance

9 Since consultation stage, the London Plan 2021 was published and became part of the statutory development plan on 2 March 2021.

Land use principle

Relocation strategy and community floorspace

10 At stage 1 the proposed mixed-use redevelopment of this brownfield site in Woolwich Town Centre and Opportunity Area was supported in principle. The proposed relocation strategy for retail and business uses was supported. However, further information about the relocation/re-provision of existing community uses was required and the final agreed relocation strategy was requested to be secured in the s106 agreement.

11 Since the consultation stage further revision has been made to the framework relocation strategy and additional detail has been provided specifically addressing churches and social infrastructure uses. A s106 obligation has been secured for the relocation strategy and on-going monitoring. The applicant has also amended their plans following GLA comment and engagement with Greenwich council officers to provide for up to 500 sq.m. of community floor space and this is to be secured within the s106 legal agreement. This aspect of the application is therefore compliant with the London Plan 2021.

Retail

12 At Stage 1, in compliance with the then Publication London Plan Policy E9, and given that the proposal contains over 2,500 sq.m. of retail floorspace, the applicant was required to explore on-site provision of affordable units in smaller shop units and any provision should be secured in a section 106 agreement.

13 Since the consultation stage options have been explored with the applicant for the provision of small retail and business units. The proposal will secure 500 sq.m. of small unit retail space, which could deliver opportunities for local business use. A planning obligation has also been secured requiring a small retail and business unit strategy which will detail location and unit sizes (of no greater than 80 sq.m.). This aspect of the application is therefore compliant with the London Plan 2021.

Existing residential uses

14 At the consultation stage a total of 46 residential units (corrected by the borough since stage 1) were identified as being within the site boundary. London Plan Policy H10 protects existing housing stock and only supports redevelopment of existing stock where it is replaced at existing or higher densities and providing at least an equivalent level of affordable housing. In this instance the proposals will deliver 801 homes, which is an uplift of 777 homes, providing a better quality and higher environmental standard. It has been confirmed that none of the existing homes are affordable units and there will be no net loss of units. The applicant's framework relocation strategy states that existing residents will be given support to find new accommodation, this commitment is welcome.

Equalities

15 The Equality Act 2010 provides that public authorities have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

16 At stage 1 it was identified that the proposed development proposals could have impacts on existing social and community infrastructure including the places of worship and health/education facilities as well as the existing market building. The impacts of the development on persons who share a relevant protected characteristic were required to be specifically addressed, along with a consideration of whether mitigation should be secured as part of any permission to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

17 Since stage 1 an equalities assessment has been completed and having reviewed this information and measures adopted, it is officers opinion that the requirements of the Equality Act have been carefully considered and that the proposals would safeguard and promote the objectives of Section 149 of the Act. The loss of places of worship will be mitigated through the relocation strategy which will provide assistance in identifying and securing new suitable premises. The loss of health and education facilities will also be supported by the relocation strategy, the opportunity to move back into the development is promoted by the inclusion of 500 sq.m. of community floorspace, small affordable retail/ business units and proposed affordable workspace and a specific community use relocation strategy. A contribution has been secured of £1,332,499 towards the funding of additional health facilities in the local area, to be allocated in agreement with the Clinical Commissioning Group (or equivalent on-site provision to be provided within the scheme in consultation with the Clinical Commissioning Group). At stage 1 the market use was not required to be replaced as the previous two-year temporary lease for a weekly food market within the Grade II listed market building has ended and no replacement operator has come forward. It is also understood that Greenwich Council's preference is to support the vitality of other established markets (such as at Beresford Square) in Woolwich town centre and therefore the market use is not required to be replaced in this instance. The secured relocation strategy will provide on-going monitoring to ensure that the mitigation measures adopted are sufficient to resolve any arising issues. This aspect of the development is therefore compliant with the London Plan 2021 Policy CG1 ensuring that Good growth is inclusive growth with this regeneration proposal.

Affordable housing

18 At stage 1 the applicant proposed a total of 801 homes with 25% affordable housing by habitable room (20% by unit), with a tenure split of 71% London affordable rent and 29% London shared ownership.

Table 1: housing mix:

	Affordable Rent H/R (units)	Shared Ownership H/R (units)	Market H/R (units)	Total (H/R)	Total units	Unit mix %
Studio	0 (0)	0 (0)	29 (29)	29	29	4
1 Bed	24 (12)	26 (13)	506 (253)	556	278	35
2 Bed	159 (53)	72 (24)	879 (293)	1110	370	46
3 Bed	205 (42)	36 (9)	272 (68)	513	119	15
4 Bed	30 (5)	0 (0)	0 (0)	30	5	1
Total HR	418	134	1,686	2,238	801	100
Total % HR	19%	6%	75%			
Total Affordable HR (%)	25%		75%			
Total Units	112	46	643			
Total % Units	14%	6%	80%			
Total affordable units (%)	20%		80%			

19 Whilst the proposed tenure split, weighted in favour of low cost rent accommodation was supported, the proposed quantum of affordable housing did not meet the Fast Track Route threshold. The scheme was therefore viability tested and GLA officers have worked with the applicant, Greenwich Council and its independent advisors, to ensure that the maximum contribution is secured in accordance with Policy H5 and H6 of the London Plan and the Mayor's Affordable Housing and Viability SPG. Having reviewed the viability evidence, the GLA's viability team accept that in this case, 25% affordable housing by habitable room was the maximum achievable. The primary reasons for the lower affordable housing provision in this case compared to the previous application are, as set out further below, the cost of the retention of historic buildings and building fabric and the cost of complex site assembly.

As set out at stage 1 the revised proposals will now retain the Grade II listed Market building and its roof together with key elements (notably the front facades and roof forms) of buildings 1a-c to 11 Woolwich New Road. Their inclusion in the current masterplan will contribute to the aim of avoiding harm to heritage assets, by retaining the key elements of significance that contribute to the character of the conservation area. The retention of these buildings and re-construction of the Market building has added to the development costs of the scheme which were not included in the original application, which proposed to completely clear the development site. It was also established at the consultation stage that the development site is under multiple ownerships and is occupied by a range of uses including retail, community, religious, health, light industrial and office workspace. A total of 145 local businesses operate from various buildings on the site as well as residential units. To enable development delivery a complex land assembly exercise will be required as vacant possession of the entire site will need to be secured. Given the complexity of delivering the regeneration proposals Greenwich Council has committed to using its compulsory purchase order powers (CPO) to support the project delivery if required. The site assembly process in this case therefore creates abnormal costs, and this has an impact on the lead in time for the development which again adds to the costs of the

development. Under the circumstances, it is accepted that 25% affordable housing (by habitable room) with a tenure split of 76/24 (71/29 by unit) in favour of low-cost rent, is the maximum viable amount that the scheme can currently achieve. However, early stage and late stage review mechanisms have been secured in accordance with the London Plan which enable the provision of additional affordable housing is viability improves over the lifetime of the development.

20 The proposed affordable tenure consists of London Affordable Rent (LAR) and London Shared Ownership (LSO) homes. The LAR homes will be let at rents which do not exceed the benchmarks published by the Mayor. The LSO homes will be provided for households with incomes between £71,000 for 1 and 2 bed properties and £88,000 for 3 bed properties per annum. The shared ownership units will be marketed at Greenwich Council maximum income levels for an initial three-month period to ensure they are genuinely affordable to a range of household incomes. After 3 months, the GLA affordability criteria would apply, based on 40% of net income. The shared ownership homes will be sold at a range of equity shares from 25% up to 75% and will be eligible to households that do not exceed the maximum household income set out in the London Annual Monitoring Report. The proposed tenure offer is policy compliant as the applicant has demonstrated that the proposed products are genuinely affordable in accordance with the Mayor's qualifying income levels, as set out in the Mayor's Affordable Housing and Viability SPG and the London Plan Annual Monitoring Report. The affordability thresholds for all tenures have been secured in the section 106 agreement.

Housing mix

21 The proposed development mix includes a range of unit types from studio to four-bed units. A total of 124 homes are family units (3 bed+) which equates to 24% by habitable room or 15% by unit. Greenwich Council have confirmed that the proposed housing mix meets the housing needs of the borough.

Play space

22 At Stage 1 the development was not fully compliant with London Plan Policy S4 and the SPG for play space provision because although play requirements for door step play for 0-5 year olds was met on site, an off-site contribution for ages 5-11 and 12+ age groups was required due to short fall in play space provision within the development. A £196,955 contribution towards up-grading the existing facilities within close proximity of the application site has been secured in the s106 agreement and this aspect of the application is therefore compliant with London Plan 2021.

Design and heritage

23 At stage 1 the site was established as being appropriate for tall buildings in Greenwich Council's local plan documents. The overall principles of the masterplan were supported as the design and residential quality are of a high standard. However further work was required in relation to design of the public realm and green space provision.

24 Since the consultation stage further information has been provided in relation to the design of the public realm and green space provision as set out in the green infrastructure section of this report. This demonstrates that the public realm and greenspace opportunities have been maximised in compliance with London Plan 2021.

Fire safety

25 A fire statement prepared by suitably qualified personnel has been submitted with the application in accordance with Policy D12 of the Publication London Plan. The measures contained within the statement set out: the buildings construction (materials etc); the means of escape for all users; features which reduce the risk to life; how access for fire service personnel and equipment is achieved; how within the curtilage of the site fire appliances gain access to the buildings; and ensures that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures. As required the fire safety strategy has been secured by condition and this aspect of the application is compliant with the London Plan.

Heritage

26 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”* and with regards to conservation areas, *“special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.”* The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Significance can be harm or loss through alteration or destruction of the heritage asset or development within its setting.

27 In relation to non-designated heritage assets, the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

28 At stage 1 it was accepted that the applicant had undertaken a thorough townscape and visual impact assessment which allowed GLA officers to assess the scale and architecture of the proposals and how they will sit in relation to existing and emerging context of the town centre. The integration of heritage assets including the Grade II listed covered market building was also welcomed. However, the public benefits of the scheme, including the level of affordable housing, were needed to be confirmed before a conclusion can be reached on whether the public benefits outweigh the harm identified.

Integration and loss of heritage assets

29 The frontage of the site on Woolwich New Road/Spray Street is located within the Woolwich Conservation Area. There are also a number of individual heritage assets on the site including the Grade II listed former Woolwich Covered Market building, and the locally listed 1a-1c Woolwich New Road, 3 Woolwich New Road and 2 Plumstead Road. Non-designated heritage assets on the site include 5-13 Woolwich New Road (odds) and structures to their rears including 13a and 13c Spray

Street, the Employment Exchange on Spray Street and nos. 9 and 20 Plumstead Road.

30 At stage 1 it was welcome that the revised proposals will now retain the Grade II listed Market building and its roof together with key elements (notably the front facades and roof forms) of buildings 1a-c to 11 Woolwich New Road. This was because their inclusion in the current masterplan will contribute to the aim of avoiding harm to heritage assets, would retain the key elements of significance that contribute to the character of the conservation area, and would add to the richness of the development providing an interesting juxtaposition between the old and new, with the retained market building structure proving a human scale feature building on Plumstead Road.

31 It was recognised at the consultation stage that the proposals involve the total loss of a locally listed building, no.2 Plumstead Road, as well as the loss of four other non-designated heritage assets (not locally listed) including the Employment Exchange, 13 Woolwich New Road, and nos. 9 and 20 Plumstead Road. As stated at Stage 1, the proposed comprehensive development of the site will replace these buildings with high quality development that will realise significant public benefits (outlined further below), and it is confirmed on balance at stage 2, the loss of these non-designated heritage assets are justified given their limited significance and the package of public benefits including the securing of affordable housing which has now been confirmed to be the maximum amount.

Impact on conservation areas

32 At stage 1 it was also recognised that the development proposals will impact on the neighbouring conservation area and the nearby listed Beresford Square gate structure and would have a visual impact on heritage assets within the Woolwich Arsenal conservation area and immediate vicinity. It remains officer opinion that overall the accurate visualisation representation images (AVRs) demonstrate that the Woolwich Exchange proposals will merge with the tall buildings and massing of the Berkeley's development opposite on Plumstead Road, which already establishes a recent trend of modern buildings forming a backdrop to key heritage assets within the Woolwich Arsenal conservation area. The proposed view (AVR 3) looking south east along Plumstead Road illustrates a significant change to the setting of the listed Beresford Gate. However, the retention of Grade II listed market building and the low scale of the development buildings adjacent mean the Woolwich Exchange proposals step down in scale to address the scale of the listed structure and, by drawing the taller elements away from the historic buildings, reduce any overbearing impact.

Historic England and Greenwich Council assessments

33 Historic England supports the refurbishment and re-use of the Grade II listed former Covered Market and are of the opinion that there would be some additional heritage benefits to the repair and reuse of the building frontages along Woolwich New Road. It recognises that the wider development subject to planning permission would cause some. harm, particularly due to the loss of non-designated heritage assets. But it is for Greenwich Council to weigh this harm against the public benefits of the scheme.

34 Greenwich Council have worked extensively with the applicant and Historic England on the retention of the Market Building and the building frontages along Woolwich New Road and support the approach adopted by the applicant and any impact is less than substantial. The Council has concluded its assessment of the

impact of the development on the historic significance of the Woolwich Conservation Area as having less than substantial harm on its setting and the Royal Arsenal Conservation Area not cause harm to the significance of the surrounding conservation area.

35 A total of 35 listed buildings have been identified within 500 metres of the site, Greenwich Council identified five listed buildings which were considered to be the most affected. The impact assessment has concluded that the development will have less than substantial harm on the setting of The Main Entrance to Royal Arsenal (Beresford Gate) (Grade II) and Equitable House (Grade II) and would result in no harm to the setting of Royal Arsenal Brass Foundry (Grade I), Royal Arsenal Dial Square Entrance Range (Grade II*) and the Public House, 18-19 Greens End (Grade II).

36 Greenwich Council assessed the development impact on five locally listed buildings beyond the site 15-19 Beresford Square, 13-14 Beresford Square, 2-2b Woolwich New Road & 5 Beresford Square and Telephone Exchange, 28 Spray Street. It has concluded that the proposal would not harm to the significance of the these identified locally listed buildings.

37 The loss of the four non-designated heritage assets (Employment Exchange, 13 Woolwich New Road, and nos. 9 and 20 Plumstead Road) and one locally listed building identified as 2 Plumstead Road. Have also been assessed by Greenwich Council and it has concluded that these assets are of low to very low significance and would cause less than substantive harm. The Council consider that a combination of heritage benefits (restoration and better revealing the heritage significance of the Former Woolwich Covered Market, reinstatement of Woolwich New Road shop frontages and facades and an improved corner building to Spray Street as well as high quality design of the wider scheme) and secured public benefits outweigh the loss of the identified low value heritage assets.

Conclusion

38 In regards to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, and the relevant paragraphs in the NPPF in relation to listed buildings, conservation areas and non-designated heritage assets,

39 GLA officers consider at stage 2 that the proposed redevelopment of the site will cause less than substantial harm to the historic significance of the Woolwich Conservation Area, the Royal Arsenal Conservation Area and other historic building assets and both Historic England and Greenwich Council are of the same opinion. The loss of non-designated heritage assets has been considered with regard to the significance of these assets and the public benefits arising from the scheme. As set out elsewhere within this report issues have been resolved that were raised at stage 1. It is welcomed that the mixed-use redevelopment proposals have been revised to account for the integration of the most significant historic building assets within the site, as a result of the recent designation of the Woolwich conservation area and the listing of the Grade II market building and this has brought benefits to the overall masterplan design quality. The land use proposals make efficient use of the application site and deliver a significant quantum of new housing with affordable housing that is weighted towards genuinely affordable, low cost rented homes. Therefore, whilst the development does not comply with London Plan Policy HC1 as the proposals cause some harm to heritage assets, the NPPF heritage balanced is engaged. It is officer opinion that the public benefits associated with the

comprehensive redevelopment of this site outweigh the less than substantial harm identified to designated heritage assets, and the total loss of non-designated heritage assets, and the proposals are thus acceptable and in compliance with the NPPF.

Inclusive design

40 As required at consultation stage Greenwich Council have secured appropriate planning conditions to ensure the measures described within the access statement are delivered in the detailed design stages including the securing of 10% of the residential units to be Building Regulation standard M4(3) standards and the remaining 90% designed to Building Regulation standard M4 (2). This aspect of the application is therefore compliant with London Plan 2021 Policies D3 and D5.

Sustainability

Energy

41 Since stage 1 the applicant revised the domestic and non-domestic elements of the energy strategy and modelled additional energy efficiency measures. Additional information has been provided in relation to: carbon emissions reporting; overheating and cooling; the feasibility of connection to the Royal Arsenal Riverside network and other emerging local networks; the site wide heat network and centralised energy centre; the feasibility of photovoltaic across the development roof areas; the operation and capacity of the heat pumps; and carbon performance and offsetting. Conditions have been secured in relation to overheating and cooling, Energy strategy compliance and energy centre/centralised plant room and district heating network connection. The applicant has also submitted a Whole Life Carbon assessment and reviewed the 'Be Seen' energy monitoring guidance and accepted a commitment that the development will be designed to enable post construction monitoring and this is secured by condition. This aspect of the application is therefore compliant with London Plan 2021.

Flood risk

42 Since stage 1 the applicant has provided the required flood risk verification information and conditions have been secured to resolve all outstanding issues. This aspect of the application is therefore compliant with the London Plan 2021.

Green infrastructure

43 Since the consultation stage the applicant has provided a document clearly setting out a response to each of the items raised with regard to green infrastructure. The applicant has comprehensively set out the specific site constraints that prevent further urban greening being delivered on site. It has also detailed a series of opportunities for enhancement and provided robust reasoning for why such opportunities cannot be realised. When constrained land is removed from the UGF calculation, the Scheme would achieve a UGF of 0.26.

44 A Biodiversity Net Gain Assessment has been provided and accounting for a series of improvements, the development would deliver a 19% net gain. Therefore, whilst the UGF remains below the target score, the quality of the proposed greening would be improved through the recommendations of the BNG Assessment. Considering the justifications set out by the applicant, the current level of greening is considered acceptable on this occasion.

45 It should be noted that this advice is limited to this application and should not be used as justification for a reduced UGF in future applications. The applicant has also provided a CAVAT assessment, as requested. The assessment concludes that as well as increasing the number of trees on site, the Scheme would deliver an additional £289,894 worth of value. This aspect of the application is therefore compliant with the London Plan 2021.

Circular economy

46 London Plan 2021 Policy GG5 states that those involved in planning and development should recognise and promote the benefits of transition to a circular economy as part of the aim for London to be a zero-carbon city by 2050. Policy D3 further states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy. London Plan 2021 Policy SI7 requires major applications to develop Circular Economy Statements.

47 A Circular Economy Statement has been submitted which outlines how the proposal performs with regards to optimising the circularity of materials sourced and used during the building life-cycle. A whole building life cycle approach has been taken to ensure the minimising of waste going to landfill, the effective use of resources and materials and to maximise the future adoptability of the building. The submitted statement outlines how these targets can be achieved and concludes that the approach aligns with the circular economy guidelines. This aspect of the development is compliant with the London Plan.

Air Quality

48 The air quality neutrality of the proposed development has been assessed by the applicant following the methodology provided in the Mayor of London's SPG on Sustainable Design and Construction and further guidance from the 'Air Quality Neutral Planning Support' document. For identified construction related impacts conditions have secured a dust management plan with construction mitigation and monitoring measures including co-ordination with other construction sites within 500 metres of the site to ensure emissions are minimised. Embedded mitigation measures include ultra-low NOx emission back up boilers to be used on-site, cycle parking storage at basement and ground levels, and the proposed development being car-free. The assessment with the mitigation measures demonstrates that building emissions for the proposed development will be below the respective air quality neutral benchmarks, it is therefore accepted that the development is air quality neutral.

Transport

49 At Stage 1, concerns were raised in regards trip generation, healthy streets, quality of cycle parking, disabled person parking provision and delivery and servicing.

50 An updated Healthy Streets assessment was submitted to address comments previously raised. A S278 agreement has also been secured which will improve the public realm and provision for active travel on the streets which adjoin the site whilst safeguarding existing bus infrastructure on these streets. A wayfinding strategy has also been secured through condition.

51 Further information in regards to the trip generation assessment has been provided. Whilst the methodology is not completely satisfactory, it is agreed that the proposed development will not have a detrimental impact on the surrounding public transport network.

52 A contribution of £170,000 towards cycling improvements has been secured, which is welcomed. There have also been improvements to the quality of cycle parking, with a condition attached to ensure that cycle parking is delivered in compliance with London cycle design standards (LCDS) as required by London Plan policy T5.

53 Whilst there has been no reduction in the quantum of disabled person parking provision that is to be provided from the outset, a car parking management plan has been secured through condition, which should assist in ensuring that these spaces are not misused as general parking.

54 A condition has been secured to review the design of the internal delivery and servicing yard and access to address concerns raised by TfL. A delivery and servicing plan has also been secured through condition.

55 A construction logistics plan and travel plan have been secured through condition. Infrastructure protection matters have also been addressed through condition.

Response to consultation

56 Greenwich Council completed consultation with neighbouring properties as well as statutory and non-statutory organisations. Letters were sent out to 769 properties and in addition press and site notices were issued. A total of 29 objections and 204 letters of support were received.

57 The objections are summarised as following:

- Building height and scale.
- The quality of architecture and design.
- Type of materials adopted.
- Site over development.
- Loss of heritage assets.
- Impact on Royal Arsenal and Woolwich Conservation areas and listed buildings.
- Development design incompatible with the existing character of central Woolwich.
- Overlooking/ privacy and overshadowing of surrounding properties.
- Lack of affordable housing.
- Low affordable housing offer does not meet policy requirements.
- Impacts to existing businesses and need to have ability to return to the area.
- Lack of small retail units.
- Need to support business relocation.
- Housing mix does not meet local need.
- Affordable housing is too expensive.
- Limited landscaping or public play areas.
- Need for community facilities and outdoor space.
- Additional crossing points required.
- Wind and micro climate impacts.
- Night time noise from new uses.

58 The support comments are summarised as following:

- The provision of a cinema and the renovation of the covered market is welcomed.
- Regeneration benefits of development of run-down area next to railway station.

- New mix of retail leisure uses will improve centre vitality.
- Sign of investment and confidence.
- Will boost night time economy.
- The retention of the Market building and preservation of historic asset.
- Design is of a high quality.
- Sympathetic design.
- This revised design for the site is an improvement on the previous proposal as retains heritage.
- Job creation and local employment opportunities.
- Potential for growth, outdoor space, eating, drinking and leisure.
- More flats are always welcome to tackle the ongoing housing issue.

Statutory organisations

59 Representations were also received from the following statutory organisations and bodies:

- **Environment Agency:** No objection. Requested informatives have been secured.
- **Natural England:** No objection.
- **Historic England:** Historic England welcomes the proposed refurbishment and reuse of the Grade II listed former Covered Market and supports the proposals subject to listed building consent. It hopes that the reuse of the extraordinary and unique historic building as an entertainment venue will be an asset to the on-going regeneration of Woolwich and contribute greatly to its vitality and identity.

Whilst there would be some additional heritage benefits to the repair and reuse of the building frontages along Woolwich New Road, the wider development subject to planning permission would cause some harm, particularly due to the loss of non-designated heritage assets. It will be for Greenwich Council to weigh this harm against the public benefits of the scheme in coming to a decision on the applications. Should Greenwich Council be minded approve the development, Historic England have encouraged a phasing plan to be implemented which prioritises the work to the Covered Market to reduce its risk of deterioration.

- **Port of London Authority:** No objection. Requested condition wording adopted.
- **Sport England:** No objection. Requested conditions have been secured.
- **Thames Water:** No objection. Requested conditions and informatives have been secured.
- **Greater London Archaeological Advisory Service:** Requested conditions have been secured.
- **Metropolitan Police Service Crime Prevention:** Requested conditions have been secured.
- **London Fire and Emergency Planning Authority:** Requested conditions have been secured.
- **NHS Greenwich Clinical Commissioning Group:** The applicant has accepted a contribution toward healthcare equating to £1,332,499. This is secured through s106 obligation.
- **London City Airport:** No objection. Requested conditions have been secured.
- **Network Rail:** No objection.

60 These issues have been addressed in detail in Greenwich Council's committee report, the GLA's stage 1 report and/or this report, and the matters above are not considered to raise strategic planning issues that have not been considered in these reports. Greenwich Council have assessed the development impacts on daylight and overshadowing and have concluded they are of an acceptable level according to BRE guidance and GLA officers have reviewed the submitted information and agree with this conclusion.

Draft section 106 agreement

61 The draft S106 agreement secured the following provisions:

- The provision of 20% affordable housing by unit (25% by habitable room) (158 units) comprising 112 London Affordable Rent and 46 Shared Ownership units.
- London Affordable Rented accommodation will be at the GLA benchmark rent levels and these are updated by the GLA on an annual basis in accordance with the Mayor's Funding Guidance.
- Shared ownership eligibility criteria (targeting applicants who meet the lower RBG income band of £71,000 for 1 and 2 bed properties and £88,000 for 3 bed properties for the first 6 months of marketing, after this period the dwelling can be marketed at GLA income thresholds London-wide).
- Early review mechanism, if not commenced within two years in line with formula 1b and 2 of the Affordable Housing and Viability SPG (August 2017) and the Review Mechanisms Procedure Practice Note April 2019.
- Late-stage review mechanism which is triggered following occupation of at least 75 per cent of the market units in line with formula 4 of the Affordable Housing and Viability SPG (August 2017) and the Review Mechanisms Procedure Practice Note April 2019.
- The mechanisms and inputs will be in accordance with the Affordable Housing and Viability SPG (August 2017) and the Review Mechanisms Procedure Practice Note April 2019, including deficit.
- Provision for the full costs of undertaking and assessing a viability review costs to be incurred by the applicant.
- S278 agreement.
- £170,000 towards cycle improvements contribution.
- £16,020 Cycle training contribution.
- £10,000 toward the provision of Legible London Signage and Wayfinding within the vicinity of the site.
- £3,500 towards implementing modification to the traffic order.
- £10,000 toward a review extending CPZ hours of operation.
- £196,955 toward off-site play space for children of 12+ years within the vicinity of the site.
- £1,312,500 towards the funding of additional school places within the local area to serve children living in this development and existing residents.
- £1,332,499 towards the funding of additional health facilities in the local area, to be allocated in agreement with the CCG (or equivalent on-site provision to be provided within the scheme in consultation with the Greenwich CCG)
- £500,000 towards Greenwich Local Labour and Business Service (GLLaB).
- Appropriate indexation of financial contributions.

Legal considerations

62 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also 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. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. 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.

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

63 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Financial considerations

64 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

65 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

66 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 the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

67 The strategic issues raised at consultation stage with respect town centres, housing, retail, social infrastructure, urban design, heritage, inclusive design, sustainable development, and transport have been resolved, and having regard to the details of the application, the matters set out in the committee report and the Greenwich Council's draft decision, the application complies with the London Plan and there are no sound planning reasons for the Mayor to intervene in this case. It is therefore recommended that Greenwich Council is advised to determine the case itself, subject to any action that the Secretary of State may take.

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