

2.0 Legislative and planning policy background

- 2.1 This section contains a brief overview of aspects of national, London-wide and local planning policies and guidance that are particularly relevant to the appearance and visual impact of the Proposed Development. For the purposes of this report, it is those policies concerned with design, townscape matters and the historic environment that are of the greatest relevance.

National planning policy and guidance

The National Planning Policy Framework, March 2012

- 2.2 The Government issued the National Planning Policy Framework (NPPF) (Ref. 1) in March 2012. The NPPF sets out planning policies for England and how these are expected to be applied.
- 2.3 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, which has three dimensions; economic, social and environmental. The NPPF states, at paragraph 14, that *“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.”*
- 2.4 Among the core planning principles set out at paragraph 17 are that planning should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* and should *“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.”*
- Requiring good design*
- 2.5 Section 7 of the NPPF deals with design. At paragraph 56, the NPPF states that *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
- 2.6 Paragraph 60 states that *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*
- 2.7 Paragraph 61 states that *“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”*
- 2.8 Paragraph 63 states that *“In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.”*
- 2.9 Paragraph 64 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

Conserving and enhancing the historic environment

- 2.10 Section 12 of the NPPF deals with conserving and enhancing the historic environment. It applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990, plan-making and decision-taking.
- 2.11 Heritage assets are defined in Annex 2 of the NPPF as a *“building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).”*
- 2.12 The NPPF requires an applicant to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting (para 128). It goes on to say that *“the level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 2.13 The NPPF identifies three key factors local authorities should take into account in determining applications:
- *“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *the desirability of new development making a positive contribution to local character and distinctiveness.”*
- 2.14 Paragraph 132 states that in assessing impact, the more important the asset, the greater the weight should be given to its conservation. It notes that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 2.15 The setting of a heritage asset is defined in Annex 2 as *“the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*
- 2.16 Where a development proposal will lead to *‘less than substantial’* harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 134).
- 2.17 Paragraph 135 states the effect of an application on the significance of a non-designated heritage asset requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
- 2.18 Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 137 goes on to say *“Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”*

Planning Practice Guidance, March 2014

- 2.19 The national Planning Practice Guidance (PPG) (Ref. 2) was launched by the Government on the 6th March 2014 and provides a web-based resource in support of the NPPF.
- 2.20 The PPG includes a section called 'Design'. This explains, inter alia, the importance of good design, the planning objectives that good design can help to achieve, the qualities of a well-designed place, and how buildings and the spaces between them should be considered.
- 2.21 The planning objectives of design are stated to include promoting, inter alia, local character; safe, connected and efficient streets; a network of green spaces and public places; and cohesive and vibrant neighbourhoods.
- 2.22 In terms of the qualities that contribute to a well-designed place, the PPG states that a well-designed place should:
- *“Be functional;*
 - *Support mixed uses and tenures;*
 - *Include successful public spaces;*
 - *Be adaptable and resilient;*
 - *Have a distinctive character;*
 - *Be attractive; and*
 - *Encourage ease of movement.”*
- 2.23 The PPG identifies the following considerations which may be relevant in terms of how buildings and the spaces between them should be considered:
- *“Layout - the way in which buildings and spaces relate to each other*
 - *Form - the shape of buildings*
 - *Scale - the size of buildings*
 - *Detailing - the important smaller elements of building and spaces*
 - *Materials - what a building is made from”*
- 2.24 The PPG includes a section called 'Conserving and enhancing the historic environment'. This considers the factors that should inform decision taking about developments that would affect heritage assets. It notes that *“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals...”* The PPG notes that setting is defined in the NPPF and *“...is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage.”* The PPG states that *“A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.”*
- 2.25 With regard to non-designated heritage assets, the PPG notes that *“Local planning authorities may identify non-designated heritage assets”* and *“Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.”* It goes on to state that *“When considering development proposals, local planning authorities should establish if any potential non-designated heritage assets meet the definition in the National Planning Policy Framework at an early stage in the process.”*

Historic England Advice Note 4 – Tall Buildings, 2015

- 2.26 This document (Ref. 3) sets out guidance on dealing with tall buildings in the planning process. It supersedes the 'Guidance on Tall Buildings' issued by English Heritage and CABE in 2007. The Introduction notes that *“alternative approaches may be equally acceptable, provided they are demonstrably compliant with legislation and national policy objectives.”* It notes that what might be considered a tall building will vary from area to area and *“A ten storey building in a mainly two-storey neighbourhood will be thought of as a tall building by those affected, whereas in the centre of a large city it may not.”*
- 2.27 Paragraph 1.1 states that, *“in the right place well-designed tall buildings can make a positive contribution to urban life.”* The main focus of the guidance is promoting a plan led approach and setting out the relevant considerations tall building policies should address, and setting out the approach and assessments applicants should follow in promoting such development.
- 2.28 At paragraph 4.5 it provides a list of factors a high quality scheme should have a positive relationship with:
- a. Topography*
 - b. Character of place*
 - c. Heritage assets and their settings*
 - d. Height and scale of development (immediate, intermediate and town- or city-wide)*
 - e. Urban grain and streetscape*
 - f. Open spaces*
 - g. Rivers and waterways*
 - h. Important views including prospects and panoramas*
 - i. The impact on the skyline”*
- 2.29 At paragraph 4.8 it sets out a list of design criteria a successful application will need to fully address:
- a. Scale*
 - b. Form and massing*
 - c. Proportion and silhouette*
 - d. Facing materials*
 - e. Detailed surface design*
 - f. Relationship to other structures*
 - g. Impact on streetscape and near views*
 - h. Impact on cityscape and distant views*
 - i. Impact on the skyline”*
- 2.30 Paragraph 4.9 states that:
- “Tall buildings need to set exemplary standards in design because of their scale, mass, wide impact and likely longevity. Good design will take the opportunities available for improving the character and quality of an area and respond to local character and history (NPPF paragraphs 58 and 64). It is important that the required high standard of architectural quality is maintained throughout the process of procurement, detailed design, and construction, through the use of conditions and reserved matters.”*
- 2.31 Para 4.10 notes that *“consideration needs to be given to a tall building’s contribution to public space and facilities. This applies both internally and externally, including the provision of a mix of uses (especially on the ground floor of towers), as part of a well-designed public*

realm.”

2.32 Section 5 deals with assessing proposals. The guidance concludes noting that:

“If a tall building is harmful to the historic environment, then without a careful examination of the worth of any public benefits that the proposed tall building is said to deliver and of the alternative means of delivering them, the planning authority is unlikely to be able to find a clear and convincing justification for the cumulative harm.”

Regional planning policy and guidance

The London Plan – Spatial Development Strategy for Greater London Consolidated with Alterations since 2011 (2016)

- 2.33 The London Plan (Ref. 4) is *“the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.”* The policies most relevant to townscape, conservation and visual assessment are contained in Chapter Seven *‘London’s Living Places and Spaces’*.
- 2.34 The London Plan recognises Charlton Riverside as an Opportunity Area and notes that development *“should be integrated with the wider development of the south bank of the Thames”*. It also notes the adoption by RBG in 2012 of the Charlton Riverside Masterplan (see below).
- 2.35 Policy 3.7, *‘Large residential neighbourhoods’*, notes that proposals for large residential developments are encouraged in areas of high public transport accessibility and, where capable of accommodating over 500 dwellings, developments should be progressed through a plan-led process to *“...create neighbourhoods with a distinctive character, sense of local pride and civic identity...”*.
- 2.36 Policy 7.1, on *‘Lifetime Neighbourhoods’*, states that *“The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.”* Policy 7.4 expands on the theme of local character and states that *“Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.”*
- 2.37 Policy 7.6 on *‘Architecture’* states that *“Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.”* It goes on to set out a list of requirements of new buildings and structures including, inter alia, that they should be *“of the highest architectural quality”*; they should *“be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm”*; they should include details and materials that *“complement, not necessarily replicate”* local architectural character; they should not cause *“unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings”* which is said to be particularly important for tall buildings; and they should *“optimise the potential of sites”*.
- 2.38 Policy 7.7 relates to the location and design of tall buildings. It states that tall and large buildings *“should be part of a plan-led approach”* to development of an area and should not have *“an unacceptably harmful impact on their surroundings.”* In particular, tall buildings are required, inter alia, to *“relate well to the form, proportion, composition, scale and*

character of surrounding buildings, urban grain and public realm (including landscape features) particularly at street level”; they should *“individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London”*; they should incorporate *“the highest standards of architecture and materials”*; and they should have ground floor activities that relate positively to surroundings streets and *“contribute to improving the permeability of the site and wider area, where possible.”* Tall buildings are required not to *“impact on local or strategic views adversely”* and particular consideration should be given to tall building proposals in sensitive locations, including *“conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings.”*

- 2.39 Policy 7.8 on *‘Heritage Assets and Archaeology’* states that *“Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural details.”* Policy 7.10 on *‘World Heritage Sites’* states that *“Development should not cause adverse impacts on World Heritage Sites or their settings...”*
- 2.40 Policies 7.11 and 7.12 relate to strategic views and the management of them. Policy 7.12 notes that *“New development should not harm, and where possible should make a positive contribution to, the characteristics and composition of the strategic views and their landmark elements. It should also preserve or enhance viewers’ ability to recognise and appreciate strategically important landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places.”*

London View Management Framework Supplementary Planning Guidance (March 2012)

- 2.41 In March 2012 the Mayor published the *‘London View Management Framework Supplementary Planning Guidance’* (‘LVMF’) (Ref. 5) which is designed to provide further clarity and guidance on the London Plan’s policies for the management of these views. None of the LVMF views are considered relevant to development on the Site.

London’s Natural Signatures: The London Landscape Framework, (prepared for Natural England, January 2011)

- 2.42 This guidance document (Ref. 6) was issued by Natural England in 2011. It divides London into 22 Natural Landscape Areas and identifies the key natural characteristics, or *‘Natural Signatures’*, of those areas. The Site lies within Landscape Area 14, Lower Thames Floodplain, which is described as *“A vast, flat riverside zone of grazed saltmarshes grading to reedswamp, mudflats and the wide tidal Thames – the most striking and immediately visible natural element in London”*. The part of this Landscape Area that the Site lies within is heavily developed, however, primarily for light industrial uses.

Local planning policy and guidance

Royal Greenwich Local Plan: Core Strategy with Detailed Policies (July 2014)

- 2.43 The Core Strategy with Detailed Policies (Ref. 7) was issued on 30th July 2014 to replace parts of the Greenwich Unitary Development Plan (2006). It details how the Royal Borough plans to develop to *“improve the lives of the people who live and work here, whilst retaining the strong sense of history and identity of Royal Greenwich”* up until 2028. The policies most relevant to townscape, views and the historic environment are detailed in Chapter 3, ‘Spatial Strategy’ and Chapter 4, ‘Strategic and Detailed Policies’.
- 2.44 Paragraph 3.2.13 notes that it is important that the development and growth of the borough *“achieves a high quality of design that contributes to a high quality, safe environment, a sense of place and creates distinctiveness and which offers a high quality of life for occupants”*.
- 2.45 Paragraph 3.3.11 states that Charlton Riverside (which includes the Site) is a *“key regeneration area that provides a significant opportunity for new high quality river front development”*. Paragraph 3.3.13 notes that the Charlton Riverside Masterplan SPD provides more detailed guidance for development within the area, and goes on to note that the area *“will provide for a significant residential led mixed use development plus improved open space, commercial space, retail and community facilities”*.
- 2.46 Policy EA2 ‘Charlton Riverside’ states that the land in this location is allocated as a Strategic Development Location and *“...will include a new mixed-use urban quarter.”* The supporting text to the policy notes the area as a *“prime site on the River Thames and provides a significant opportunity for new high quality development”*. It notes that the area is *“of poor environmental quality”* and is currently under-used and occupied by low density industrial units.
- 2.47 Policy DH1 ‘Design’ states that developments should be of *“a high quality of design”*, and to achieve this, they are expected to *“provide a positive relationship between the proposed and existing urban context”*, which should be done by considering elements including, inter alia:
- *“existing townscapes, local landmarks, views and skylines”*;
 - *“the architecture of surrounding buildings”*;
 - *“established layout and spatial character”*;
 - *“the scale, height, bulk and massing of the adjacent townscape”*;
 - *“architectural, historical and archaeological features and their settings”*; and
 - *“patterns of activity, movement and circulation particularly for pedestrians and cyclists”*.

It also states that they should *“create attractive, manageable, well-functioning spaces within the site”*. The supporting text to the policy notes that *“proposals that impact on the historic environment must describe the heritage asset affected and provide sufficient detail to understand the potential impact of the proposal on its significance.”* It also discusses how developments should be integrated into movement networks, and that development along and near to the Thames should consider the maritime coastal nature and also the heritage of industrial development.

- 2.48 Policy DH2 ‘Tall Buildings’ states that tall buildings may be appropriate in Charlton

Riverside, and the supporting text to the policy notes that this is provided that *“the appropriate public transport infrastructure is delivered to support these and sufficient consideration is given to any existing historic assets and distinctive character features”*. It notes that not all tall buildings will be appropriate and *“any proposed tall building will still need to consider its impact on the existing character of the area”*. It states that *“well designed tall buildings can potentially create landmarks for an area and the intensification of use that they provide can also act as a catalyst for regeneration”*.

- 2.49 Policy DH3 ‘Heritage Assets’ states that *“The Royal Borough will protect and enhance the heritage assets and settings of Royal Greenwich, including the Maritime Greenwich World Heritage Site, preserving or enhancing the character and appearance of the 20 Conservation Areas, applying a presumption in favour of the preservation of statutory listed buildings and their settings, giving substantial weight to protecting and conserving locally listed buildings, protecting the three registered parks and gardens, as well as Royal Greenwich’s archaeological remains and areas of special character”*. The supporting text to the policy goes on to state that all proposals for development that may affect a heritage asset need to:
- “describe and assess the significance of the asset, including its setting to determine its historic or architectural interest;*
 - identify the impact of the proposed works on the significance of the asset; and,*
 - provide a clear justification for the works, especially if these would harm the asset or its setting, including why they are necessary or desirable.”*
- 2.50 Policy DH(g) ‘Local Views’ notes that development must not have a *“materially adverse effect on the overall perspective and essential quality of the Local Views”*. These Local Views are identified by RBG and are noted as an *“important element in the character of Royal Greenwich”*. They have been taken into account for this assessment, but are not considered relevant given the location of the Site relative to them.
- 2.51 Policy DH(h) ‘Conservation Areas’ states that proposals will only be granted Planning Permission if they *“pay special attention to preserving or enhancing the character or appearance of the Conservation Area”* and must take into account *“local scale, the established pattern of development and landscape, building form and materials”*. It also notes that *“development on sites in the vicinity of a conservation area and which would have a visual effect on its character or appearance, should respect the setting of that area”*. The site is not located within a Conservation Area, and the nearest Conservation Area is located more than 700m away.
- 2.52 Policy DH(i) ‘Statutory Listed Buildings’ states that development will be resisted if it is considered to detract from a Listed Building or group, and the supporting text to the policy details that the *“setting of a listed building can be fundamental to its character and appearance and often forms part of its original design and layout”*.
- 2.53 Policy DH(j) ‘Locally Listed Buildings’ aims to protect and conserve the characteristics that account for the designation of the Locally Listed Building.
- ### Royal Borough of Greenwich: Charlton Riverside Masterplan SPD (April 2012)
- 2.54 The Charlton Riverside Masterplan SPD (Ref. 8) was adopted in April 2012 and aims to look at the regeneration options for the area and provide guidance for development for the next 15-20 years. It identifies strategic and detailed objectives for the area, including

“transform the image of Charlton and to introduce a sustainable mix of uses in a high quality environment focussed around an enhanced and expanded Barrier Park”; “contribute towards the development of the Thames Gateway as a great place to invest, live and work” and “create a thriving new neighbourhood set within its landscape”. It also identifies suggested land uses for the area.

- 2.55 Plot A of the Site is located within the area suggested as residential, and Plot B within the suggested area for education uses. The SPD divides the masterplan area into character areas. The Site falls within the character area designated as ‘Charlton Garden City’ which suggests that the area would take inspiration from a garden city and have a strong landscape theme. It suggests that new development will be a contemporary take on traditional terraced development typical of Georgian times, which would aim to *“complement the existing Victorian/Edwardian character of Charlton whilst encouraging a slightly higher density of living”*.

Royal Greenwich Local Plan: Site Allocations (Issues and Options Consultation February 2016)

- 2.56 The Royal Greenwich Local Plan: Site Allocations (Issues and Options Consultation February 2016) (Ref. 9) is currently in preparation to support the Royal Greenwich Local Plan: Core Strategy and Detailed Policies. The document provides additional detail on the sites and uses that are important to the delivery of the spatial strategy (which is detailed within the Core Strategy). Once this document has been formally adopted it will form part of Royal Greenwich’s Development Plan.
- 2.57 The document identifies sites where there is potential for new development and ‘Charlton Riverside’, or more specifically ‘Charlton Riverside Central’ where the Site is located, is one of these sites. The Charlton Riverside area in general is noted as *“a key regeneration area that provides a significant opportunity for new high quality river front development”*. The document suggests that options for future use of the ‘Charlton Riverside Central’ area that includes the Site are *“mixed use, including land for transport routes, employment/commercial, small scale retail, residential and open space”*.

Royal Borough of Greenwich: Tall Buildings Assessment (2011)

- 2.58 This document (Ref. 10) was prepared as part of the evidence base for the development of the Core Strategy and other documents within the Local Development Framework. It identifies Charlton Riverside as a potential location for tall buildings, subject to consideration of any existing historic assets. It notes that the creation of significant new views within the area, which are more likely to result from the construction of tall buildings than other types of development, *“...would be appropriate, as they would help to create an identity and focal point for the new development.”*

