

Committee: Strategic Development	Date: 15 th April 2009	Classification: Unrestricted	Agenda Item No: 7.3
Report of: Corporate Director of Development and Renewal		Title: Applications for planning permission, listed building consent and conservation area consent.	
Case Officer: Richard Humphreys		Ref: PA/06/2131, PA/06/2132 and PA/06/2133	
		Ward: St. Katharine's and Wapping	

1. APPLICATION DETAILS

- Location:** St. Katharine Docks, St Katharine's Way, E1.
- Existing use:** Docks / marina, offices, restaurant, wine bar, yacht club / restaurant and public amenity space.
- Proposals:** A. Application for planning permission comprising:
1. Redevelopment of Commodity Quay to provide 23,373 sq. m of Class B1 (Business) and 2,951 sq m of Class A1 (Shop) at quay and basement levels together with underground servicing and other works incidental to the development;
 2. The erection of a 150 sq. m extension to International House for use either for Class A1 (Shop), A2 (Financial and professional services), A3 (Food and drink), or A4 (Drinking establishments) and change of use of 1,550 sq. m of the ground floor of International House from Class B1 (Business)) to either Class A1, A2, A3 or A4 with the creation of a new quayside double height main entrance, installation of shop fronts, reconfiguration of existing servicing arrangements and erection of canopies;
 3. Alterations and extension to 'Tradewinds', including ground and first floor extension for Class A3 (Food and drink) use, the provision of a glazed western elevation and re-cladding;
 4. Creation of new north gateway entrance including the provision of stairs, lift and viewing gallery;
 5. Creation of new south pedestrian gateway entrance, including the provision of new stairs and ramps;
 6. Erection of new pedestrian boardwalks around the West Dock;
 7. Landscaping of the public space outside the Dickens Inn.

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background paper:	Tick if copy supplied for register	Name and telephone no. of holder
Application case file, plans, adopted UDP, London Plan, emerging LDF and City Fringe AAP		Development Control 020 7364 5338

The application for planning permission is accompanied by an Environmental Impact Assessment pursuant to the Town And Country Planning (Environmental Impact Assessment) Regulations 1999.

B. Application for listed building consent for the construction of new boardwalks adjoining the West Dock walls and alterations to the wall on East Smithfield.

C. Application for conservation area consent for the demolition of Commodity Quay.

**Drawing Nos.
Application for
planning
permission:**

Unnumbered site location plan, SI.AP(0)10B, SI.AP(2)10F, IN.AP(0)09, IN.AP(0)10A, IN.AP(0)11A, IN.AE(0)02, IN.AS(0)01, IN.AP(2)10C, IN.AP(2)11C, IN.AE(2)02C, IN.AS(2)01A, PZ.AP(0)10, PZ.AP(0)11, PZ.AE(0)02, PZ.AP(2)10C, PZ.AP(2)11C, PZ.AP(2)12C, PZ.AE(2)02C, SG.AP(0)10, SG.AE(0)02, SG.AP(2)10B, SG.AE(2)02B, TW.AP(0)01A, TW.AP(0)11, TW.AP(0)12, TW.AE(0)01, TW.AE(0)02, TW.AP(2)10D, TW.AP(2)11D, TW.AP(2)12D, TW.AE(2)01C, TW.AE(2)02B, TW.AE(2)03B, TW.AE(2)04B, CQ.AP(0)0 08, CQ.AP(0)0 09, CQ.AP(0)0 10, CQ.AP(0)0 11, CQ.AP(0)0 12, CQ.AP(0)0 13, CQ.AP(0)0 14, CQ.AP(0)0 15, CQ.AP(0)0 16, CQ.AP(0)0 17, CQ.AP(0)0 18, CQ.AP(0)0 19, CQ.AS(0)0 01, CQ.AS(0)0 02, CQ.AE(0)0 01, CQ.AE(0)0 02, CQ.AE(0)0 03, CQ.AE(0)0 04, CQ.AE(0)0 05, CQ.AE(0)0 06, CQ.AED (2) 04, CQ.AP(2)0 09A, CQ.AP(2)0 10A, CQ.AP(2)0 11A, CQ.AP(2)0 12A, CQ.AP(2)0 13A, CQ.AP(2)0 14A, CQ.AP(2)0 15A, CQ.AP(2)0 16A, CQ.AP(2)0 17A, CQ.AP(2)0 18A, CQ.AP(2)0 19B, CQ.AP(2)0 20B, CQ.AS(2)0 01A, CQ.AS(2)0 02B, CQ.AE(2)0 01B, CQ.AE(2)0 02B, CQ.AE(2)0 03B, CQ.AE(2)0 04B, CQ.AE(2)0 05B, CQ.AE(2)0 06B, CQ.AD(2)0 01A, CQ.AD(2)0 02A, CQ.AD(2)0 03A, CQ.AD(2)0 04, CQ.SK01, BW.SI(0)01A, BW.SI(2)01A, BW.CQ(0)01, BW.CQ(2)01A, BW.IN(0)01, BW.IN(2)01A, BW.TWC(0)01, BW.TWC(2)01A, DI.AP(0)10 and DI.AP(2)10A.

Environmental Statement including Additional Regulation 19 Information.

Design and Access Statement.

Retail Statement.

Conservation Plan December 2008 (Revision A).

Transport Assessment.

Energy Statement.

Statement of Community Involvement.

Tradewinds Traffic Management Proposal.

**Drawing Nos.
Application for**

Unnumbered site location plan, SI.AP(0)10B, SI.AP(2)10E, CQ.AD (2) 0.01A, CQ.AD (2) 0.02A, CQ.AD (2) 0.3B,

listed building consent:	BW.S1(0)01A, BW.SI(2)01A, BW.CQ(0)01, BW.CQ(2)01A, BW.IN(0)01, BW.IN(2)01A, BW.TWC(0)01, and BW.TWC(2)01A.
Drawing Nos. Application for conservation area consent:	Unnumbered site location plan, SI.AP(0)10B, CQ AE(0) 01, CQ AE(0) 0, CQ AE(0) 04 and CQ AE(0) 06.
Applicant:	St Katharine's Investments LP.
Owners:	St Katharine's Investments LP, Skil One Ltd, Skil Two Limited, The RT Hon David Mellor, Lightship Restaurant Ltd, Corporation of London, Ms K Fishlock, Fuerst Day Lawson Holdings Ltd, NTT Europe Ltd, Mala Restaurant Ltd, Ince & Co, Reynolds Technological Enquiries Ltd, Rod Mitchell Ltd, Taylor Woodrow Plc, Spotform Plc, DPR Consulting Ltd, Bentley's, Victoria Steamship and Sword Insurance Technology Solutions Plc.
Historic buildings:	Dock walls, dock side bollards and perimeter wall on East Smithfield Grade 2 listed. The site adjoins Tower Bridge and the Tower of London both listed Grade 1 and lies within the UNESCO World Heritage Site. Grade 2 listed Ivory House and Dockmaster's House, Grade 2* Johnson Smirke Building in Royal Mint Court, Grade 2 entrances to Royal Mint Court and Grade 2 sundial on the riverside walk also adjoin.

Conservation area: The Tower.

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1. The local planning authority has considered the particular circumstances of these applications against the Council's approved planning policies contained in the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007, associated supplementary planning guidance, The London Plan 2008 and Government Planning Policy Guidance and has found that:
- Commodity Quay makes little positive contribution to the character and appearance of the Tower Conservation Area and its demolition is justified in accordance with policy DEV28 of the Council's Unitary Development Plan 1998, policy CON2 of the Council's interim planning guidance 2007 and national advice in PPG15.
 - The proposed Use Class B1 (Business) floorspace accords with employment policy 3B.2 of The London Plan 2008, policies EMP1, DEV3, CAZ1, and CAZ4 of the Council's Unitary Development Plan 1998, policies CP8 and EE2 of the Council's interim planning guidance 2007 and policy CRF1 of the City Fringe Action Area Plan interim planning guidance 2007 which seek to promote employment growth in

St. Katharine West Dock.

- The provision of Class A1 (Shop), A2 (Financial and professional services), A3 (Restaurant /café) and A4 (Drinking establishments) uses are acceptable in principle as they provide useful community services and visual interest in line with policies DEV3 and S7 of the Council's Unitary Development Plan 1998 and policies RT4 and RT5 of the Council's interim planning guidance 2007, which seek to ensure services are provided that meet the needs of the local community and the evening and night-time economy without undue detriment to residential amenity.
- The new buildings and other alterations in terms of height, scale, design and appearance are acceptable in line with national advice in PPG15, policies 4B.1, 4B.8, 4B.10, 4B.11, 4B.12 and 4B.14 of The London Plan 2008, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP49, DEV1, DEV2, CON2 and CON3 of the Council's interim planning guidance 2007 which seek to ensure development is of a high quality design, preserves or enhances the character and appearance of conservation areas and World Heritage sites and preserves the setting of listed buildings.
- The alterations to the listed East Smithfield perimeter wall and the walls of the West Dock, including the installation of the boardwalks are satisfactory and comply with national advice in PPG15, policies DEV37 and DEV46 of the Council's Unitary Development Plan 1998 and policy CON1 of the Council's interim planning guidance 2007.
- Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable in line with policy T16 of the Council's Unitary Development Plan 1998 and policies DEV16, DEV17, DEV18 and DEV19 of the Council's interim planning guidance 2007, which seek to ensure developments can be supported within the existing transport infrastructure.
- The development complies with the Blue Ribbon Network Principles set out in The London Plan 2008 and is in line with policies 4C.3, 4C.11, 4C.14, and 4C.23.
- Proposals for landscaping would be satisfactory in line with policy DEV12 of the Council's Unitary Development Plan 1998.
- Subject to final details, sustainability and renewable energy matters are appropriately addressed in line with national advice in PPS22, policies 4A.7 – 4A.9 of The London Plan and policies DEV5 – 9 and DEV 11 of the Council's interim planning guidance 2007, which seek to ensure developments reduce carbon emissions and result in sustainable development through design measures, water quality, conservation, sustainable drainage, sustainable construction materials, air pollution and air quality.

- Contributions have been secured towards the provision of highway and public transport improvements, pedestrian links and either off-site affordable housing or estate improvements in line with Circular 05/2005, policies 3B.3 and 5G3 of The London Plan 2008, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the interim planning guidance 2007, which seek to secure contributions toward infrastructure and services required to facilitate proposed development.
- The submitted Environmental Impact Assessment supplemented by Additional Information is satisfactory, including the cumulative impact of the development, with mitigation and safeguarding measures to be implemented through conditions and a recommended legal agreement.

3. RECOMMENDATIONS

3.1. 1. That the Committee resolves to **GRANT planning permission** subject to:

A. Any direction by The Mayor of London.

B. The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following:

- a) A contribution of £150,000 to fund an additional signalised pedestrian crossing on East Smithfield west of St. Thomas More Street.
- b) To improve access to bus services by the upgrading of four bus stops on East Smithfield and Tower Bridge Approach to TfL accessibility standards at circa £10,000 per bus stop.
- c) To deliver a signage strategy within St. Katharine Docks with directions given to the transport nodes in the area and other important public destinations.
- d) To relocate any redundant public art.
- e) A contribution of £71,820 towards either the provision of off-site affordable housing or for local authority estate renewal in the area.
- f) The use of the Council's Access to Employment and / or Skillsmatch projects.
- g) To adhere to the Council's Code of Construction Practice with any variations to accord with the mitigation measures set out in the submitted Environmental Statement and Regulation 19 Additional Information.
- h) To undertake the development in accordance with the approved Programme of Works.
- i) Any other planning obligation considered necessary by the Corporate Director Development & Renewal.

3.2. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.

3.3. That the Head of Development Decisions is delegated power to issue the planning permission and impose conditions (and informatives) to secure the following:

3.5. **Conditions**

1. 3 year time limit.
2. Before the development hereby permitted is begun, details shall be submitted to and approved in writing showing:
 - Details of all elevations to show typical details of components of external cladding and fenestration to include ant measures to eliminate solar glare.
 - Particulars and samples of the materials to be used on all external faces of the buildings.
3. Details of a Programme of Works (Phasing Plan) shall be submitted to and approved in writing by the local planning authority. The development shall only be undertaken in accordance with the approved Programme unless any alternative is agreed in writing by the local planning authority.
4. Details of a landscaping scheme to include hard and soft finishes, any gates, walls fences and external lighting to be submitted and approved.
5. Details of green roofs for the new Commodity Quay and Tradewinds to include a habitat for Black Redstarts (at Commodity Quay) to be submitted and approved.
6. Approved landscaping and green roof schemes to be implemented.
7. The submission and approval and implementation of a Travel Plan to include a Delivery and Servicing Plan.
8. Approved cycle parking within Commodity Quay to be provided and maintained.
9. Details of a scheme of bicycle parking in the vicinity of the South Western Gateway and the entrance off East Smithfield to be submitted, approved and implemented.
10. Commodity Quay shall be fitted with a directional motion sensitive lighting system.
11. Prior to the commencement of works at Commodity Quay, International House and Tradewinds, full details of energy efficiency measures and energy technologies shall be submitted to the local planning authority and approved in writing. The measures should include full details of the renewable energy provisions outlined in the submitted energy strategy. Should the approved energy technologies prove unfeasible, details of any alternative technologies should be approved in writing by the local planning authority prior to the commencement of works at Commodity Quay, International House and Tradewinds. The approved renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.
12. Archaeological investigation of areas to be redeveloped.
13. Decontamination of areas to be redeveloped.

14. The "Disabled Parking" area shown at the eastern end of Commodity Quay on drawing No. CQ.AP(2)0 11 Rev A shall be used for parking purposes only and shall not be used for the servicing of the building including loading and unloading.
15. Hours of construction time limits - 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 Saturdays and not at all on Sundays or Bank Holidays.
16. Piling hours of operation time limits - 10.00 to 16.00 Mondays to Fridays, 10.00 to 13.00 Saturdays and not at all on Sundays or Bank Holidays.
17. Details of foul and surface drainage system to be submitted, and approved and implemented.
18. Details of surface water drainage and control measures to be submitted, approved and implemented.
19. No Class A3 (Café / restaurant) or Class A4 (Drinking establishment) use shall commence in International House until details of the means of fume extraction, to include noise mitigation measures, have been submitted and approved by the local planning authority. Such measures to be implemented and maintained for the duration of the use.
20. Tradewinds (River Lounge) as altered and extended shall not be used for Class A3 (Café / restaurant purposes until details of the means of fume extraction, to include noise mitigation measures, have been submitted and approved by the local planning authority. Such measures to be implemented and maintained for the duration of the use.
21. The open landscaped area adjacent to the Dickens Inn and Marble Quay shall not be used for the consumption of food or drink served from those establishments.
22. The development authorised by this permission shall not commence until the Council (as local planning authority and the highway authority) has approved in writing a scheme of highway improvements necessary to serve the development being alterations to the adopted length of St. Katharine's Way.
23. A footway a minimum of 2 metres wide, clear of any obstruction, dedicated solely for pedestrian use and delineated by metal bollards from the vehicular carriageway which shall be a minimum of 3.7 metres wide, shall be provided and thereafter maintained on St. Katharine's Way adjoining Tradewinds (The River Lounge).
24. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

3.6. **Informatives**

1. Planning permission subject to section 106 agreement.
2. Planning permission under section 57 only.
3. Express consent required for the display of advertisements.
4. Wheel cleaning facilities during construction.
5. Change of use only as permitted by Part 3 of the Town and Country Planning (General Permitted Development) Order 1995.
6. The landscaping scheme required by condition 4 should reclaim and utilise the existing Yorkstone flags and granite setts at the site. The scheme should investigate the feasibility of reintroducing planters around the dock edges. All planting within 8 metres of the dock should be of locally native species, existing trees at the North West Gateway

- should be replaced, the pedestrian access at the South Western Gateway should not include any variation in paving treatment and external lighting should be designed to prevent light spill into the docks.
7. The scheme for cycle parking required by condition 8 should be in line with Transport for London standards and should aim to provide 52 parking spaces additional to those proposed in Commodity Quay.
 8. With regard to condition 11 (energy efficiency measures and energy technologies), you are advised that Commodity Quay should include a ground source heating system (estimated at circa 400 kilowatts in size) and a ground source cooling system (estimated at circa 600 kilowatts in size) as the primary means of heating and cooling (subject to technical and economic feasibility), along with 100 sq. metres of solar collectors. International House should include 20 sq. m of photovoltaic panels. Tradewinds should include 100 sq. metres of photovoltaic panels.
 9. Consultation with the Council's Department of Traffic and Transportation regarding alterations to the public highway and Condition 22 that will necessitate an agreement under section 278 of the Highways Act.
 10. You are requested to discuss with the Environment Agency, 30-34 Albert Embankment, London SE1 7TL (Ref. TL/2008/101631/02-L01) how the flood defence levels at St. Katharine Docks can be raised in the future by 600 mm above the current statutory defence level of 5.28 metres AOD.
 11. Under the terms of The Water Resources Act 1991 and The Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works (including new outfalls) or structures either effecting or within 16 metres of the dock walls and the River Thames.
 12. There is a Thames Water main crossing the development site and you should consult Thames Water in this respect Tel. 0845 850 2777.
 13. Any other informative(s) considered necessary by the Corporate Director Development & Renewal.
- 3.7. That, if within 3 months of the date of this committee decision the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated authority to refuse planning permission.
- 3.8. 2. That the Committee resolves to **GRANT listed building consent**.
- 3.9. That the Head of Development Decisions is delegated power to impose conditions on the listed building consent to secure the following:

Conditions

1. 3 year time limit.
2. Detailed drawings at a scale of 1:10 showing the means of the fixing of the proposed boardwalks to the dock walls shall be submitted to and approved in writing by the local planning authority.
3. Works to making good of the West Dock walls and the perimeter wall on East Smithfield shall be finished to the match the adjacent work with regard to methods used and to material, colour texture and profile.
4. Any other condition(s) considered necessary by the Corporate Director

Development & Renewal.

- 3.10. **3. That the Committee resolves to GRANT conservation area consent.**
- 3.11. That the Head of Development Decisions is delegated power to impose conditions on the conservation area consent to secure the following:

Conditions

1. Demolition works must be begun before the expiration of three years.
2. The demolition works shall not be carried out otherwise than simultaneously as part of the completion of development for which planning permission has been granted.
3. Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1. Application is made for full planning permission for the redevelopment and change of use of parts of St. Katharine West Dock. The scheme principally involves the redevelopment of the existing office block called Commodity Quay for offices/shopping purposes, the extension and partial change of use of the ground floor of International House and alterations to the 'Tradewinds' restaurant now called The River Lounge. Specifically, the development proposes:

1. Redevelopment of Commodity Quay to provide 23,373 sq. m of Class B1 (Business) and 2,951 sq. m of Class A1 (Shops) at quay and basement levels together with underground servicing and other works incidental to the development;
2. The erection of a 150 sq. m extension to International House for use either for Class A1 (Shop), A2 (Financial and professional services), A3 (Food and drink), or A4 (Drinking establishments) and change of use of 1,550 sq. m of the ground floor of International House from Class B1 (Business)) to either Class A1, A2, A3 or A4 with the creation of a new quayside double height main entrance, the installation of shop fronts, the reconfiguration of existing servicing arrangements and the erection of canopies;
3. Alterations and extension to Tradewinds including ground and first floor extension for use within Class A3 (Food and drink) (increasing the size of the building from 362 sq m to 481 sq m), the provision of a glazed western elevation and re-cladding;
4. Creation of new north gateway entrance including the provision of stairs, lift and viewing gallery;
5. Creation of a new south pedestrian gateway entrance including the provision of new stairs and ramps;
6. Erection of new pedestrian boardwalks around the West Dock;
7. Landscaping of the public open space outside the Dickens Inn.

- 4.2. As originally submitted, the applications involved the redevelopment of Devon House (an office block fronting the Thames) by three new buildings to provide 100 residential units and 847 sq. m of community use or shops together with the creation of a public open space overlooking the river. The Devon House proposal has however been deleted from the application due to concerns about the design of the new buildings.
- 4.3. Due to concerns expressed following public consultation, the proposed siting of Tradewinds has been modified to maintain a dedicated public footway adjacent to the restaurant delineated by bollards. A proposed North-West Gateway tower structure has largely been omitted and amendments to the plant enclosure at 9th floor level of the proposed new Commodity Quay have also been made.
- 4.4. Application is also made for listed building consent for the installation of new boardwalks to the listed West Dock walls and alterations to the listed perimeter wall on East Smithfield.
- 4.5. Conservation area consent is requested for the demolition of the existing Commodity Quay building.

Site and surroundings

- 4.6. St. Katharine Docks (comprising a West Dock, an Eastern Dock and a Central Basin) is bounded by the River Thames to the south, Tower Bridge Approach and St. Katharine's Way to the west, East Smithfield to the north and Thomas More Street to the east. The docks are used as a marina and the application site covers an area of some 4.12 hectares in and around the West Dock and the Central Basin. The docks lie east of the Tower of London, a designated UNESCO World Heritage Site, and fall within the Council's designated Tower Conservation Area.
- 4.7. St. Katharine Docks were mostly redeveloped from the 1970's onwards and the existing buildings around the West Dock and the Central Basin vary in age, scale and design. The eastern part of the conservation area around St. Katharine's Dock has undergone significant changes since the closure of the docks and the character of buildings and spaces are more varied than a the Tower of London to the west.
- 4.8. Within the application site, International House is a 6-storey 1980's office block fronting Tower Bridge Approach, opposite the Tower of London. Commodity Quay on East Smithfield is a 19,069 sq. metre, a 6-storey 1980's office block incorporating two trading floors with double height floors. Tradewinds (recently renamed The River Lounge) is a 2-storey building located adjacent to the lock entrance to the docks housing a restaurant, WCs and lock keeping equipment.
- 4.9. Immediately adjoining, but outside the application site, are the 15-storey Guoman Tower Hotel circa 1973, Tower Bridge House a glass fronted, 7-storey office block erected in 2005 on the corner of East Smithfield and Tower Bridge Approach, the centrally located mid-19th century Grade 2 listed Ivory House now used for shops and residential, the Dockmaster's House comprising a Grade 2

listed dwellinghouse circa 1828 located on the bank of the River Thames south of Tradewinds, and the adjoining 1980's office block Devon House. To the east, between the Central Basin and the East Dock, are the Dickens Inn and the Mala restaurant at Marble Quay. Around the northern and eastern sides of the East Dock lies City Quay that comprises two rows of 6-9 storey residential apartment blocks completed in 1997.

- 4.10. The late C20th development around the docks display a variety of architectural styles but still maintain or re-create the original sense of enclosure of the docks. To the east of Tower Bridge, the buildings are generally large and substantial in character, but are not designed to be prominent on the skyline. The warehouses and residential buildings in St Katharine's Docks are generally 5-8 storeys high, although there are several individual buildings which are much smaller. The Tower Guoman Hotel is an anomaly in the area, ranging from 8 to 15 storeys in height.
- 4.11. In addition to the Ivory House and the Dockmaster's House, the original dock perimeter wall on East Smithfield, the walls to the docks and basin, bollards around the docks, a sundial on the riverside walk and Nos. 52 and 78 St. Katharine's Way are included in the Statutory List of Buildings of Architectural or Historic Interest Grade 2. Tower Bridge and the Tower of London are listed Grade 1. The Johnson Smirke Building in Royal Mint Court on the northern side of East Smithfield is listed Grade 2* and the entrances to Royal Mint Court are listed Grade 2.
- 4.11. A riverside walk runs alongside the Guoman Tower Hotel but not in front of the Dockmaster's House or Devon House. There is vehicular and pedestrian access to the West Docks from both the west and the east via St. Katharine's Way and from the north off East Smithfield. There is also a stepped pedestrian access in the north west corner of the West Dock adjacent to Tower Bridge House. There are walkways and boardwalks around the docks except on the east side of International House where there is no pedestrian public access at present.
- 4.12. The Protected Vista - Greenwich Park to St. Paul's, designated in the Greater London Authority's London View Management Framework 2007, runs across the southern part of the West Dock and the Central Basin.
- 4.13. The site is well served by public transport being a short walk to Tower Gateway DLR station and Tower Hill District Line Underground Station. A number of bus routes serve East Smithfield and Tower Bridge Approach.

Material planning history

- 4.14. St. Katharine Docks was the first of the London's docks to be redeveloped. They have been the subject of a complex series of planning applications since their closure in the late 1960's with planning permissions granted for the major new buildings itemised above.
- 4.15. St. Katharine Investments LP (the applicant) purchased St. Katharine Docks in 2004 and has undertaken an evaluation of the West and Central Docks. The

company believes there is an opportunity to improve the estate, the accommodation it provides, the mix of uses and the public realm.

4.16. In December 2005, applications were made for planning permission, listed building consent and conservation area consent for:

1. Redevelopment of Commodity Quay to provide offices and shops together with underground parking;
2. Redevelopment of Devon House to residential, community use and a public square;
3. Change of use of part of ground and mezzanine floors of International House from offices to four shops, the erection of a new piazza and southern gateway shop units, quay side main entrance, canopies together with alterations to servicing arrangements;
4. Change of use of part ground, first, second and attic floors of Marble Quay from offices to residential;
5. Erection of a 17-storey residential tower between the West Dock and the Central Basin;
6. Alteration and extension to Tradewinds;
7. Creation of a north and south gateway entrances;
8. Erection of new 2.5 metre pedestrian boardwalks around the West Docks, a single storey tourist information building and the provision of a new performance space.

4.17. The December 2005 applications resulted in significant concern, particularly the proposed introduction of the proposed 17-storey residential tower and the design of the replacements for both Devon House and Commodity Quay. The applications were subsequently withdrawn.

4.18. In October 2007, the Council published a Character Appraisal and Management Guidelines for the Tower Conservation Area. One of the purposes of the guide is to propose management guidelines on how the character of the conservation area should be preserved and enhanced in the context of appropriate ongoing change.

5. POLICY FRAMEWORK

5.1. For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

5.2. **Spatial Development Strategy for Greater London (The London Plan 2008)**

Policies	3B.1	Developing London’s economy
	3B.2	Office demand and supply
	3B.3	Mixed use development
	3B.11	Improving employment opportunities for Londoners
	3C.1	Integrating transport and development
	3C.2	Matching development to transport capacity
	3C.23	Parking strategy
	3D.3	Maintaining and improving retail facilities

3D.12	Biodiversity and nature conservation
4A.1	Tackling climate change
4A.2	Mitigating climate change
4A.3	Sustainable design and construction
4A.4	Energy assessment
4A.6	Decentralised energy
4A.7	Renewable Energy
4A.9	Adapting to climate change
4A.11	Living roofs and walls
4A.12	Flooding
4A.13	Flood risk management
4.A14	Sustainable drainage
4A.17	Water quality
4A.19	Improving air quality
4A.20	Reducing noise
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.6	Safety, security and fire prevention
4B.8	Respect local context and communities
4B.10	Large scale buildings, design and impact
4B.11	London's built heritage
4B.12	Heritage conservation
4B.14	World Heritage sites
4B.15	Archaeology
4B.16	London View Protection Framework
4C.1	Strategic importance of the Blue Ribbon Network (BRN)
4C.3	The natural value of the BRN
4C.6	Sustainable growth priorities for the BRN
4C.11	Increasing access alongside and to the BRN
4C.14	Structures over and into the BRN
4.C.15	Safety on or near the BRN
4C.23	Docks
5C.1	The strategic priorities for North East London
5G.1	Indicative CAZ boundary
5G.2	Strategic Priorities for the CAZ
5G.3	Central Activities: Offices
6.A.4	Planning Obligation Priorities

5.3. **Tower Hamlets Unitary Development Plan 1998 (saved policies)**

Proposals:

1. Central Area Zone
2. Water Protection Area
3. Site of archaeological importance or potential
4. Strategic Riverside Walkway
5. Flood Protection Area
6. Site of Nature Conservation Importance
7. Strategic View Consultation Area: Greenwich Park to St Paul's Cathedral

(now termed a Strategic Vista).

Policies:

DEV1 & DEV2 – Design criteria for new development
DEV3 – Mixed use developments
DEV4 – Planning obligations
DEV7 – Protection of strategic views
DEV8 - Protection of significant local views
DEV12 – Landscaping and trees
DEV28 – Demolition of buildings in conservation areas
DEV46 – Protection of waterways and water bodies
DEV48 – Walkways in development with a water frontage
DEV50 - Noise
DEV51 – Contaminated land
DEV57 – Nature conservation and ecology
CAZ1 – Developing London’s Regional, National and International role
CAZ4 – Retaining the character and functions of the CAZ
EMP1 – Promoting employment growth
T16 – Traffic impact of development proposals

5.4. Interim planning guidance: Tower Hamlets Core Strategy and Development Control Plan September 2007

Proposals:

1. Flood Risk Area
2. Central Activities Zone
3. Conservation Area
4. Archaeological Priority Area
- 5 Site of Importance for Nature Conservation
6. Blue Ribbon Network
7. Public Open Space
8. Strategic Views Consultation Area

Core Strategies IMP1	Planning Obligations
CP1	Creating Sustainable Communities
CP3	Sustainable Environment
CP4	Good Design
CP5	Supporting Infrastructure
CP7	Job creation and growth
CP8	Tower Hamlets’ Global Financial Business Centre and the Central Activities Zone
CP12	Creative and Cultural Industries and Tourism
CP17	Evening and Nigh Time Economy
CP30	Improving Quality and Quantity of Open Space
CP31	Biodiversity
CP33	Sites of Importance for Nature Conservation
CP37	Flood Alleviation
CP38	Energy Efficiency & Renewable Energy
CP39	Sustainable Waste Management
CP40	A Sustainable Transport Network
CP41	Integrating Development with Transport

	CP42	Streets for People
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP49	Historic Environment
	CP50	Important Views
Development Control Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	EE2	Redevelopment/Change of Use of Employment Sites
	RT4	Retail Development and the Sequential Approach
	RT5	Evening and Night –time Economy
	OSN3	Blue Ribbon Network and the Thames Policy Area
	CON1	Listed Buildings
	CON2	Conservation Areas
	CON3	Protection of World Heritage Sites
	CON5	Protection and Management of Important Views

5.5. Interim planning guidance: Tower Hamlets City Fringe Action Area Plan September 2007

Policies	CRF1	City Fringe Spatial Strategy
	CRF2	Transport and Movement
	CRF5	Open Space and Flooding
	CRF7	Infrastructure Capacity
	CRF15	Employment uses in St Katherine's Sub Area
	CRF17	Retail, evening and night-time economy in St Katherine's sub-area
	CRF18	Design and built form in St Katherine's sub area
	CRF19	Local connectivity in St Katherine's Sub Area

5.6. Supplementary Planning Guidance/Documents

Designing Out Crime
Landscape Requirements
Archaeology and development

5.7. **Government Planning Policy Guidance/Statements**

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG16	Archaeology and Planning
PPS22	Renewable Energy
PPG 25	Development and Flood Risk

5.8. **Community Plan**

The following Community Plan objectives relate to the application:

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

6. **CONSULTATION RESPONSE**

6.1. The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application initially. Those bodies affected by the amendments to the scheme have all been re-consulted on the revisions. The accompanying Environmental Impact Assessment has been amended three times to provide additional information and all the additional information has been subject to statutory publicity and public notification including press and site notices.

Greater London Authority (Statutory consultee)

6.2. At Stage 1, the Deputy Mayor advised that the lack of housing in the development does not comply with The London Plan policies 3B.3 and 5G.3 applying to the Central Area Zone but acknowledged that the scheme would make a significant contribution to an existing cluster of office activities. He added that the Mayor's draft City Fringe Opportunity Planning Framework identifies St. Katharine Docks as an area where a potential exception to London Plan mixed-use policy may be acceptable, subject to Tower Hamlets seeking a contribution, payable to the Council's Housing Department, towards off-site affordable housing or to fund estate renewal in the area. Conditions and / or obligations regarding the energy strategy, living roofs, additional cycle parking, a travel plan and training and employment initiatives were requested together with the following planning obligations recommended by Transport for London (TfL):

- A contribution of £150,000 to fund an additional signalised pedestrian crossing on East Smithfield immediately west of St. Thomas More Street.
- To improve access to bus services by the upgrading of 4 bus stops on East Smithfield and Tower Bridge Approach to TfL accessibility

standards at a cost of £10,000 per stop.

- The implementation of signage strategy focussed to and from the transport nodes in the area.

6.3. The overall design quality is high and will not adversely impact on the setting of St Katharine Docks and its listed buildings, Tower Bridge or the Tower of London. The proposed design and layout is compliant with London Plan design policies.

6.4. (Officer comments. The developer has agreed a financial contribution of £95 per sq. metre of additional office floorspace within the development. This is comparable with other recent major development permitted in the borough. Such a contribution would wholly fund the transport and pedestrian improvements requested by TfL and allow £71,820 towards either the provision of off-site affordable housing or for estate renewal in the area. The developer has also agreed to be party to the Council's Access to Employment scheme (previously Local Labour in Construction). The GLA has subsequently advised that such arrangements are satisfactory and make the development compliant with The London Plan policy for office development in the Central Area Zone). Conditions and / or obligations regarding the energy strategy, living roofs, additional cycle parking and a travel plan are recommended.

Government Office for London (Statutory consultee)

6.5. No representations received.

Secretary of State for National Heritage (Statutory consultee)

6.6. No representations received.

Natural England (Statutory consultee)

6.7. No comments.

Environment Agency (Statutory consultee)

6.8. No objection subject to conditions requiring the approval of details of landscaping, green roofs, surface and foul water drainage together with informatives regarding the future raising of statutory flood defence levels at St. Katharine Docks and applicable legislation administered by the Agency.

6.9. (Officer comments: Such conditions and informatives are recommended).

Adjoining London boroughs (statutory consultees)

6.10. The application originally proposed a replacement for Devon House (now deleted from the proposals) that projected into the Protected Vista of St Paul's Cathedral viewed from Greenwich Park. Following consultation with those boroughs lying along the vista, and with Southwark Council as an adjoining local planning authority, representations received are as follows:

London Borough of Greenwich (Statutory consultee)

6.11. No objection.

City of Westminster (Statutory consultee)

6.12. Does not wish to comment.

London Borough of Southwark (Statutory consultee)

6.13. No representations received.

London Borough of Camden (Statutory consultee)

6.14. No objection.

London Borough of Lewisham (Statutory consultee)

6.15. No representations received.

Corporation of London (Statutory consultee)

6.16. The proposals will not impact on the City. No objections.

English Heritage (Statutory consultee)

6.17. Advises that whilst the existing Commodity Quay respects the materials commonly found on warehouse buildings, it is otherwise an unremarkable building and no objection is seen to its demolition. The proposed new building has a similar bulk reflecting the scale of development traditionally found around the dock edge. The oak cladding proposed for both Commodity Quay and Tradewinds is inappropriate to the context of the urban dock environment. The night time view of the proposed Commodity Quay highlights the difference between architecture of solid walls and windows with a much more lightweight architectural vocabulary more often associated with the City rather than locations such as this. Considers the resulting architectural language is inappropriate in this particular context and the use of timber should be reconsidered. The language of the proposed altered Tradewinds does little to engender any greater sense of permanence or appropriateness than the existing building and does little to enhance the surrounding historic environment including views of the Dockmaster's house. Welcomes the elements aimed at increasing pedestrian access but expresses concern about the construction of the boardwalks around the West Dock as St. Katharine's was one of the first where the dock buildings were built directly on the edge of the dock walls and this is an important element of its architectural and historical significance. Where walkways are to be cantilevered over the dock itself, the design should be carefully considered. If planning permission and listed building consent are granted, conditions are recommended to:

- Require the approval of detailed drawings to establish that the means of the fixing of the proposed boardwalks ensures that the historic

significance of the warehouses being directly on the dock can still be recognised, and;

- Secure an archaeological investigation.

6.18. (Officer comments: Wood is currently used on a number of buildings in the Docks e.g. the Dickens Inn and Tradewinds as existing. Its use on Commodity Quay would be limited in extent. Suitably chosen and handled with appropriate detailing, it is considered suitable for both buildings in this location. The design of the new Commodity Quay and the alterations to Tradewinds is assessed in 'Material Planning Considerations' below. The boardwalks would result in significant improvements in pedestrian access, particularly the introduction of a walkway adjacent to International House. It is considered that the walkways are acceptable and would enhance the contemporary character and appearance of the West Dock. It is recommended that the requested conditions are adopted).

Historical Royal Palaces (Statutory consultee)

6.19. Pleased that the previously proposed residential tower has been omitted. Supports the proposal saying it will revitalise St. Katharine Docks, make them more attractive to visitors and improve the public realm around the eastward link from Tower Wharf.

Docklands Light Railway

6.20. No representations received.

Commission for Architecture and the Built Environment (CABE)

6.21. Supports the aims of the proposal and considers it has the potential to regenerate the area into a vibrant place for workers, residents and visitors. The improvements to the pedestrian access in the north west and south west corners are convincing, the remodelling of the ground floor plans of International House and the provision of new features is handled sensitively. Supports the provision of boardwalks around the dock but considers they could be wider and thought of as a space rather than a route with a clearer public realm strategy. Supports the use and form of the proposed Commodity Quay replacement. The nocturnal views and the assessment of the boardwalks on the extent and appearance of the West Dock do not change CABE's views on the scheme. Advises that success will depend on materials and detailing.

6.22. (Officer comments. The boardwalks would be approximately 2.5 metres wide on the south side of the West Dock and alongside International House. Adjacent to Commodity Quay the boardwalk would be approximately 3.3 metres wide to align with the existing walkway at Tower Bridge House. These arrangements would significantly improve pedestrian access around the West Dock and are considered satisfactory).

Thames Water Plc

6.23. No objection regarding water infrastructure.

Metropolitan Police

- 6.24. No objection in principle. The new buildings should obtain 'Secured by Design' standards and bicycle stands should be designed to deter seating.

BBC Reception Advice

- 6.25. No representations received.

London Fire and Emergency Planning Authority (LFEPA)

- 6.26. Advises the development would not impinge on water hydrants. Satisfied that the revised siting of Tradewinds would allow access to the docks by fire appliances.

Pool of London Partnership (now defunct)

- 6.27. Considered the scheme overcomes previous concerns and would contribute to the on-going regeneration of the area. Requested that all existing public art and signage remain or be relocated. Suggested a package of section 106 obligations to support projects outlined in the Pool of London Public Realm Framework Strategy.
- 6.28. (Officer comment. It is recommended that the former Partnership's requests for planning obligations are adopted where they accord with the Government's advice in Circular 5/2005 – see paragraphs 8.48 to 8.54 below).

Port of London Authority

- 6.29. No objection in principle. Recommends a condition requiring an assessment of the practicality of using the Thames to transport construction material.
- 6.30. (Officer comments: A head of agreement is recommended to require the developer to adhere to the Council's Code of Construction Practice. This will ensure that construction and demolition and materials are transported to and from the site as efficiently as possible and accord with the mitigation set out in the Environmental Statement).

British Waterways

- 6.31. Advises the site is outside British Waterways jurisdiction.

Environmental Health and Protection

- 6.32. Advises that noise and vibration, micro climate (wind) and sunlight / daylight would all be satisfactory. Recommends that any planning permission is conditioned to secure decontamination of the area to be redeveloped, the approval of a Construction Phase Management Plan and details of the means of fume extraction from Class A3 and A4 uses in International House and Tradewinds.

- 6.33. (Officer comment: Appropriate conditions are recommended. A recommended head of agreement requires the developer to adhere to the Council's Code of Construction Practice).

Traffic and Transportation

- 6.34. Advises that there are no implications for traffic conditions on the public highway. The site is within walking distance of various key transport interchanges and there are no objections in principle. The level of parking provision would be acceptable and the disabled parking spaces meet the required minimum standard. The servicing of Commodity Quay from the existing loading bay at the western end of the building would be satisfactory. The revised servicing arrangements for International House would require a section 278 agreement with the Council to fund the alterations to the public highway. As originally proposed, the siting of Tradewinds would have resulted in pedestrians being unacceptably forced off the dedicated footway onto St Katharine's Way. A footway of 2 metres minimum width should be provided and the carriageway should be a minimum of 3.7 m to facilitate access by fire appliances.
- 6.35. (Officer comments: The scheme has been amended by repositioning the northern façade of the Tradewinds building to ensure the provision of a dedicated 2 metres wide pedestrian footway on St. Katharine's Way and a vehicular carriageway a minimum of 3.7 metres wide. Conditions are recommended to ensure that this arrangement is provided and maintained and to secure the funding of the necessary alterations to the public highway required for the proposed servicing arrangements for International House).

Cleansing

- 6.36. No representations received.

Corporate Access Officer

- 6.37. Satisfied with the access arrangements proposed by the amended scheme.

Landscape Development Manager

- 6.38. No comments received.

Energy Officer

- 6.39. No objection in principle subject to final details of energy efficiency measures being approved.

Design and Conservation Area Advisory Group

- 6.40. Considers the design of Commodity Quay is neither sufficiently strong nor distinctive enough and should relate more to the historic character of the area with a more industrial 'Docklands' feel. The building should be in brick, provided with a squared off top rather than a recessed top floor to give a stronger feel in

keeping with historic antecedents, with the plant floor integrated rather than perched on top.

- 6.41. (Officer comments. Whilst a brick building could be suitable, this does not preclude the use of other materials. The architecture proposed for the new Commodity Quay is considered well proportioned and the rhythmic facade would be a significant improvement on the blank elevations and large expanses of blackened glass of the existing building. Amendments have been made to the plant enclosure at ninth floor level. Whilst it would still sit on top, the enclosure is marginally stepped / set back on its east and west elevations. A squared off top floor would increase the bulk of the building which is considered undesirable. It is also now proposed that the enclosure is articulated in a similar architectural style to the rest of the building which would remove the dominance of the louvres on the external elevations and better integrate the plant enclosure with the building).

7. LOCAL REPRESENTATION

- 7.1. A total of 1,277 neighbouring properties within the area shown on the map appended to this report were notified about the applications and invited to comment. The applications have also been publicised in East End Life and on site. All the neighbouring properties initially notified, together with the groups that made representations, have been re-consulted on the revised scheme. The revisions have also been re-advertised on site and in East End Life. The three sets of additional information amending the Environmental Statement have also been subject to statutory publicity and consultation with neighbours and local groups. The number of representations received from neighbours and local groups in response to the 1st and subsequent rounds of publicity is as follows:

No of individual responses:	Objecting:	Supporting:	
1 st publicity round:	64	63	1
2 nd , 3 rd & 4 th publicity rounds including consultation on additional ES information:	59	59	0
No. of petitions received:	0		

- 7.2. Material representations from neighbours may be summarised as:

- The existing Commodity Quay is appropriate to the dock, complements the Ivory House and should be retained, redesigned and refurbished. Demolition unnecessary and a waste of resources.
- The design for the replacement Commodity Quay does not reflect the historic dockside character and the provenance of the former warehouse arrangement. It is incongruous, bland, clumsy, over-dominant and out of proportion with excessive height and bulk. It would destroy not preserve or enhance the character and appearance of the conservation area nor attract visitors to the docks. The scheme fails to pay regard to

fundamental architectural principles of scale, height, massing, alignment advocated by PPG15. Whilst the elevations could be attractive, they should be broken up with more rhythm. The proposed materials of glass and steel are inappropriate and timber cladding is unsuitable for buildings facing the Thames and a historic site close to the Tower of London. Brick should be the predominant facing material.

- The new Commodity Quay would diminish the dominance, setting and appearance of the listed Ivory House, the central feature of the docks. Due to bulk, it would adversely affect the setting of the perimeter wall and the elephant gates on East Smithfield; match the inappropriate design of the glass Tower Bridge House adjoining and fail to harmonise with City Quay.
- Whilst the proposal would look lighter on East Smithfield, the extra mass and closeness would add to the existing canyon effect.
- Light pollution from the new Commodity Quay would result in the building having an overpowering presence at night. No adequate Night Time Assessment has been made.
- The scheme amounts to architectural vandalism that would diminish St. Katharine's sense of place with no anchorage in the heritage and character of neighbours.
- The information contained in the Environmental Statement regarding mitigation for pedestrian access during the construction phase is confusing, inconsistent and inadequate.
- Underground parking at Commodity Quay would exacerbate traffic difficulties on East Smithfield. (Officer comment: No basement car parking is proposed).
- Traffic increase in a congested area will add to general malaise.
- Increased pollution.
- Further offices are unnecessary at St. Katharine Dock and will distort the balance between the working and resident population. Uncontrolled commercialism will ruin national heritage sites.
- Loss of existing office employment.
- More bars / restaurants in the ground floor of Commodity Quay would result in servicing difficulties, create noise and disturbance and be detrimental to the vitality of the west piazza. (Officer comment: No bars or restaurants are proposed in the ground floor of Commodity Quay).
- Loss of views of the NatWest Tower from the East Dock.
- The extension to International House and the lift for disabled, with dubious utility, would adversely affect views of the Tower of London from the docks, result in the loss of existing trees and reduce the size of the piazza.
- The proposed landscaping, with seating outside the Dickens Inn and Marble Quay, is unnecessary, could result in disturbance and should not be used for eating and drinking. Insufficient details of the proposed landscaping.
- Tradewinds does not need alteration and the revised siting would leave insufficient space for pedestrians and create a hazard. The design is too 'squared off,' the materials and increased height would not preserve or enhance the character of the docks. The facades of any new construction should incorporate the materials and style of the historic

dock in which glass forms no part, evidenced by the inconsistency and obtrusiveness of Tower Bridge House. The building would be too bulky with an inappropriately shaped sloping roof more appropriate to a ski chalet. It would adversely affect the setting of the Dockmaster's House, impede views of Tower Bridge from the Central Dock and the Ivory House from the South Bank and would no longer provide a meaningful relationship with the dock entrance.

- There are already sufficient shops in the area.
- The new boardwalks would detract from the character of the dock, reduce the visible water area and leave it ripe for redevelopment. They would be noisy, difficult to use in frosty weather and unsuitable for wheelchairs or wheeled bags. The walkways should be set off the listed dock walls.
- Loss of the colonnaded walkway at Commodity Quay. Officer comment: A new colonnaded walkway is proposed.
- The development would not benefit the residents of St. Katharine's Way. It would introduce noise and more late night venues in a unique, tranquil, primarily residential haven that already has adequate facilities.
- The applicants are trying to use the development as a 'benchmark' for future applications in the dock and using Tower Bridge House as a precedent to justify the current scheme. If planning permission is granted, it will lead to equally insensitive schemes for Devon House, International House and St. Katharine's Point (the deleted residential tower). The redevelopment of the Tower Hotel would then be able to feed into the further destruction of this unique popular haven on the edge of the City and vital part of the Tower Conservation Area. Only high quality and sympathetic development should be accepted in the dock to preserve its unique value.
- There should be a master plan for the docks otherwise creeping piecemeal redevelopment will destroy the character and appearance of the dock and its conservation area status.
- The docks will be a major tourist destination during the London Olympics and the development would have a negative impact on the trade and look of the area.
- Information on light pollution, the impact of the widening the boardwalks on the West Dock and pedestrian arrangements during construction remain inadequate.
- Given English Heritage take fundamental design issues with all three applications, any approvals could be liable to judicial review. Officer comment: All representations including English Heritage's advice are included in this report. Any judicial review could only be on faults in the processing of the applications. The merits of the proposals could not be subject to challenge unless the Committee's decision was so unreasonable that no reasonable Committee could have come to that decision.

7.3. The provision of the new boardwalks, the proposed additional shops, the creation of the north and south gateways and the alterations to Tradewinds were supported by most respondents following the initial round of public consultation. The letter in support of the applications opines that the scheme

would greatly enhance St. Katharine Docks, significantly improve the public realm and help create a sustainable community.

7.4. Non-material objections from neighbours may be summarised as:

- The developers are seeking piecemeal reconstruction to maximise the value of the docks prior to resale.
- If permitted, the proposal would set a disastrous precedent for other conservation areas.
- Noise and disturbance during construction work
- There should be no topless bars.

7.5. The following local groups/societies made representations:

Hermitage Environment Group

7.6. Considers the redevelopment of Commodity Quay not well thought out. Disruption and hardship during rebuilding.

7.7. (Officer comments. Disturbance and hardship during construction are not valid reasons to refuse planning permission. Conditions to control construction hours and a requirement for the developer to adhere to the Council's Code of Construction Practice are recommended. The Council's Environmental Protection Department also have power to control statutory nuisance).

Sandwich Local History Group

7.8. The remaining traditional dockside buildings, particularly Commodity Quay, are an outstanding feature. It is essential that these be retained and cherished. The proposed steel framed building is out of character and would diminish the architectural value of this dockland treasure.

7.9. (Officer comment. Commodity Quay was completed in 1985 and is not one of the original traditional dockside buildings. The proposed replacement is considered an appropriate design for the dockside).

President's Quay Limited

7.10. Welcomes the removal of the residential tower previously proposed and the improved pedestrian facilities, particularly the accessibility of International House. Objects to the elevational treatment of the replacement for Commodity Quay. Considers new buildings must reflect the robust, historic character of this dockside area. The proposed design appears a fashionable solution that could be anywhere.

7.11. (Officer comments: The replacement for Commodity Quay is considered an appropriate design for the dockside and a significant improvement compared to the design of the existing building).

Friends of St Katharine Docks

7.12. Considers the proposals would fail to preserve or enhance the character or appearance of the conservation area as follows:

- Commodity Quay. The existing building makes a positive contribution to the character and appearance of the conservation area and should be retained and converted. Demolition would be a waste of resources. The design and materials for the replacement building, including its height bulk with extensive use of glass, do not accord with the brick built warehouse style buildings that define the character and appearance of the dock both of which would be destroyed. Fundamental architectural principles are ignored. The building would not be in harmony with City Quay, dwarf the Ivory House and obliterate views of the NatWest Tower from the East Dock. The setting of the listed Ivory House and perimeter wall on East Smithfield would be adversely affected. At night, the building would have an overpowering presence. Light diffusion through the glass curtain wall would reduce the surroundings to insignificance and diminish the status of the Tower of London World Heritage site. There has been no Night Time Assessment. Design standards should be much higher with a more imaginative response to the challenge of building in such a place than the present elephantine and prosaic design manifests.
- Tradewinds. The design and materials (employing much glass) with increased height and bulk would detract from the character of the area, the setting of the Dockmaster's House, be destructive of the docks special atmosphere and obstruct views of Tower Bridge from the Central Dock. The sloping "green roof" would destroy the view of the Dockmaster's House and overwhelm it as an architectural attraction. The re-siting of the building with the loss of the pedestrian footway would be a hazard.
- Boardwalks. Concerned about further encroachment into the water area.
- Landscaping outside Dickens Inn. Inadequate details provided. The provision of seats could encourage contravention of the licences granted by the Licensing Magistrate for the Dickens Inn and the adjacent Marble Quay restaurant.
- Piecemeal redevelopment without a master plan.
- The applicant has not responded to the architectural appraisal commissioned by City Quay Management Company Ltd (see paragraph 7.26 below).

7.13 The Friends alleged inaccuracies in the initial Environmental Statement Non-Technical Summary, consider local consultation inadequate and concerned about disturbance during construction, including disruption to pedestrian arrangements, adverse impact on existing shops and television reception.

7.14. (Officer comments: English Heritage advises that Commodity Quay is an unremarkable building that makes little contribution to the character and appearance of the conservation area. That opinion is shared. The design and scale of the proposed new building is considered appropriate to the dock edge.

The proposal is supported by Historic Royal Palaces and is not considered to diminish the status of the Tower of London World Heritage Site.

- 7.15. The alterations to 'Tradewinds' are also not considered to harm the character or appearance of the conservation area or cause a detrimental impact on the setting of the Dockmaster's House. It is a clean lined design making no historic references and is considered appropriate given the mix of old and new architecture at this location. The building would have little impact on Tower Bridge and the World Heritage Site with views not adversely affected. The provision of a "green" or "living roof" has been requested by both the Greater London Authority and the Environment Agency and it is not considered that this feature would adversely affect the setting of the Dockmaster's House. The scheme has been amended to provide a 2-metre wide dedicated pedestrian footway on St Katharine's Way adjacent to Tradewinds.
- 7.16. It is recommended that any planning permission is conditioned to require the approval of final details of landscaping and to prevent the open area adjacent to the Dickens Inn and Marble Quay being used for the consumption of food or drink served from those establishments.
- 7.17. The Environmental Statement has been revised three times with additional information provided following independent reviews and comments from local residents and groups. The "local consultation" referred to appears to be the exercise undertaken by the applicant. The Council's publicity has been extensive and far exceeded statutory requirements. The proposed replacement of Commodity Quay is of similar height to the surroundings and the Environmental Statement concludes that the development would have negligible impact on television and radio transmissions with both within acceptable reception limits for both analogue and digital signals. No comments have been received from BBC Reception Advice. Disturbance during construction are not valid reasons to refuse planning permission. Conditions to control construction hours and a requirement for the developer to adhere to the Council's Code of Construction Practice are recommended. In addition, the Council's Environmental Protection Department have power to control statutory nuisance. The additional information supplementing the Environmental Statement has clarified proposed arrangements for pedestrians during the construction period).

Tower Bridge Wharf Management Company Limited

- 7.18. The proposals would not add any intrinsic value to a major tourist attraction and working community in the heart of London. The scheme is an attempted desecration. No reason for demolition. Additional shops unnecessary.
- 7.19. (Officer comments. The additional shops and restaurants would serve tourists, the local residential and working population together with the evening and night time economy. Such uses are supported by the Council's planning policies for St. Katharine Docks. The demolition of Commodity Quay is considered justified as the exiting building makes little contribution to the character and appearance of the Tower Conservation Area).

City Quay Management Company Limited

- 7.20. The scheme will cause serious harm to the settings of the listed Ivory House and the Dockmaster's House. A grant of planning permission would be contrary to the Council's statutory obligation to have special regard to the desirability of preserving or enhancing the listed buildings and their settings
- 7.21. The development will also cause serious harm to the Tower Conservation Area and a grant of planning permission would be inconsistent with the Council's statutory obligation to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated area.
- 7.22. The existing Commodity Quay makes a positive contribution to the conservation area. The design of the new buildings is very poor and the proposed height, massing, scale, detailing and materials are all inappropriate. The building will overshadow City Quay. The proposed buildings will be incongruous and jarring elements within the setting of the important listed buildings in and around the docks and will compound the harm which Tower Bridge House has done in terms of visual and heritage impacts. The proposed buildings do not conform to the architectural grammar that is vital to the site's dockside location. Commodity Quay would be over-dominant and incongruous in juxtaposition to the listed Ivory House. The proposed facing materials bear no relationship to the buildings alongside with brutal rectilinear geometry. Timber cladding is alien to the context and will degrade. If the building proceeds, the entire north side of the West Dock would be predominantly glass. The listed wall on East Smithfield will become an anomalous irrelevance as Commodity Quay would be over-dominant and incongruous. East Smithfield would be turned even more into a canyon-like thoroughfare.
- 7.23. The Environmental Statement is flawed and fails to satisfy the requirements of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1999. In relation to the Conservation, Townscape and Visual Assessment (Volume 2 of the ES), as well as in the Design and Access Statement, there is a lack of professional independence and objectivity in the purported scheme description and assessment, to the extent that those documents are unreliable as a basis for determining the applications.
- 7.24. The new Commodity Quay at night will be a glaring intrusion into the tranquillity of the eastern basin; it will extend the harm that is presently caused by the K2 building (Tower Bridge House) primarily in the Western Basin and to a slightly lesser extent in the Central Basin. The Eastern Basin is largely isolated from the K2 building's glare by the present Commodity Quay. This will seriously harm the conservation area. The proposed building will extend into the Eastern Basin the light pollution presently caused by the K2 building in the Western and (to a lesser extent) the Central Basin and it will also reduce the tranquillity of the Eastern Basin. Such tranquillity makes a highly positive contribution to the character of the modern docks (and therefore the conservation area) this is a serious matter to which special attention must be given under section 72 of the Listed Buildings Act 1990 and the guidance in PPG15. Nowhere in the assessment documents which support this application is this impact on tranquillity addressed or assessed. Due to light glare, granting planning permission will cause serious harm to this conservation area and the setting of

listed buildings, including:

- The Ivory House
- The Dockmaster's House
- The listed dock structures
- The perimeter walls on east Smithfield.

Committee Members are requested to undertake a night time site visit.

7.25. City Quay Management Company Ltd adds that the walkways will make the water area (an essential aspect of the docks) much smaller. The Environmental Statement says:

"The water resource and the views between the docks offer a considerable important resource for the estate generally. Any reduction in the extent of water would have a severe impact upon this resource and upon the historic nature of the estate."

It is perverse of the applicants to characterise the visual and heritage impacts of the encroachment of the new and extended boardwalks onto the water as "moderate beneficial" and/or "entirely beneficial". The floor plate of Commodity Quay is far too deep for the use proposed and it would be possible to provide the pedestrian concourse along the northern edge of the western dock without a boardwalk.

7.26. City Quay Management Company Ltd has commissioned an 'independent' architectural opinion of the development. In summary, the design deficiencies in the proposed buildings are said to be an overall absence of respect for the historic and cultural context revealed by:

- the inappropriate choice of materials and fenestration,
- excessive bulk,
- a mean colonnade.

City Quay Management Company Ltd adds that the independent architectural report reinforces concerns as to how poorly the development would function in terms of pedestrian flows to the north of the western dock. It is recommended that a master plan for the docks be developed as a precursor to specific proposals. The increased vitality that additional retail space might bring is welcomed but, due to marginal viability, fear is expressed that this will result in business failures with depressing empty shop fronts.

7.27. An additional representation has been received on behalf of City Quay Management Company Limited regarding the recommended conditions. It is said these should be consistent with the EIA documentation and/or the committee report.

7.28. (Officer comments. The Listed Building and Conservation Areas Act does not place a duty on local planning authorities to have special regard to the desirability of "enhancing" listed buildings or their settings. The Council's duties

require special regard to be given to the desirability of “preserving” listed buildings (the Ivory House, the Dockmaster’s House, the dock walls, bollards etc) including their settings, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Provided those duties are fulfilled, any approvals arising from these applications would be lawful in those respects.

7.29. The opinion on the architectural merits of the existing Commodity Quay is not shared by officers or English Heritage. As explained in ‘Material Planning Considerations’ below, it is considered that the building make little positive contribution to the character or appearance of the conservation area. It is also considered that the replacement for Commodity Quay and the extended Tradewinds, would be architecturally superior to the existing buildings, appropriate to the dockside, not adversely affect the setting of listed structures and would preserve and enhance the character and appearance of the conservation area. The materials proposed are also in principle considered suitable for the docks. City Quay would not be overshadowed. In its initial representation on the applications, City Quay Management Company Ltd noted that there “are some positive aspects to the proposals (such as the new and improved pedestrian routes around the Western Dock)”. The proposed colonnade walkway at Commodity Quay would be approximately 2 metres wide compared to 1.7 metres as existing. In addition, a 3.3 metre wide boardwalk would provide for pedestrian flow along the north of the West Dock, aligning and connecting with the existing walkway at Tower Bridge House. Facilities for pedestrian flows to the north of the Western Dock would undoubtedly be enhanced. There is no statutory requirement for a master plan for the docks to be prepared for the Council’s approval.

7.30. The Environmental Statement has twice been independently reviewed and the developer has provided additional information following three statutory requests. This includes information requested by City Quay Management Company Ltd and now includes a Night Time Assessment and an Assessment of the Impact of the boardwalks on the extent and appearance of the West Dock. Officer comments on these matters are made in “Material Planning Considerations” below. Overall, it is considered that the information provided within the Environmental Statement, supplemented by the additional information, is sufficient to enable statutory bodies, the public and the Council to assess the environmental effects of the development and constitutes an Environmental Statement with the requirements of Schedule 4 of the Regulations met).

7.31. It is considered that the draft conditions summarised above are consistent with the EIA documentation and this report. Nevertheless, officers would be happy to work with the applicant and City Quay Management Company Ltd to ensure that the final wording is acceptable to all parties as far as reasonably practical.

7.32. **The London Society**

The proposals are an improvement over the earlier application. No objections, except to the rebuilding of Commodity Quay. The existing Commodity Quay is “not a great building” but contributes to the general enclosure of the dock in an

inoffensive way. It follows the vocabulary of most of the C20th rebuilding of St. Katharine's and the principle C19th warehouse which survives, it being a masonry structure with window openings. This vocabulary suits the dock and it is not believed that a replacement with much more glass is appropriate. The judgement in the Environmental Assessment that the replacement building will be environmentally beneficial is not accepted.

7.33. (Officer comment. It is agreed the existing Commodity Quay satisfactorily encloses the dock. The proposed new building would maintain that relationship. The important issue raised by the Society is whether the new building would preserve or enhance the character and appearance of the Tower Conservation Area. Detailed comments on this issue are made at paragraphs 8.14-8.28 and 8.23 below. Within the context of the conservation area, as explained, officers consider that the proposed replacement building would be architecturally superior to the existing Commodity Quay, would both preserve and enhance the character and appearance of the designated area and preserve the setting of adjoining listed buildings particularly the Ivory House).

7.34. **The Guoman Tower Hotel**

Strong support. The proposals can only be a good thing for the area, compliment the hotel, create jobs and enhance the visitor profile. The improvements to the South West Gateway with the relocation of the existing service area and increased public access to quay level are particularly welcomed. Fully supports the proposed boardwalks and the improvements to the North West Piazza which will provide a more attractive and welcoming approach to the docks.

7.35. Following consultation, no representations have been received from South Quay Residents Association, South Quay Management Organisation, Tower Bridge Wharf Residents Association, Hermitage Waterside Residents Association and Stephen and Matilda Tenants Association.

7.36. The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

8. MATERIAL PLANNING CONSIDERATIONS

8.1. The main planning issues raised by the applications that the Committee must consider are:

- Proposed land use.
- The demolition of Commodity Quay.
- Urban design, alterations to and the preservation of the setting of listed buildings and whether the character and appearance of the Tower Conservation Area would be preserved or enhanced.
- Access and servicing arrangements.
- Landscaping.
- Sustainable development/ renewable energy.
- Planning obligations.

Land use

- 8.2. The Proposals Maps of both the Tower Hamlets Unitary Development Plan 1998 and the Council's Core Strategy and Development Control interim planning guidance 2007, designate St. Katharine Docks as lying within the Central Area Zone (CAZ). On the Spatial Strategy Diagram of the Council's City Fringe Action Area Plan 2007, which has also been adopted as interim planning guidance, the Western Dock and Central Basin are shown as a "Preferred Office Location, a Tourist Focus Area and an area for Evening and Night Time Focus."
- 8.3. UDP policy CAZ1 encourages 'Central London Core Activities' including headquarter offices within the CAZ. UDP policy CAZ4 seeks to ensure that development maintains and enhances the varied and special character of the CAZ and contributes positively to social vitality, particularly at ground floor level as proposed. Particular emphasis is to be given to maintaining a balance of uses. The introduction of shopping at quay level within the new Commodity Quay would assist in achieving that objective.
- 8.4. UDP policy DEV3 encourages mixed-use developments subject to the character and function of the surrounding area and policy EMP1 encourages employment growth by the upgrading and redevelopment of sites already in employment use such as Commodity Quay. Again the development complies.
- 8.5. Core policy CP7 of the Core Strategy and Development Control interim planning guidance 2007 seeks to bring investment into the borough to safeguard and enhance job numbers with a sustainable mix of employment uses. Core policy CP8 directs major office development to the City Fringe, safeguards the western part of St. Katharine Docks as a preferred office location and promotes office development and retail uses within the CAZ. Core policy CP12 says that the Council will particularly encourage new entertainment and tourist facilities in the identified tourist focus area of St. Katharine Docks as proposed.
- 8.6. Policy EE2 'Redevelopment/Change of Use of Employment Sites' of the Core Strategy and Development Control interim planning guidance 2007 supports redevelopment of employment sites where, as proposed, there is evidence of intensification of alternative employment uses on the site and where the retention or creation of new employment opportunities which meets the needs of local residents are maximised.
- 8.7. Referring to "special uses" such as restaurants, public houses and wine bars, UDP policy S7 says that consideration will be given to the amenity of neighbours, on-street parking, traffic flow and ventilation. Policy RT4 of the Core Strategy and Development Control interim planning guidance 2007 supports proposals for retail and related town centre uses in the borough's neighbourhood centres such as St. Katharine Docks. Policy RT5, referring to the evening and night time economy, requires consideration to be given to the proximity of residential accommodation, cumulative impact and mitigation measures. In those respects, St. Katharine West Dock is primarily commercial in character. Both International House and Tradewinds are relatively remote

from residential accommodation (save the Dockmaster's House) and no planning reason is seen to preclude an element of Class A3 (Food and drink) and / or A4 (Drinking establishments) within those buildings. Indeed Tradewinds is already used for such a purpose. Such uses would have little or no impact on traffic flow, no parking difficulties are envisaged and conditions are recommended to ensure adequate ventilation. The proposed ground floor Class A1 (Shops) in both Commodity Quay and International House also accord with both statutory and emerging shopping policy.

- 8.8. Policy CRF1 'City Fringe spatial strategy' of the City Fringe Action Area Plan interim planning guidance 2007 again promotes major office development, leisure, tourism and retail development in the City Fringe and the CAZ as proposed.
- 8.9. Whilst offices are not a priority use for land alongside the Blue Ribbon Network or the docks (The London Plan 2008 policies 4C.6 and 4C.23), policy 3B.1 of The London Plan seeks to develop London's economy and policy 3B.2 seeks the renewal of existing office stock in line with policies to increase and enhance quality and flexibility, and maximise the intensity of development. The proposal meets those policies, the existing Commodity Quay providing 19,069 sq. m of offices that would be redeveloped by 23,373 sq. m of offices and 2,951 sq m of shops. Providing a mix of uses, the scheme also complies with The London Plan policies 3B.3 and 5G.3 which support increases in office floorspace in the CAZ, except that no residential accommodation is proposed as advised by the Deputy Mayor at Stage 1 referral.
- 8.10. Overall, it is considered that the redevelopment of Commodity Quay for offices and shopping, the introduction of shopping and food and drink uses at quay level of International House and the minor expansion of the 'Tradewinds' (River Lounge) restaurant meet the land use policies of The London Plan 2008, the Council's UDP 1998, the Core Strategy and Development Control interim planning guidance 2007 and the City Fringe Action Area Plan 2007. The developer has agreed a contribution towards either the provision of off-site affordable housing or for estate renewal in the area to meet The London Plan's mixed use policy and the GLA is now satisfied in that respect.

Demolition of Commodity Quay

- 8.11. In determining the application for conservation area consent for demolition, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Tower Conservation Area.
- 8.12. UDP policy DEV28 says that proposals for the demolition of buildings in conservation areas will be considered against the following criteria:
1. The desirability of preserving or enhancing the character or appearance of the area;
 2. The condition of the building;
 3. The likely costs of repair or maintenance of the building;
 4. The adequacy of efforts to maintain the building in use; and

5. The suitability of any proposed replacement building.

- 8.13. Policy CON2 3 of the Council's Core Strategy and Development Control interim planning guidance 2007 says that applications for the demolition of buildings that make a positive contribution to the character and appearance of a conservation area will be resisted. Exceptionally, applications will be assessed on:
- a) The importance of the building, architecturally, historically and contextually;
 - b) The condition of the building and estimated costs of repair in relation to its importance, and to the value derived from its continued use;
 - c) The adequacy of efforts made to retain the building in use; and
 - d) The merits of any alternative proposals for the site.
- 8.14. National advice in PPG15: Planning and the historic environment, requires local planning authorities when exercising conservation area controls to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. This is said to be the prime consideration in determining a consent application for demolition. Account should be taken of the part played in the architectural interest of the area by the building for which demolition is proposed, and in particular of the wider effects on the building's surroundings and on the conservation area as a whole.
- 8.15. The Government also advises that the general presumption should be in favour of retaining buildings that make a "**positive contribution**" to the character or appearance of a conservation area. Such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. In less clear-cut cases – for instance, where a building makes "**little or no such contribution**" – the local planning authority must have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.
- 8.16. The Tower Conservation Area was designated in March 1977. It is one of the largest and most significant conservation areas in Tower Hamlets and encloses buildings and sites of national and international importance. It has two distinct character areas – the Tower of London itself to the west, and the area around St. Katharine Docks to the east. It is an area of exceptional architectural and historic interest, with a character and appearance worthy of protection and enhancement.
- 8.17. Commodity Quay was completed in 1985. It is constructed of red brick with Portland stone banding. Its northern face along East Smithfield is bleak. Its southern (dockside), eastern and western façades borrow from the semicircular arcading of the Ivory House but transformed into a clumsy 'fake-warehouse' style with overbearing, gigantic window detailing with blackened glass. Whilst the siting and mass of the building provides a suitable enclosure to the West Dock, the building itself is considered to provide little positive contribution to the character and appearance of the conservation area. Its main historical significance is that it formed part of Taylor Woodrow's 1970's master plan for St. Katharine Docks and thus forms an integral part of the first post-War

regeneration scheme of a redundant dockyard in the United Kingdom. However, it is considered that this does not outweigh the poor design of the existing Commodity Quay.

- 8.18. English Heritage advises that “the existing Commodity Quay is an unremarkable building and no objection is seen to its demolition”. That opinion is shared and, provided the Committee agrees that the proposed replacement building would preserve or enhance the character and appearance of the conservation area, no objection is raised to the demolition of the existing building.

Urban design, setting of listed buildings and effect on the character and appearance of the Tower Conservation Area

- 8.19. As well as the duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area; section 66 of the Act places a further duty on the Council, in determining whether to grant planning permission for development which affects the setting of a listed building, to have special regard to the desirability of preserving the setting of the listed building. Section 16 of the Act also requires the Council, in its determination of the application for listed building consent, to pay special regard to the desirability of preserving listed buildings or their settings.

- 8.20. The applicant’s stated development strategy is to raise the profile of St. Katharine Docks and make them more visible and accessible. Significant changes are planned at both the South West and North West Gateways to improve pedestrian access. Commodity Quay would be the most significant new building affecting the setting of the Ivory House and the other listed features within the Docks. Other smaller alterations include:

- A piazza extension to International House at the North-West Gateway.
- Alterations to International House at quayside level comprising the installation of shop fronts, a new a new double height main entrance, the reconfiguration of servicing arrangements and erection of canopies.
- Alterations and extension to ‘Tradewinds’ that affect the setting of the listed Dockmaster’s House and the other listed features within the Docks.
- New boardwalks around the listed western, northern and southern edges of the West Dock.

- 8.21. The London Plan policy 4B.1 ‘Design principles for a compact city’ seeks to ensure that new development maximises site potential, enhances the public realm, provides a mix of uses, are accessible, legible, sustainable, safe, inspire, delight and respect London’s built and natural heritage. Policy 4B.2 seeks to promote world-class high quality design by encouraging contemporary and integrated designs and policy 4B.5 requires development to create an inclusive environment. Policies 4B.10, 4B 12 and 4B.14 require large scale buildings to be of the highest quality with boroughs required to ensure the protection and enhancement of historic assets including World Heritage Sites.

- 8.22. Tower Hamlets UDP policy DEV1 requires all development proposals to be sensitive to the character of the area in terms of design, bulk, scale and materials, the development capabilities of the site, to provide for disabled people and include proposal for landscaping.
- 8.23. Policy DEV1 of the Council's Core Strategy and Development Control interim planning guidance 2007 requires development to protect, and where possible improve the amenity of surrounding building occupants and the public realm. Policy DEV2 requires development to take into account and respect the local character and setting of the site including the scale, height, mass, bulk and form of development, to preserve and enhance the historic environment and use appropriate materials.
- 8.24. At paragraph 43 of PPS1: Delivering Sustainable Development, the Government advises:
- “Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.”*
- 8.25. At paragraph 2.14 of PPG15: Planning and the historic environment, national policy advises that the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart but are woven into the fabric of the living and working community. The advice says that this can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. It is emphasised that this does not mean that new buildings have to copy their older neighbours in detail but together should form a harmonious group.
- 8.26. It is considered that the massing and height of the new Commodity Quay (quayside with eight upper floors), whilst greater than the existing building, would provide a well modulated replacement that would not impact adversely on the character or appearance of the conservation area. The architecture, with its well proportioned and rhythmic façade, is considered an improvement on the blank elevations and large expanses of blackened glass of the existing building. Whilst the new building would have a greater mass, particularly when viewed from the East Basin and East Smithfield, this would be offset by the superior design with an added contribution to St. Katharine's sense of place. Equally, although local residents express a different opinion, it is considered that the views across, and the character of the West Dock, would be enhanced by a building that would provide improved continuity with Tower Bridge House to the west.
- 8.27. The new Commodity Quay would comprise a painted steel exoskeleton in filled with glass and horizontally boarded European Oak with projecting balconies and brise soleil on the dockside elevation. At quay level, the retail facade would be arcaded with pre-cast concrete columns. Comment has been made about the

use of wood on the elevations. This is a material currently used on a number of buildings in the docks e.g. The Dickens Inn and Tradewinds and, handled with appropriate detailing, is considered suitable in this location. As mentioned, the 9th floor plant enclosure has been amended to articulate in a similar architectural style to the rest of the building. This would remove the dominance of the louvres on the external elevations and better integrate the plant enclosure with the building. The Greater London Authority advises that the proposed building *"is designed to a high standard"* and CABE supports the form of the new Commodity Quay, albeit advising that success will depend on materials and detailing.

- 8.28. The listed Ivory House is the centre-piece of St. Katharine Docks. It is not considered that the replacement Commodity Quay would have a harmful effect on its setting; indeed the juxtaposition between the two buildings would be improved. The architectural objective is to promote a dockside aesthetic and to provide a strong sense of place whilst preserving the setting of the listed building. The existing listed dock wall to East Smithfield would be protected and given a better setting than the current bleak, dead frontage. The listed buildings around the Royal Mint on the opposite side of East Smithfield are some distance from Commodity Quay and their setting would be preserved. The setting of the listed dock walls and bollards within the docks would also be preserved.
- 8.29. The alterations to International House, involving the installation of shop fronts with a new pedestrian entrance and canopies at quay level where there is no public access at present, are considered beneficial and largely uncontroversial save for the proposed new boardwalk (see below). The single storey extension to International House, the canopy and new pedestrian steps at the North West Gateway would result in an active frontage at this location and are considered satisfactory. Set below the level of St Katharine's Way, the extension would not disrupt the view of the Tower of London from the West Dock. An originally proposed entrance feature at the North West Gateway has been mostly deleted from the application except for a small projecting lift housing to provide access for disabled people. The extension to International House would involve the removal of three semi-mature trees. Whilst this is regrettable, their replacement could be secured within a detailed landscaping scheme for the docks which is recommended by condition above.
- 8.30. No objection is raised to the alterations to Tradewinds (River Lounge) which currently is an ersatz structure in a whimsical idiom. Whilst English Heritage considers the altered Tradewinds would do little to engender any greater sense of permanence or appropriateness than the existing building, and would do little to enhance the surrounding historic environment including views of the Dockmaster's house; there is no suggestion from English Heritage that harm would be caused to the setting of the Dockmaster's House or the character and appearance of the conservation area. To the contrary, officers consider the revised building would preserve and enhance the character or appearance of the conservation area. It would also not be of such a nature to cause a detrimental impact on the setting of the listed Dockmaster's House, the listed dock walls, bollards or the sundial on the riverside walk all of which would have their settings preserved. It is a clean lined design making no historic references

and is considered appropriate given the mix of old and new architecture at this location. The GLA welcomes the redevelopment of Tradewinds advising *“its design is open and inviting and therefore suitable for this high quality location.”*

- 8.31. Comment has been made on the likelihood of light pollution, particularly from the new Commodity Quay. St. Katharine Docks at night is said to be a very special place with historical associations and ambiance with a subtle lighting environment achieved by the buildings being brick, stone or render. The exception is Tower Bridge House which is said to create a glaring intrusion due to its glass curtain wall construction. The concern is that the new Commodity Quay would be constructed in a similar manner and result in a similar intrusion at night, adversely affecting the setting of listed buildings and the character of the conservation area. The absence of a night time assessment in original Environmental Statement was criticised.
- 8.32. In response, the applicant has revised the Environmental Statement to include assessments of eight night time views. The applicant assess the impact of the development as follows:
- View 2. North West Gateway – Major benefit.
 - View 5. Commodity Quay across West Dock – Moderate benefit.
 - View 6. East Smithfield – Minor benefit.
 - View 8. Commodity Quay across East Dock – Minor benefit.
 - View 11. South West Gateway – Moderate benefit.
 - View 12. Tradewinds from St. Katharine’s Way – Negligible
 - View 13. Tradewinds from the Riverside Walk - Moderate benefit.
 - View 14. International House across West Dock – Minor benefit.
- 8.33. Officers broadly concur with the applicant’s assessments. The most controversial element is considered to be the new Commodity Quay. The proposed building contains more external glass than existing but would be more solid than Tower Bridge House. It is considered that the proposals would not have a significant effect on the West and East Dock compared to the existing situation. The architect advises that a directional motion sensitive lighting system will be installed which will ensure that any light spill from the building is minimised. It is agreed that there would be benefit to in the current bleak, gloomy views on East Smithfield.
- 8.34. With the deletion of the proposal to redevelop Devon House, the development does not impinge on any of the views identified in the GLA’s London View Management Framework.
- 8.35. The Council’s Character Appraisal and Management Guidelines for the Tower Conservation Area refer to ‘Opportunities and Potential for Enhancement’ and advise that *“many of the large office buildings suffer from blank frontages at street level. Options for creating a livelier frontage with a mix of uses should be explored.”* It is considered that many aspects of the development, particularly the proposals for International House and Commodity Quay, would accord with that advice. It is also considered that the character and appearance of the Tower Conservation Area would be preserved and enhanced with the setting of the listed Ivory House, the Dockmaster’s House, the dock walls and dockside

fittings, the sundial and the wall on East Smithfield all preserved. There would be little impact on the World Heritage Site. Some views in and out of the docks would be impacted, though not adversely. It is considered that the development plan policies outlined above would be met. This opinion is shared by the GLA. Whilst English Heritage considers the proposed oak cladding of Commodity Quay and Tradewinds inappropriate, it is felt that the material could be suitable within the dockside vernacular, provided it is carefully chosen with regard to appearance and weathering characteristics.

Servicing, parking and pedestrian access arrangements

- 8.36. Commodity Quay currently provides 119 car parking spaces in two basement levels. Contrary to objections from local residents, these would not be replaced. This is welcomed as the site has good public transport accessibility (PTAL) indices of 4 and 5 and is readily accessible to a number of public transport interchanges including the DLR and the Underground railway. The proposed arrangements accord with Table A4.1 of The London Plan and the standards in the Council's interim planning guidance 2007 which, adopting national policy, require no minimum level of parking provision. There would be a small car park at the eastern end of the building providing four parking spaces for disabled people which accords with Table PS6: 'Accessible Parking Spaces' of the interim guidance. There would be 100 cycle parking spaces and changing rooms in the basement of the new building which is close to the provision stipulated in the interim guidance. The GLA has recommended additional cycle parking and a condition is recommended to secure this at the entrance off East Smithfield and the South Western Gateway.
- 8.37. Commodity Quay would be serviced from an existing loading bay at the western end of the building. Arrangements are considered satisfactory. Residents of City Quay have expressed concern that the small car park for disabled people at the eastern end of the building could be used for servicing. A condition is recommended to preclude this.
- 8.38. International House is currently serviced from a loading bay adjacent to the important south western pedestrian access to the West Dock adjacent to Tower Bridge. The existing arrangements are far from satisfactory and the proposed improvements to this access point include the relocation of the servicing facilities to mid-way along St. Katharine's Way adjacent to Tower Bridge Approach where a new service bay within the curtilage of the building would be cut into the pavement line. This arrangement is considered a significant improvement compared to the existing poorly located facility.
- 8.39. At the North Western Gateway, a new flight of stairs to the roof of the extension to International House would provide improved pedestrian access to St. Katharine's Way with a balustrade removed. As mentioned, there would be a lift for disabled people providing access to the piazza below from St. Katharine's Way.
- 8.40. Significant improvements to arrangements for pedestrian access around the West Dock itself are proposed by the new boardwalks. The northern boardwalk would extend the recently completed boardwalk in front of Tower Bridge House.

The western boardwalk would provide access to the dock edge alongside International House where there is no pedestrian walkway at present. The southern boardwalk would improve pedestrian facilities at the rear of the Guoman Tower Hotel which is currently the most inhospitable part of the docks.

- 8.41. St. Katharine Docks are designated a 'Water Protection Area' on the Proposals Map of the Tower Hamlets Unitary Development Plan 1998 and policy DEV46 protects docks and water bodies. Policy 4C.14 of The London Plan also requires the borough to protect the openness of the Blue Ribbon Network. Concern has been expressed about the erosion of the visible water area leading to possible future infilling and the impact of the boardwalks on the listed dock walls.
- 8.42. Positioned at quay level, the boardwalks themselves would not result in the loss of water area. Their installation would necessitate the repositioning of existing floating pontoons (which provide access to moored vessels) some 2.5 metres further out from the dock walls but corresponding areas of water space would be freed up behind. The boardwalks would provide considerable benefit to pedestrian circulation around the West Dock and are considered functionally and visually appropriate. They are supported by the majority of respondents following consultation. Concerns about the erosion of the dock leading to prospects of further development are not shared. It is considered that the new boardwalks and the relocation of the pontoons would comply with UDP policy DEV46 which, whilst protecting water bodies and resisting the loss of defined water protection areas such as St. Katharine Docks, promotes public access in the borough's waterway corridors.
- 8.43. The new boardwalks would be finished in hardwood decking with stainless steel balustrading to match that recently installed at Tower Bridge House. It is considered that the proposals for improved pedestrian access do not adversely affect any historic references. They are in a clean-lined contemporary style and these interventions are not judged to be harmful to the conservation area, the dock walls or to the setting of listed buildings. They would provide an enhancement to the docks, particularly around public access and enjoyment of the waterside environment that has not existed before. It is considered that they would also enhance the contemporary character and appearance of the West Dock with the increased permeability of the ground floor quay side area, active and accessible uses, and relationship to the dock and street frontage all enhanced. Overall, it is considered that the access arrangements would comply with The London Plan policy 4C.11 that calls for increased access alongside and to the Blue Ribbon Network. It is recommended that details showing the means of the fixing the boardwalks to the dock walls are reserved as recommended by English Heritage to protect the historic heritage from harm.
- 8.44. As mentioned, following concerns over the increase in the footprint of 'Tradewinds' and objection from the London Fire and Emergency Planning Authority, the scheme has been amended by repositioning the northern façade of the Tradewinds building to provide a minimum 2 metre wide dedicated footpath (at the pinch point), delineated by bollards, and a clear 3.7 metres wide (minimum) highway for shared use. The proposed carriageway width would comply with the Building Regulations (B5 2000) Section 17 "Access and

Facilities for the Fire Service" which advises that there should be a minimum of 3.7 metres between kerb lines to facilitate emergency vehicle access. The London Fire and Emergency Planning Authority confirm these arrangements are now satisfactory.

Landscaping

8.45. The proposed changes to the landscaping of the site comprise.

- At the South Western Gateway the part of St. Katharine's Way within the application site would be finished with setts to form a shared surface and the pedestrian access would be repaved and provided with new soft landscaping.
- The area between International House (eastern side) and the new boardwalk would be re-planned.
- Three semi-mature trees would be removed from the northern side of International House with fresh planting undertaken.
- Outside the Dickens Inn, a mature tree would be added into the centre of the existing open space, with granite seating and lighting set around it. Seating presently arranged round the water's edge would be replaced by five new granite benches.

8.46. It is considered that the proposals would comply with UDP policy DEV12 – Landscaping and trees. It is recommended that any planning permission is conditioned to require the approval and implementation of a detailed landscaping scheme and; following public concern, to prevent the open area adjacent to the Dickens Inn and Marble Quay being used for the consumption of food or drink served from those establishments.

Sustainable development / renewable energy

8.47. Both the Council's Energy Officer and the Greater London Authority are now largely content with the proposed energy strategy, subject to any planning permission being conditioned to require the approval of further details of energy efficiencies or passive design measures. This would ensure compliance with policies 4A.1 to 4A.9 of The London Plan, policies CP38, DEV5 and DEV6 of the Council's interim planning guidance together with national advice in PPS22: Renewable Energy.

Planning obligations

8.48. Planning obligations can be used in the following three ways: -

- (i) To prescribe the nature of the development to ensure it is suitable on planning grounds. For example, by requiring a given proportion of housing is affordable;
- (ii) To require a contribution to compensate against loss or damage that will result from a development. For example, loss of open space;
- (iii) To mitigate the impact of a development. For example, through increased public transport provision.

- 8.49. Planning obligations should only be sought where they meet the 5 key tests outlined by the Secretary of State in Circular 05/2005. Obligations must be:
- (i) relevant to planning;
 - (ii) necessary to make the proposed development acceptable in planning terms;
 - (iii) directly related to the proposed development;
 - (iv) fairly and reasonably related in scale and kind to the proposed development; and
 - (v) reasonable in all other respects.

8.50. The following section 106 obligations or conditions have been requested by the Greater London Authority:

1. A contribution of £150,000 to fund an additional signalised pedestrian crossing on East Smithfield immediately west of St. Thomas More Street.
2. To improve access to bus services by the upgrading of 4 bus stops on East Smithfield and Tower Bridge Approach to TfL accessibility standards at a estimated cost of up to £10,000 per bus stop.
3. To deliver a signage strategy within the development site with directions given the transport nodes in the area.
4. A contribution of £71,820 payable to the Council's Housing Department to fund either the provision of off-site affordable housing or for estate renewal in the area.

8.51. Prior to the deletion of Devon House from the proposed development, the former Pool of London Partnership itemised the following matters that were suggested could comprise a section 106 package of obligations to support projects outlined in the Pool of London Public Realm Framework Strategy.

Project	Estimated cost
East Smithfield pedestrian crossing	£90,000
The upgrading of 4 bus stops on East Smithfield and Tower Bridge Approach Up lighting to Old Dock and Royal Mint Walls	£50,000
Improvements to the river frontage and interface with the Guoman Hotel.	£300,000
Refurbish historic streetscape in St Katherine's Way	£200,000
Create lightweight pedestrian footbridge between Tower Bridge Wharf and Hermitage Wharf open space.	£150,000
Resurface Thomas More Street and improve lighting.	£300,000
Relocation of Pool of London	£5,000

Partnership redundant public art.	
Funding of the Maritime Volunteer Services	£100,000 or £10,000 annually.
Tower Gateway highway realignment, streetscape and public realm improvements. To be delivered in partnership with statutory agencies. Details in Tower Gateway Development Framework and Investment Strategy.	Total scheme costed at £5 million in 2004. Various elements could be funded in whole or in part.

8.52. In terms of increased floorspace, the development is relatively modest resulting in an additional 2,746 sq. m of offices and 2,951 sq. m of new shops at Commodity Quay together with some change of use and a small extension to International House.

8.53. With regard to the former Pool of London Partnership's requests, a pedestrian crossing at East Smithfield is also requested by TfL. This is considered reasonable, as is the relocation of any Pool of London Partnership redundant public art. The proposed development includes the refurbishment of the streetscape in St. Katharine's Way within the application site boundary. The Tower Gateway highway realignment and other streetscape / public realm improvements are not requested by the GLA and it is not considered that these works, or the other items requested, are reasonably related to the development as required by the statutory tests.

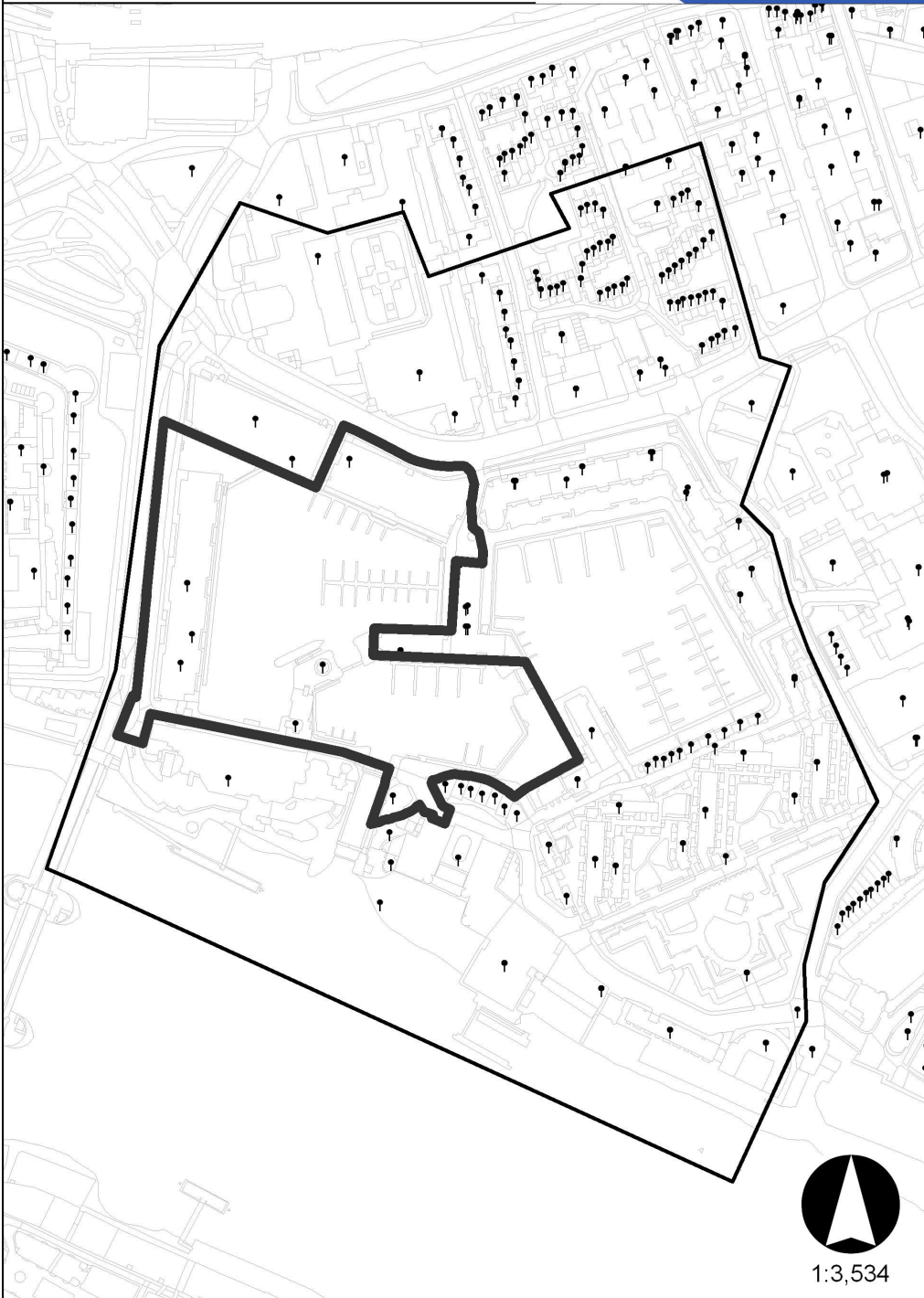
8.54. The following package of planning obligations, which is considered to meet the tests of Circular 05/2005, is consequently recommended:

Project	Amount
East Smithfield pedestrian crossing.	£150,000
Upgrading of 4 bus stops on East Smithfield and Tower Bridge Approach.	£40,000
Contribution to off-site affordable housing or estate improvements.	£71,820
Implementation of a signage strategy.	-----
Access to Employment.	-----
The relocation of any redundant public art.	-----
Total recommended financial contribution.	£261,820

9. CONCLUSION

- 9.1. All relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decisions are set out in the RECOMMENDATIONS at the beginning of this report.

Planning Application
Site Map



1:3,534

0 30 m



Planning Application Site Boundary



Consultation Area



Land Parcel Address

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