

Committee: Strategic	Date: 17 th June 2010	Classification: Unrestricted	Agenda Item Number: 9.1
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Mary O'Shaughnessy	Ref No: PA/10/00332
	Ward: Blackwall and Cubitt Town

1. APPLICATION DETAILS

Location: 25 Churchill Place, London, E14 5RB

Existing Use:

Proposal: Erection of a 19 storey office building (Use Class B1) plus waterside promenade level together with basement level containing plant, servicing and parking facilities. The application also proposes incidental infrastructure and landscaping works.

Drawing Nos/Documents: Drawings:
KPF-SK-000, KPF-SK-001, KPF-SK-002, KPF-SK-003, KPF-SK-004, KPF-SK-005, KPF-SK-006, KPF-SK-007, KPF-SK-008, KPF-SK-009, KPF-SK-010, KPF-SK-011, KPF-SK-012, KPF-SK-013, KPF-SK-014, KPF-SK-015, KPF-SK-016, KPF-SK-017, KPF-SK-018, KPF-SK-019, KPF-SK-020, KPF-SK-021, KPF-SK-022, KPF-SK-023, KPF-SK-024, KPF-SK-025.

Documents:

Design Statement, dated February 2010 prepared by Kohn Pedersen Fox Associates and ARUP containing the following documents:

- Design and Access Statement, and;
- Visual Impact Study.

Impact Statement, dated February 2010 containing the following documents:

- Planning Policy Statement, prepared by DP9,
- Initial Energy Strategy Assessment, prepared by Hilson Moran,
- Sustainability Statement, prepared by Hilson Moran,
- Statement of Community Involvement, prepared by CWG,
- Daylight/Sunlight/Overshadowing Assessment, prepared by Gordon Ingram Associates,
- Waste Management Strategy, prepared by Hilson Moran,

- Flood Risk Assessment, prepared by ARUP,
- Transport Assessment, prepared by Steer Davies Gleave,
- Interim Travel Plan, prepared by Steer Davies Gleave, and;
- Wind Assessment, prepared by BLWTL.

Applicant: Canary Wharf Limited
Ownership: Canary Wharf Limited
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS FULL PLANNING PERMISSION

- 2.1 The Local Planning Authority has considered the particular circumstances of these applications against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), Core Strategy Submission Version (Dec. 2009), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2 The scheme will consolidate the sustainable future economic role of the area as an important global financial and legal centre, whilst also facilitating locally-based employment, training and local labour opportunities for the local community together with numerous public realm improvements. The scheme therefore accords with policy 3B.4 of the London Plan, saved policies DEV3 and CAZ1 of the Council's Unitary Development Plan (1998), policy CP11 of the Council's Interim Planning Guidance (2007) and policies SO1, SO4, SO5, S06, SP01, SO15, SO16 and SP06 of the Core Strategy Submission Version December 2009, which seek to develop London's regional, national and international role, ensure appropriate development and protect sites in employment use.
- 2.3 The building height, scale, bulk and design is acceptable and in line with regional and local criteria for tall buildings. As such, the scheme is in line with policies 4B.8, 4B.9 and 4B.10 of the London Plan 2008, saved policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998, policies CP48, DEV1, DEV2, DEV3 DEV27 and IOD16 of the Council's Interim Planning Guidance (2007) and SP10 of the Core Strategy Submission Version December 2009 which seek to ensure buildings are of a high quality design and suitably located.
- 2.4 The development would form a positive addition to London's skyline, without causing detriment to local or long distant views, in accordance with policies 4B.1, 4B., 4B.8 and 4B.9 of the London Plan (2008) and policies CP48 and CP50 of the Council's Interim Planning Guidance (2007), which seek to ensure tall buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
- 2.5 Sustainability matters, including energy, are acceptable and in line with policies 4A.4, 4A.6, 4A.7, 4A.14 and 4B.2 of the London Plan, policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007) and S024 and SP11 of the Core Strategy Submission Version December 2009 which seek to promote sustainable development practices.
- 2.6 Transport matters, including parking, access and servicing, are acceptable and in line with

London Plan policies 3C.1 and 3C.23 of the London Plan, policies T16 and T19 of the Council's Unitary Development Plan 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) and SO19, SP08, SO20, SO21 and SP09 of the Core Strategy Submission Version December 2009 which seek to ensure developments minimise parking and promote sustainable transport options.

- 2.7 Contributions have been secured towards the provision of transport infrastructure improvements; open space and public realm improvements; social and community facilities and access to employment for local people in line with Community Infrastructure Levy Regulations 2010, policy DEV4 of the Council's Unitary Development Plan 1998, policy IMP1 of the Council's Interim Planning Guidance (October 2007) and policy SP13 of the Core Strategy Submission Version December 2009, which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:

- 3.2 A. Any **direction** by **The Mayor**

- 3.3 B. The prior completion of a **legal agreement** to secure the following planning obligations:

Financial Contributions

- a) **£146,546** – for the provision or conversion of sports pitches to Astroturf in accordance with the Council's Sports Pitch Strategy; and
- b) **£260,428** - towards open space and public realm improvements; and
- c) **£312,513** - Towards transport infrastructure, specially towards Crossrail; and
- d) **£163,319** - towards social and community and employment and training initiatives

Total: **£882, 805**

Non-financial Contributions

- e) Commitment to implement a Green Travel Plan
- f) Commitment to use local labour in construction
- g) TV/Radio Reception Monitoring
- h) any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

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

- 3.5 That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

3.6 Full Planning Permission Conditions

- 1) Time Limit (3 years)
- 2) Building constructed in accordance with approved plans
- 3) Phasing programme details
- 4) External materials
- 5) External plant equipment and any enclosures
- 6) Hard and soft landscaping including external lighting and security measures
- 7) Demolition and Construction Management Plan required including feasibility study and details of moving freight by water during construction
- 8) Drainage Details (Thames Water)

- 9) Water supply infrastructure (Thames Water)
- 10) Land Contamination
- 11) Verification Report for Land Contamination
- 12) Monitoring Report for Land Contamination
- 13) Piling Details
- 14) No Infiltration of Surface Water Drainage
- 15) Scheme of access to flood defences
- 16) Green Travel Plan required
- 17) Cycle parking spaces
- 18) Electric Charging Point Details
- 19) Biodiversity Action Plan required
- 20) Submission of BREEAM Offices assessment required.
- 21) Full particulars of energy efficiency technologies required
- 22) Bellmouth Passage to be kept open during construction of Crossrail
- 23) Hours of construction
- 24) Control of development works (restricted hours of use for hammer driven piling or impact breaking)
- 25) Protection of public sewers
- 26) Noise control limits
- 27) No infiltration of surface water drainage into the ground
- 28) Express consent required for piling and other penetrative foundation designs
- 29) Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

3.7 Full Planning Permission Informatives

- 1) Associated S106
- 2) Contact Thames Water
- 3) Contact London City Airport regarding cranes and scaffolding
- 4) Contact LBTH Building Control
- 5) Contact British Waterways
- 6) Contact Environment Agency
- 7) Contact London Fire & Emergency Planning Authority
- 8) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

- 3.8 That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The applicant is seeking consent to build a tower of 19 storeys in height (108m AOD) accommodating 71,169 square meters (GIA) of office floor space (Use Class B1).
- 4.2 The application site has permission for the construction of a 15 storey office building of 80.77m (AOD) in height under the Enterprise Zone consent for the original Canary Wharf Estate. The application site also has permission for the construction of a 23 storey office building of 130m (AOD) granted consent in 2008. The 19 storey building proposed within the current application is approximately 108 metres (AOD) in height and falls between the two previous consents, being 27.23 metres higher than the Enterprise Zone consent and 22 meters lower than the 2008 consent.
- 4.3 The proposal also includes 8 car parking spaces (6 of which are disabled spaces) within the

basement and 138 cycle parking spaces within the existing Churchill Place car park.

Site and Surroundings

- 4.4 The site is located at the eastern end of the Canary Wharf Estate, and is bounded by Churchill Place and South Colonnade to the north, Bellmouth Passage with 20 Canada Square and Montgomery Square beyond to the west and 10 Churchill Place to the east. To the south is South Dock. The site is immediately adjacent to the dock on its southern and western boundaries.
- 4.5 The application site is approximately 0.36 hectares in area. The application site is predominantly surrounded by office buildings; however proposals for the neighbouring Wood Wharf site to the east and south were recently granted consent for a large mixed used development including a large number of residential units.

Relevant Planning History

- 4.6 The following planning decisions are relevant to the application:
- 4.7 EZ/91/4 The Isle of Dogs Enterprise Zone (EZ) consent was approved by the then Secretary of State for the Environment and formally designated on 26th April 1982. As part of the EZ consent, the application site has planning permission for a 15 storey building of 80.77m (AOD) in height to provide approximately 60,300sq.m. of office floor space. The permission also included a pedestrian link to Montgomery Street. This consent has been implemented by way of completion of the substructure including piling and is continuing construction in accordance with this consent.
- 4.8 PA/08/00775 The LPA granted planning permission on 7th November 2008 for the "Erection of a 23 storey office building (Use Class B1) incorporating car parking, servicing and plant at basement level, together with associated infrastructure, landscaping and other works incidental to the application."

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 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPG4	Industrial, Commercial Development and Small Firms
PPS9	Biodiversity and Conservation
PPG13	Transport
PPS22	Renewable Energy
PPS25	Development and Floodrisk

5.3 Spatial Development Strategy for Greater London (London Plan) Consolidated with alterations since 2004.

3A.18	Protection and enhancement of social infrastructure and community facilities
3B.1	Developing London's economy
3B.2	Office demand and supply
3B.3	Mixed use development
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
4A.2	Mitigating climate change

4A.4	Energy assessment
4A.6	Decentralised energy: heating, cooling and power
4A.7	Renewable energy
4A.12	Flooding
4A.13	Flood risk management
4A.14	Sustainable drainage
4A.16	Water supply and resources
4A.18	Water and sewerage infrastructure
4A.20	Reducing noise and enhancing townscapes
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.8	Respect local context and communities
4B.9	Tall buildings - location
4B.10	Large-scale buildings – design & impact
4B.15	Archaeology
4B.16	London view management framework
4B.17	View management plans
4C.20	Development adjacent to canals
5C.1	The strategic priorities for North East London
5C.3	Opportunity areas in North East London

5.4 Unitary Development Plan 1998 (as saved September 2007)

Proposals:	Flood Protection Area
	Central Area Zone
	Water Protection Area
	Site of Nature Conservation Importance
	East-West Crossrail
Policies:	DEV1 Design Requirements
	DEV2 Environmental Requirements
	DEV3 Mixed Use development
	DEV4 Planning Obligations
	DEV8 Protection of local views
	DEV12 Provision of Landscaping in Development
	DEV51 Contaminated Land
	DEV55 Development and Waste Disposal
	DEV69 Water Resources
	CAZ1 Location of Central London Core Activities
	CAZ4 Special Policy Areas
	T16 Impact of Traffic
	T18 Pedestrian Safety and Convenience
	T21 Existing Pedestrians Routes
	U2 Consultation Within Areas at Risk of Flooding
	U3 Flood Defences

5.5 Interim Planning Guidance for the purposes of Development Control

Proposals:	Development site ID52 – Identifies preferred uses as Employment (Use Class B1) and retail and leisure (A1, A2, A3, A4, A5)
	Major Centre
	Flood Risk Area
	Site of Importance for Nature Conservation
	Draft Crossrail boundary

		Public Open Space (Isle of Dogs wharves)
		Blue Ribbon Network
Core Strategies:	IMP1	Planning Obligations
	CP2	Equal Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP11	Sites in Employment Use
	CP27	Community Facilities
	CP29	Improving Education and Skills
	CP31	Biodiversity
	CP36	The Water Environment and Waterside Walkways
	CP37	Flood Alleviation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A sustainable transport network
	CP41	Integrating Development with Transport
	CP43	Better Public Transport
	CP48	Tall Buildings
	CP50	Important Views
Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Sustainable Drainage
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV24	Accessible Amenities and Services
	DEV27	Tall Buildings
	EE2	Redevelopment /Change of Use of Employment Sites
	SCF1	Social and Community Facilities
	OSN3	Blue Ribbon Network and the Thames Policy Area
	CON4	Archaeology and Ancient Monuments
	CON5	Protection and Management of Important Views
	IOD1	Spatial Strategy
	IOD2	Transport and movement
	IOD5	Public open space
	IOD7	Flooding
	IOD8	Infrastructure capacity
	IOD10	Infrastructure and services
	IOD13	Employment Uses in the Northern sub-area
	IOD16	Design and Built Form in the Northern sub-area
	IOD17	Site allocations in the Northern sub-area

5.6 Core Strategy Development Plan Document (Submission version December 2009)

Delivering our regional role	SO1
Achieving wider sustainability	SO3

Refocusing on our town centres	SO4, SO4, SO6 and SP01
Urban living for everyone	SO7, SO8, SO9 and SP02
Creating healthy and liveable neighbourhoods	SO10, SO11 and SP03
Creating a green and blue grid	SO12, SO13 and SP04
Delivering successful employment hubs	SO15, SO16 and SP06
Making connected places	SO19 and SP08
Creating attractive and safe streets	SO20, SO21 and SP09
Creating distinct and durable places	SO22, SO23 and SP10
Working towards a zero-carbon borough	SO24 and SP11
Delivering placemaking	SO25 and SP12 and Canary Wharf Vision Statement LAP 7 & 8
Planning obligations	SP13

5.7 Supplementary Planning Guidance/Documents

SPG Designing Out Crime

5.8 Community Plan

The following Community Plan objectives relate to the application:

- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

6. CONSULTATION RESPONSE

The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.1 The following were consulted regarding the application:

BBC Reception Service

6.2 To date no comments have been received.

British Waterways

6.3 British Waterways advised that they had no objection to the proposed development subject to an informative being attached to the decision notice advising the applicant to contact British Waterways.

Commission for Architecture and the Built Environment - CABE

6.4 CABE advised that they are unable to review this scheme.

London Regional Transport – Crossrail

6.5 To date no comments have been received.

Docklands Light Railway

6.6 To date no comments have been received.

EDF Energy Networks

6.7 To date no comments have been received.

English Heritage Archaeology

6.8 To date no comments have been received.

English Partnerships

6.9 To date no comments have been received.

Environment Agency

6.10 The Environment Agency advised that they have no objection in principle to the proposed development subject to conditions in respect of land contamination, pilling and foundation design, surface water drainage, scheme of access to flood defenses and planning informatives in respect of the need to comply with Thames Regional Land Drainage Bye Laws 1981 is attached to any planning permission granted and dewatering activities.

6.11 **Officer Comment:** *Suggested conditions and informatives where reasonable have been attached, as detailed at paragraph 3.6. A full discussion of these conditions is dealt with at paragraph 8.53.*

Government Office for London (GOL)

6.12 To date no comments have been received.

London Thames Gateway Development Corporation

6.13 To date no comments have been received.

London Underground Ltd.

6.14 London Underground has no comment to make on this planning application.

Maritime Greenwich Heritage Site

6.15 To date no comments have been received.

National Air Traffic Services

6.16 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) has no safeguarding objections to this proposal.

National Grid Policy

6.17 To date no comments have been received.

Natural England

6.18 To date no comments have been received.

Port of London Authority

6.19 The PLA has no objection to the proposed development subject to a condition in respect of the use of the river for the transport of construction materials to and waste materials from the site.

6.20 **Officer Comment:** *Suggested condition has been attached, as detailed at paragraph 3.6.*

Thames Water

- 6.21 Thames Water have no objections subject to the attachment of two conditions requiring the details of drainage and water supply be provided.
- 6.22 **Officer Comment:** *Suggested conditions have been attached, as detailed at paragraph 3.6.*

Greater London Authority (GLA)

- 6.23 The GLA have advised that London Plan policies on Major Town Centres, Opportunity Areas, mix of uses, urban design, strategic views, transport, Crossrail, energy and climate change and flood risk are relevant to this application. The application complies with some of these policies but not with others, for the following reasons and the following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:
- 6.24 Mix of uses: The application does not include a mix of uses and does not provide any on, or off, site affordable housing and a further discussion on the requirement of this application to provide a contribution to off-site affordable housing is required.
- 6.25 Transport: There is insufficient transport information included with the submitted application and further technical information is required.
- 6.26 Crossrail: The application does not make a contribution towards Crossrail and the applicant is required to provide a financial contribution for Crossrail.
- 6.27 Energy: There is insufficient information on the energy strategy and climate change application measures and further technical information on the proposed energy strategy is required.
- 6.28 Climate change: The applicant has not assessed the potential to include living roofs or walls and the applicant must assess this.
- 6.29 **Officer Comment:** *The above matters in respect of transport, energy and climate change have been addressed by the applicant. Please refer to the paragraph 8.37 – 8.51 where Section 106 Contributions including affordable housing and Crossrail are discussed.*

The Inland Waterways Association (IWA)

- 6.30 No objections.

London Borough of Greenwich

- 6.31 They raise no objections.

London Borough of Southwark

- 6.32 No objection is raised to the proposed development.

London City Airport

- 6.33 To date no comments have been received.

London Development Agency

6.34 To date no comments have been received.

London Fire and Emergency Planning Authority (LFEPA)

6.35 Comments were received from LFEPA giving detailed advice in respect of compliance with Building Regulations and Fire Safety. Following further discussion with LFEPA and the applicant it was established that the majority of these matters are dealt with under Building Regulations. A response from the applicant has been provided addressing the questions raised.

6.36 **Officer Comment:** *The Planning Officer following discussion with the LBTH Building Control Officer and LFEPA Officer established that all the information required at this stage has been supplied and no further action is required.*

London Wildlife Trust

6.37 To date no comments have been received.

Transport for London (TFL)

6.38 TFL welcome the restraint based approach to car parking provision (limited to 6 car parking bays for disabled drivers) which is in line with London Plan Policy.

6.39 The level of cycle parking provision (138 cycle spaces) is not in line with policy and 285 spaces would be required in order to comply with London Plan policy. The applicant provided further information on cycle parking demand in the area and TFL advised that in light of the evidence TFL agrees that the proposed level is acceptable, on the basis that a condition is imposed which requires the monitoring of demand for cycle parking.

6.40 Given, the low level of car parking proposed, TFL is satisfied that there will be no unacceptable impact on the strategic highway network.

6.41 TFL notes that the Transport Assessment is not in keeping with their Transport Assessment Best Practice Guidance (May 2006) because it has assessed the impact of the development on the public transport network based on the uplift in floor space from the extant 1982 Enterprise Zone permission. This is the same approach as was taken with the 2008 application; however, this does not provide an accurate assessment of the full impact of the proposed development. However, TFL is satisfied that no further work is required to mitigate the impact of the any additional trips on the public transport network, subject to a financial contribution towards Crossrail.

6.42 TFL welcome the submitted travel plan which is in line with London Plan policy.

6.43 A contribution of £1,646,100 would be required for Crossrail.

6.44 The following should be secured via condition:

- Construction Logistics Plan (CSP) - it should include consideration of water-based transport where possible.
- Delivery and servicing plan (DSP)

6.45 **Officer Comment:** *Suggested conditions have been attached, as detailed at paragraph 3.6. in line with comments from TFL. Please refer to paragraphs 8.48-8.51 where the crossrail contribution is discussed in further detail.*

Docklands History Group

6.46 To date no comments have been received.

LBTH Access to Development

6.47 To date no comments have been received.

LBTH CLC Strategy

6.48 Please use the same figures negotiated in the previous agreement for 25 Churchill Place (PA/08/00775) and adjust them proportionately in accordance with the decreased GIA.

6.49 **Officer Comment:** *This approach has been adopted, as detailed at paragraph 8.48-8.51.*

LBTH Ecology Officer

6.50 To date no comments have been received.

LBTH Education Development Team

6.51 To date no comments have been received.

LBTH Energy Efficiency Unit

ENERGY COMMENTS

6.52 The applicant has broadly followed the energy hierarchy set out in policy 4A.1 of the consolidated London Plan.

6.53 The proposals aim to reduce overall carbon emissions by 14.3%.

6.54 Energy Baseline – It is noted that the energy baseline and carbon emissions have been calculated using ‘TAS’ software from EDSL (version 9.1.3). The emission rates are set out as:

- Target Emission Rate – 30.02 kgCO₂/m²
- Building Emission Rate – 23.98 kgCO₂/m²

6.55 Be Lean – The scheme has been designed in accordance with Policy 4A.3 in seeking to minimise energy use through passive design measures with energy efficiency measures are anticipated to result in carbon savings of approximately 10%.

6.56 Be Clean – A combined cooling, heat and power system is proposed. The tri-generation system is sized at 307 kW(e) to provide electrical output of 307kW, heating output of 357kW and cooling output of 250kW. Through the integration of a CCHP system a CO₂ emission reduction of 4.4% is considered viable. It is noted that the back-up cooling will be met through high efficiency vapour compression chillers.

6.57 Be Green – Through the maximisation of the CCHP system to deliver space heating and hot water it is acknowledged that meeting the 20% of the buildings energy demand through renewable technologies is not feasible. The proposals include the installation of Photovoltaic array to reduce carbon emissions by 0.23%. This saving is proposed through a 135m² active panel area. The scheme also proposes heat pumps using dockwater to serve the lobby underfloor heating system. The CO₂ savings associated with the heat pumps is 0.14%. Therefore, a total CO₂ reduction of 0.37% is proposed through the integration of renewable energy technologies.

- 6.58 The proposed overall 14.3% reduction in carbon emissions through a combined heat and power system and PV panels is considered acceptable. This will be secured by condition, therefore the applicant needs to ensure this proposal is developed in detail, as any changes to the energy strategy after planning committee decision may require the planning application to be resubmitted to planning committee.
- 6.59 Principally the Sustainable Energy Strategy is considered appropriate for the development. The London Plan energy hierarchy has been followed appropriately.

SUSTAINABILITY COMMENTS

- 6.60 Policy 4A.3 of the London Plan seeks development to meet the highest standards of sustainable design and construction.
- 6.61 London Borough of Tower Hamlets requires all non-residential developments to target a BREEAM Excellent rating. The Sustainability Strategy states that the proposals are aiming for a 'Very Good' rating at Shell and Core and an 'Excellent' rating at Fit out under the BREEAM Offices 2008 methodology.
- 6.62 Conditions in respect of Energy and Sustainability should be attached to the decision notice.
- 6.63 **Officer Comment:** *Suggested conditions have been attached, as detailed at paragraph 3.6.*

LBTH Environmental Health (Contaminated Land)

- 6.64 This department has reviewed the planning application relating to the aforementioned property. I note from our records that the site and surrounding area have been subjected to former industrial uses, which have the potential to contaminate the area. I understand ground works are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine associated risks.
- 6.65 Please can you condition this application to ensure the developer carries out a site investigation to investigate and identify potential contamination.
- 6.66 **Officer Comment:** *Suggested conditions have been attached, as detailed at paragraph 3.6. Further, discussion about these conditions is detailed at paragraph 8.53.*

LBTH Environmental Health (Daylight and Sunlight)

- 6.67 No objection in respect of daylight and sunlight and microclimate.

LBTH Environmental Health (Noise and Vibration)

- 6.68 To date no comments have been received.

LBTH Environmental Health (Smell and Pollution)

- 6.69 To date no comments have been received.

LBTH Environmental Health (Hazardous Substances)

- 6.70 To date no comments have been received.

LBTH Idea Stores, Strategy and Projects

- 6.71 To date no comments have been received.

LBTH Transportation and Highways

- 6.72 Following the receipt of initial comments from the Highway Officer further information was provided by the applicant and the final comments are presented below.
- 6.73 Given the location of the site within Churchill Place, Canary Wharf, the proposals are not adjacent to and do not encroach into Highways land, as this area, and the roads within it, are under private ownership.
- 6.74 Parking: Level of car parking which includes 6 disabled spaces is acceptable. The 2 spaces to be equipped with electric vehicle charging points are to be secured by condition.
- 6.75 Cycle Parking: Concerns are still held over the off-site location of the cycle parking facilities and the level of cycle parking provided. Confirmation is required over the ownership of the land (red/blue line boundaries) and the impact of the loss of the proposed area. Details of stands should be controlled via condition.
- 6.76 Highway Assessment: The Highways Officer has expressed concern in respect of the methodology used for the submitted Transport Assessment modelling. However, they do note that TFL have not raised any specific concerns over the methodology adopted in order to derive traffic flows.
- 6.77 They conclude that from the results presented within the submitted Transport Assessment, the 'With Development' model scenarios represent marginal increases over the 'Without Development' scenarios, and it is noted that vehicular trips to the site will be limited by the number of parking spaces provided.
- 6.78 Servicing Arrangements: As stated within the submitted Transport Assessment, service vehicles to the building will use the two loading bays which are also accessed from Cartier Circle.
- 6.79 Travel Plan: The requirement for Travel Plans should be included as part of a Section 106 Agreement to cover the following:
- Implementation of Travel Plans in accordance with the framework, submitted to and approved by the Council;
 - Appointment of a Travel Plan Co-ordinator role to ensure the implementation and monitoring of the Travel Plans;
 - A contribution to Tower Hamlets Council for monitoring the Travel Plans.
- 6.80 Should the Case Officer be minded to grant Planning Permission, a condition of approval should be in place so that prior to any works commencing a Construction Management Plan should be submitted to the Council for approval and should include a strategy to maximise the use of the Thames for the transport of construction, waste and recycling materials to and from the site to be submitted and approved in writing by the Local Planning Authority.
- 6.81 **Officer Comment:**
Suggested conditions have been attached, as detailed at paragraph 3.6. A full discussion of these comments is contained within the highways section of this report at paragraphs 8.22-8.30.

LBTH Strategic Transport Team

6.82 I feel that more can be done to encourage cycling to the development site and 138 parking spaces for 3508 employees is considered to be insufficient and may have an impact of cycle parking in the vicinity of the site which is often at capacity. Therefore cycle parking should be provided on site and according to planning guidance standards at 1 space per 250sqm resulting in 280 cycle parking spaces.

6.83 Prestons Road is a significant hotspot for congestion and poor air quality. Tower Hamlets is actively promoting the switch from conventional combustion engines vehicles to electric vehicles and sees the provision of infrastructure as a key step towards this vision. There we require that electric vehicle charging facilities are made available to each of the basement parking bays within the development.

6.84 **Officer Comment:**

A full discussion of these comments is contained within the highways section of this report at paragraph 8.22-8.30.

LBTH Waste Policy and Development

6.85 To date no comments have been received.

LBTH Crime Prevention Officer (CPO)

6.86 The CPO has noted that he has reservations about the space called the promenade, particularly the waterside covered space, but the area has few problems and is well managed by Canary Wharf, so they doubt any problems will exist for very long. The main entrance is acceptable.

7. LOCAL REPRESENTATION

7.1 A total of 1369 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No. of individual responses:	0	Objecting:	0	Supporting:	0
No. of petitions received:	0				

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Land Use
2. Design, Mass and Scale
3. Transport and Highways
4. Amenity
5. Energy and Renewable Technology
6. Section 106 Planning Contributions
7. Other Issues

Land Use

8.2 The adopted Unitary Development Plan, 1998, (UDP) designates the application site within

the Central Area Zone which seeks to promote commercial development. The application site is also identified as a development site (ID52) within the Interim Planning Guidance Isle of Dogs Area Action Plan (AAP), with preferred uses as Employment (B1) and Retail & Leisure (A1, A2, A3, A4 & A5). It is also located within the Northern sub-area; the main focus of commercial development on the Isle of Dogs and a landmark location for major corporate occupiers.

- 8.3 Within the emerging Core Strategy, 2009, (CS) the site forms part of the Canary Wharf Vision Statement which states that “Canary Wharf will retain and enhance its global role as a competitive financial district as well as adopting a stronger local function.”
- 8.4 The application site has an implemented planning permission for a 15 storey office building under the EZ consent for the original Canary Wharf estate as detailed at paragraph 4.7. This essentially granted planning permission for most forms of development within the designated area, subject to conditions.
- 8.5 Subsequently, consent was granted by the EZ Authority, namely the London Docklands Development Corporation (LDDC) for the development of Canary Wharf according to a master plan which indicated the extent and location of building parcels and heights. Upon the termination of the EZ Scheme in April 1992 the LDDC confirmed that having commenced the development of Canary Wharf in accordance with the approved master plan the EZ consent had been implemented and therefore the development could continue to completion without further approvals.
- 8.6 The LDDC ceased to be the planning authority for the area in October 1997 when development control powers were transferred back to the London Borough of Tower Hamlets. At this stage a review of the EZ consents were carried out and LBTH confirmed their status and placed copies on the Statutory Register.
- 8.7 Canary Wharf Group has continued to develop the estate in accordance with the EZ master plan seeking separate planning permission where variations were necessary. This site is the last remaining site within the EZ Masterplan to be developed.
- 8.8 It is also noted that, the application site has an extant planning permission for a 23 storey office building under the 2008 consent which could still be implemented.
- 8.9 In light of the extant planning permissions upon the site and given the office-based nature of the proposal, it is considered that it is in keeping with the character and function of the area, which is predominantly commercial. The proposal will result in the provision of 71,169 square meters (GIA) of office floor space. The application therefore accords with Policy CAZ1 of the UDP (1998) which seeks to develop the Central Activities Zone in order to foster London’s regional, national and international role, and Policy IOD13 which promotes high-density office-based employment uses in the Northern sub-area.

Design, Mass and Scale

- 8.10 Good design is central to all the objectives of the London Plan. Chapter 4B of the London Plan refers to ‘Principles and specifics of design for a compact city’ and specifies a number of policies aimed at promoting the principles of high quality design. These principles are also reflected in saved policies DEV1 and DEV3 of the UDP.
- 8.11 Policy 4B.9 of the London Plan states that tall buildings will be promoted where they create attractive landmarks enhancing London’s character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.10 of

the London Plan provides detailed guidance on the design and impact of such large-scale buildings, and requires that these be of the highest quality of design.

- 8.12 Policies CP1, CP48, DEV2 and DEV27 of the IPG states that the Council will, in principle, support the development of tall buildings, subject to the proposed development satisfying a list of specified criteria. This includes considerations of design, siting, the character of the locality, views, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference. The document 'Guidance on Tall Buildings' produced by English Heritage / CABI is also relevant.
- 8.13 Policies DEV1 and DEV2 of the UDP and policy CP4 of the IPG October 2007 state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.14 Policy IOD16 of the Isle of Dogs AAP (IPG) states, inter alia, that the Northern sub-area will continue to be a location for tall buildings and new tall buildings should help to consolidate this cluster and provide new landmarks consistent with the national and international role and function of the area. It also goes on to state that building heights will respect and complement the dominance of One Canada Square and heights should progressively reduce from this central landmark through to the periphery of the Northern sub-area.
- 8.15 These policies are reinforced by the aims of policies SO22, SO23 and SP10 of the CS.
- 8.16 The application proposes the erection of a 19 storey building at a height of 108 metres (AOD). This is four storeys and 27.23 metres above the Enterprise Zone consented height limit of 80.77m (AOD).
- 8.17 It is noted that it is four storeys and 22 metres below the 2008 consented height limit of 130 metres (AOD).
- 8.18 In terms of form, massing and scale, the proposed development responds well to the context of the existing office buildings within the Canary Wharf estate. At 108m (AOD) in height, the proposed building is taller than the neighbouring 20 Canada Square and 20 Churchill Place which are both 80.77m (AOD) high, however somewhat lower than One Churchill Place immediately to the north, which stands at 160m (AOD). It is considered that the proposal's intermediate height sits comfortably within the massing of the Canary Wharf tall building cluster and maintains the progressive reduction in height away from One Canada Square.
- 8.19 With regard to the architectural design, the main facades of the building comprise a pure glass box, framed by stone panels that also use metal elements to interface with these materials. The north and south facades have been developed with the aim of maximising the waterfront location and to create a connection to the south dock. This is done by lifting the facades and producing visible entrances to the building. The recess creates a colonnade that emphasises the building entrances making a covered route for pedestrians. The top level façade panels disguise the building plant rooms by recessing the façade line where the louver panels are located. At ground level the lobby provides activity with a triple height volume in a north-south direction providing a connection through to the south dock. The east and west facades also create a recess in the lobby space and enhances the human scale of the building at street level. The submitted Design & Access statement details that the materials for the paved areas around the base of the building will be consistent with the estate's existing public infrastructure.
- 8.20 Policy DEV27 of the IPG provides criteria that applications for tall buildings must satisfy.

Considering the form, massing, height and overall design against the requirements of the aforementioned policy, the proposal is considered to be in accordance with the policy as follows:

- the development creates an acceptable landmark building to the edge of the Canary Wharf Estate, invigorating the South Dock and complementing the existing tall buildings;
- it contributes to an interesting skyline, from all angles and at night time;
- the site is not within a strategic view corridor;
- the site is not within a local view corridor and would not impact adversely on local landmarks;
- the scheme provides adequate, high quality and usable amenity space;
- the proposal also includes an appropriate S106 contribution towards open space provision and management;
- the scheme enhances the movement of people, including disabled users, through the public open space and promenade whilst securing high standard of safety and security for future users of the development;
- the scheme meets the Council's requirements in terms of micro-climate;
- the scheme demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction and resource management;
- the impact on biodiversity will not be detrimental;
- whilst the development is not mixed use, the immediate area houses a wide variety of commercial uses and as such, the proposal is considered appropriate and will contribute positively to the social and economic vitality of the surrounding area;
- the site is located in an area with good public transport accessibility;
- takes into account the transport capacity of the area the scheme includes an appropriate S106 contribution towards transport infrastructure, to ensure the proposal will not have an adverse impact on transport infrastructure and transport services;
- the scheme conforms with Civil Aviation requirements; and
- does not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.

- 8.21 It is considered that the proposed building will contribute positively to the Canary Wharf cluster and help to animate the South Dock. In light of supporting comments received from the Council's Design Department regarding the form, height, massing and design of the development, and subject to conditions to ensure high quality detailing of the development is achieved, it is considered that the proposal is acceptable in design terms and accords with the abovementioned policy and guidance set out in the London Plan, UDP, IPG and CS.

Transport & Highways

- 8.22 Policy T16 of the UDP and policies DEV17, DEV18 and DEV19 of the IPG require new development to take into account the operational requirements of the proposed use and the impact (Transport Assessment) of the traffic that is likely to be generated. Rerefence is also made to policies SO19, SP08, SO20, SO21 and SP09 of the emerging Core Strategy which are in keeping with adopted policy aims. In addition, policy objectives seek to ensure that the design minimizes possible impacts on existing road networks reduces car usage and, where necessary, provides detailed mitigation measures, to enable the development to be acceptable in planning terms.
- 8.23 Vehicular access to the development would be gained from the Cartier Circle. A ramp from the Circle which leads to the Churchill Place car park (underneath 20 Churchill Place) would also serve the basement car park area of the proposed building. This area will house eight vehicular parking spaces, six of which would be for disabled users. The submitted

Transport Assessment details that access for service vehicles will be provided at ground level, where two servicing bays would be located. A total of 138 cycle parking spaces would be provided for the development within the adjacent Churchill Place car park, with lift access from ground level immediately in front of the entrance building.

- 8.24 The site is located within an area of excellent public transport accessibility (PTAL 6a). There are four DLR stations within one kilometre of 25 Churchill Place; Blackwall to the north-east, Poplar to the north-west and Canary Wharf and Heron Quays to the west. The closest station is Canary Wharf, which is a 4 minute walk away. There are five bus services and one dedicated night bus service which travel through the estate, with a further route due to be launched by TfL this year. The area is also well served by official cycle routes.

Section 106 Contributions

- 8.25 Given the large amount of additional employment the development would bring to the area, the Council have determined that a contribution to the value of £312,513 for transport infrastructure is required via the Section 106 agreement in order to ensure that the development can be accommodated within the existing transport network. This is discussed further within paragraph 8.37 – 8.51.

Cycle Parking

- 8.26 TfL and LBTH Highways have both raised concerns with regard to level of cycle parking. The applicant has responded to these comments by stating that cycle parking spaces have been provided in accordance with BREEAM standards for sustainable office buildings. The spaces equate to about 3.3% of employees being able to cycle to work, which exceeds the 1.8% of Canary Wharf employees who cycle. Cycle demand would be monitored as part of the Travel Plan and the Canary Wharf Cordon and Employee surveys and if demand increases above the level provided for then further cycle parking provision would be provided. The amount of cycle parking proposed, which would provide for 3.3% of employees to cycle to work is similar to the levels of cycle parking that has been proposed for the recent Heron Quays West and Riverside south planning applications. This approach has been accepted by the GLA as part of the 2008 consent and, together with future monitoring through the Travel Plan required within the s106 agreement.
- 8.27 TFL have now advised that they are satisfied with the information provided by the applicant demonstrating that the level is in line with the need for cycle parking within the Canary Wharf Estate. Subject, to the requirement to increase the number of spaces subject to demand as part of the Travel Plan they are satisfied with the lower provision. On balance, given the additional information provided, the 2008 consent and the fact that this can be controlled via condition the level of cycle parking is considered acceptable.

Vehicular Parking

- 8.28 As detailed above, the proposal includes 8 vehicular parking spaces at basement level, 6 of which are designated for disabled use and 2 for operational use. Neither, TfL nor LBTH Highways have raised objections on the basis of vehicular parking levels within the proposal.
- 8.29 The LBTH Highway Officer has raised concerns about the layout of the proposed car parking. The applicant in response has advised that there is a 5.9 metre forecourt space between the disabled parking bays. Figure 4.5 in the TA shows an area surrounding the disabled spaces which provides a buffer area for the manoeuvring of disabled passengers and does not form part of the actual vehicle bay. A swept path diagram is included to demonstrate that vehicles are able to manoeuvre adequately in the space provided. Moreover, it is also noted that the layout of the basement level has been implemented as part of the extant EZ scheme and is the same layout as approved in 2008 by the LPA. As such, the Highway Officer concerns in respect of the layout in this instance are not

considered reasonable.

Servicing and Refuse Provisions

- 8.30 The applicant has provided a waste management strategy which details that waste produced in the buildings will be consolidated in the basements, where waste and recyclables will be transported by road to suitable waste transfer and recycling storage.

Amenity

- 8.31 Policy DEV2 of the UDP and policy DEV1 of the IPG October 2007 state that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm.
- 8.32 The application site is not located within or adjacent to any residential development. The site is located to the north and west of the Wood Wharf site, which has been approved as a mixed use scheme including residential accommodation. However in light of the greater scale of the existing commercial buildings than that of the proposal within this area of the estate, it is not considered that the proposal would impact upon the amenity of any future residential occupiers in Wood Wharf. As such, the impact upon amenity is limited to users of the development and the surrounding Canary Wharf Estate. The Council's Environmental Health Department have raised no objections on the grounds of loss of amenity created by the proposed development.

Energy and Renewable Technology

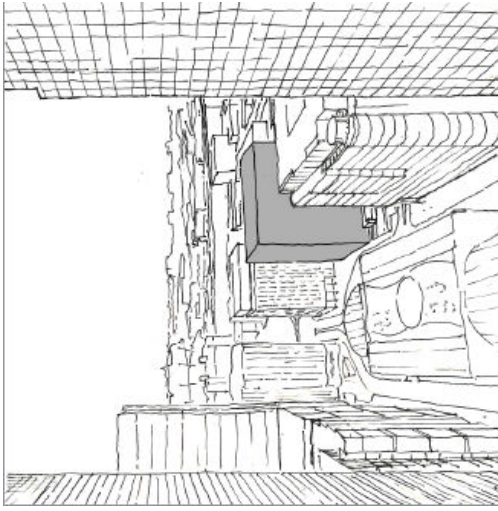
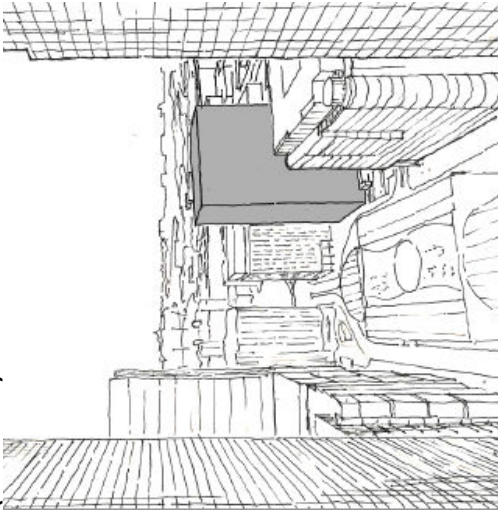
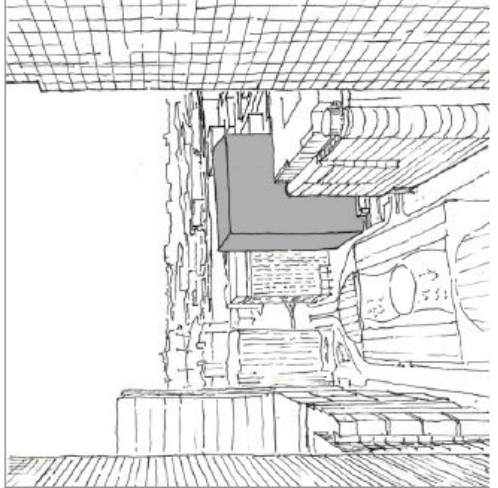
- 8.33 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG Oct 2007. In particular, policy DEV6 requires that:
- All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
 - Major developments incorporate renewable energy production to provide at least 20% of the predicted energy requirements on site.
- 8.34 The application has been accompanied by an Energy Strategy Report which sets out that the proposals aim to reduce overall carbon emissions by 14.3%.
- 8.35 The scheme has been designed to include passive design measures and energy efficiency measures and includes a combined heat and power system tri-generation system, photovoltaic provision at roof level and heat pumps using the dock water.
- 8.36 The Energy Officer and the GLA have reviewed the submitted Energy Report and are broadly satisfied. Their concerns and requests for further information have been satisfactorily dealt with by the applicant.

Section 106 Contributions

- 8.37 Saved Policy DEV4 of the UDP, policy IMP1 of the Interim Planning Guidance and policy SP13 of the CS state that the Council will seek planning obligations or financial contributions to mitigate for the impact of the development. Reference is also made to Community Infrastructure Levy Regulations which came into force in April 2010 and give statutory force to three policy tests set out in Circular 05/05.

- 8.38 This application proposes 71,169 square meters of B1 office floor space in total. In light of the extant Enterprise Zone permission for 60,300 square meters of office floor space, the S106 contribution has been calculated on the additional office floor space, which equates to 10,869 square meters. This is the same method of calculation which was used for the 2008 application.
- 8.39 The level of S106 contribution has been calculated per square meter of additional office floor space. The same tariff from the 2008 application has been applied. This S106 package takes account of the lower level of office floor space proposed within this application and also takes account of inflation by index linking the 2008 figures. This results in what appears to be a lower figure but is the same amount in real terms to the 2008 S106 package. Table 1 demonstrates the comparison between the three schemes in respect of size and S106 contributions.

Table 1: 25 Churchill Place – S106 Comparison Schedule

	Enterprise Zone Scheme (ref. EZ/91/4) (IMPLEMENTED)	2008 Consented Scheme (ref. PA/08/00775) (EXTANT)	2010 Proposed Scheme (ref. PA/10/00332)
			
Height	15 storeys 80.77 metres AOD	23 storeys 130 metres AOD	18 storeys 108 metres AOD
Area	60,300 sq.m. (GIA)	80,535 sq.m. (GIA)	71,169 sq.m. (GIA)
Uplift	n/a	20,235 sq.m. (GIA)	10,869 sq.m. (GIA)
S106 Total	n/a	£1,850,895 (£91.47 per sq.m. of uplift)	£882,805 (£81.22 per sq.m. of uplift – this figure is the equivalent of the 2008 £/sq.m. further to an index linked calculation which takes account of inflation)
S106 Package	n/a	Sports Pitches – £307,249 Open Space/Public Realm - £546,014 Transport Infrastructure - £655,217 Social/Community/Training - £342,415	Sports Pitches – £146,546 Open Space/Public Realm - £260,428 Transport Infrastructure - £312,513 (TBC) Social/Community/Training - £163,319

- 8.40 To mitigate for the impact of this development on local infrastructure and community facilities the following contributions accord with the Regulations and have been agreed.
- a) **£146,546** – for the provision or conversion of sports pitches to Astroturf in accordance with the Council's Sports Pitch Strategy; and
 - b) **£260,428** - towards open space and public realm improvements; and
 - c) **£312,513** - Towards transport infrastructure, specially towards Crossrail; and
 - d) **£163,319** - towards social and community and employment and training initiatives
 - e) Commitment to implement a Green Travel Plan
 - f) Commitment to use local labour in construction
 - g) TV/Radio Reception Monitoring
 - h) any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Transport Infrastructure

- 8.41 A payment of **£312,513** towards transport infrastructure, specifically Crossrail.
- 8.42 TfL have requested a contribution of **£1,646,100** towards Crossrail, given the strategic regional importance of Crossrail to London's economic regeneration and development.
- 8.43 TfL outline, that an approach has been developed for collecting contributions towards Crossrail and is set out in the Mayor's draft Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail' (March 2010).
- 8.44 Officers consider that given TfL no longer intend to upgrade the ticket hall at Jubilee Place the allocation of the transport contribution towards Crossrail would be acceptable in light of the emerging policy context and the importance of Crossrail. It is noted that TfL do not consider the level of the contribution which is currently **£163,319**, and this matter is still under negotiation with the applicant.

Open Space and Public Realm Improvements

- 8.45 The provision of **£260,428** towards open space and public realm improvements, to mitigate the impact of the additional working population upon existing and proposed open space within the immediate vicinity, and the development of future parks, in particular the proposed open space adjacent to the Blackwall Tunnel ventilation shaft.

Sports Pitch Strategy

- 8.46 Provide **£146,546** towards the provision/conversion of pitches to Astroturf in accordance with the Council's Sports Pitch Strategy, to accommodate the additional demand upon sports pitches created by the additional employees within the estate/Borough.

Social & Community and Employment & Training Initiatives

- 8.47 Provide **£163,319** towards social & community and employment & training initiatives, these being:
- i. *Sustainable transport initiatives*; improvements to facilitate walking, cycling and sustainable transport modes, including improvements in accordance with the Cycle Route Implementation Plan
 - ii. *Heritage and culture*; improvements to preserve and enhance the history and character of the Docklands/Isle of Dogs area
 - iii. *Idea Store*; Contribution to mitigate the increased demand upon the existing Idea Store, particularly upon the IT infrastructure and the free wireless service
 - iv. *Access to Employment*; A contribution towards the Skillsmatch Service
 - v. *Isle of Dogs Community Foundation*; A contribution towards social and community facilities.

Affordable Housing Contribution

- 8.48 As detailed earlier within this report, the GLA have requested that a contribution towards offsite affordable housing is provided.
- 8.49 With regard to such a contribution, policy 3B.3 of the London Plan (2008) is relevant. This policy states: *“Within the Central Activities Zone and the north of the Isle of Dogs Opportunity Area, wherever increases in office floorspace are proposed they should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.”* Policy 5G.3 of the London Plan targets this policy at the CAZ and Isle of Dogs Opportunity Area. Paragraph 5.178 states: *“As a general principle, mixed use development in CAZ and the north of the Isle of Dogs Opportunity Area will be required on-site or nearby within these areas to create mixed-use neighborhoods. Exceptions to this will only be permitted where mixed-uses might compromise broader objectives, such as sustaining important clusters of business activities, for example in much of the City and Canary Wharf, or where greater housing provision, especially of affordable family housing, can be secured beyond this area. In such circumstances, off-site provision of housing elsewhere will be required as part of a planning agreement.”*
- 8.50 In considering the above, officers consider that a contribution towards off-site affordable housing would not accord with the Community Infrastructure Regulations 2010 particularly when considering the following:
- The Council is currently meeting its housing targets;
 - The development complies with Policy 3B.1 in developing London’s Economy and policies 3B.2 and 3B.3 which encourage developments that meet office demand and rejuvenate office-based activities in the CAZ. The key impact raised in these policies from such developments is upon transport infrastructure, which has been appropriately addressed within this report;
 - According to the definition for CAZ within the London Plan, these areas are to promote finance, specialist retail, tourist and cultural uses and activities. This report identifies that the site is appropriate for commercial development, and with the proposed development providing approximately 4,153 jobs, this is considered a significant contribution towards the target of 100,000 new jobs by 2016 within Isle of Dogs as set out in Policy 5C.1 of the London Plan; and
 - The consented and implemented office development in 1991 was not required to provide a contribution towards off-site affordable housing. Furthermore, given that the aforementioned consent has been implemented by way of construction of the basement, a considerable commercial development could be constructed on site which provides considerably less in the form of planning contributions and the aforementioned London Plan employment targets.
 - The consented office development in 2008 was not required to provide a contribution towards off-site affordable housing.
- 8.51 In overall terms officers consider that the level of agreed financial contributions is appropriate and that they adequately mitigate for the impacts of the development.

Other Planning Issues

Biodiversity

- 8.52 Whilst no objections have been raised on the grounds of impact upon biodiversity, given the site’s designation as a site of nature conservation importance, the attachment of a condition requiring the submission and agreement of a Biodiversity Action Plan is considered necessary.

Site Contamination

- 8.53 Saved UDP policy DEV51 and IPG policy DEV22 requires applications to be accompanied

by an assessment of Ground Conditions to assess whether the site is likely to be contaminated. In this instance it is noted that the EZ consent has been implemented above ground level and the applicant has advised it may not be possible to carry out such testing. It is considered that conditions requiring ground gas monitoring and where necessary ground gas protection measures should be attached to the planning permission in this instance. If the applicant is unable to carry out these tests then robust justification should be provided in order to discharge the condition.

- 8.54 The Environment Agency have requested conditions in respect of land contamination and pilling. Following the receipt of these comments the Environment Agency were advised that these pilling works have already been carried out. The Environment Agency, have advised that if the foundations are already in, then it is not necessary to attach a condition in respect of pilling. They would however like the developer to be aware that they bear all responsibility for any damage to the aquifer and we recommend that some groundwater monitoring is undertaken so that they are in a position to deal with anything before it becomes a problem.

Conclusions

- 8.54 All other 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 decision are set out in the RECOMMENDATION at the beginning of this report.