

<b>Committee:</b> Strategic Development Committee	<b>Date:</b> 8 <sup>th</sup> September 2005	<b>Classification:</b> Unrestricted	<b>Report Number:</b> <b>SDC005/056</b>	<b>Agenda Item Number:</b> <b>5.1</b>
<b>Report of:</b> Director of Customer Services  <b>Case Officer:</b> Renee Goodwin		<b>Title:</b> Town Planning Application  <b>Location:</b> THE LONDON ARENA, LIMEHARBOUR, LONDON, E14 9TY  <b>Ward:</b> Blackwall and Cubitt Town		

## 1. SUMMARY

### 1.1 Registration Details

**Reference No:** PA/04/00904

**Date Received:** 21/06/2004

**Last Amended Date:** 17/05/2005

### 1.2 Application Details

**Existing Use:**

**Proposal:**

The demolition of London Arena and redevelopment by erection of 8 buildings ranging from 43 to 7 storeys in height with a total of 142,180 sqm of floor space over a podium. The proposal comprises 972 residential units; 26,500 sqm of office space; a 15,560 sqm hotel; a community facility of 1,157 sqm; a range of retail uses including A1, A2, A3, A4 and A5 comprising 4,810 sqm; new health and fitness club 1,085 sqm; associated landscaping including new public open spaces and a dockside walkway; a new internal road; and parking for 527 cars.

**Applicant:**

**Ownership:**

Shendle Ltd, part of the Ballymore Group  
Docklands Light Railway Limited  
Highways Authority  
London Docklands Arena Company

**Historic Building:**

**Conservation Area:**

N/A

N/A

## 2. RECOMMENDATION:

2.1 That the Strategic Development Committee **grant** planning permission subject to the conditions outlined below:

2.1.1 The satisfactory completion of a legal agreement pursuant to Section 106 of the Town & Country Planning Act 1990 (and other appropriate powers) to include the matters outlined in Section 2.5 below, and the conditions and informatives outlined in Sections 2.7 and 2.8; and Section 278 of the Highways Act 1980, to include the matters outlined in paragraph 2.6 below.

2.1.2 That if the Committee resolve that planning permission be granted, that the application first be **referred to the Mayor of London** pursuant to the Town & Country Planning (Mayor of London) Order 2000, as an application for a new building exceeding 30 metres in height and involving more than 500 residential units.

2.1.3 That if the Committee resolve that planning permission be granted that the Committee **confirms** that they have taken the environmental information into

account, as is required by Regulation 3 (2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999.

- 2.1.4 That the Committee **agree** that following the issue of the decision, a Statement be placed on the Statutory Register confirming that the main reasons and considerations on which the Committee's decision was based, were those set out in the Planning Officer's report to the Committee (as required by Regulation 21(1)(c) of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999.

### **Legal Agreement**

2.5 Section 106 agreement to secure the following:

- (1) A proportion of 35% on a gross floor space basis of the proposed units to be provided as affordable housing with the mix as specified in the table attached in Section 7.8.5.
- (2) Provide £150,000 towards the installation of Docklands Arrival Information System (DAISY) within the London Arena development.
- (3) Provide a minimum of £400,000 towards the D5 bus service or new bus service (TFL proposal) and potential new bus stops on East Ferry Road.
- (4) Implement measures to offset signal interruption to mitigate the adverse effects on DLR radio communications.
- (5) Provide £125,000 towards general improvements to pedestrian and cycle routes in the area including crossings and new paving surfaces.
- (6) Provide £75,000 towards the signalisation of the junction of Marsh Wall/ Limeharbour with a green man phase.
- (7) Provide £100,000 towards open space improvements to cater for the demand that will arise from the new housing on existing open space and recreational facilities.
- (8) Set of measures for the public realm including provision of the public piazza and access to the Dockside Walkway.
- (9) Provide £482,212 towards education to mitigate the demand of the additional population on education facilities.
- (10) Provide £2,624,437 towards medical facilities to mitigate the demand of the additional population on medical facilities.
- (11) Provide £125,000 towards the Local Labour in Construction (LLiC) programme.
- (12) Provide £75,000 towards Skillsmatch to maximise the employment of local residents.
- (13) Preparation of a Workplace Travel Plan (including welcome pack for residents).
- (14) Preparation of a Service and Delivery Plan.
- (15) Obligations in relation to construction works (noise levels, hours of work, transport arrangements, air quality, method statements) to be secured through a Code of Construction Practice.
- (16) TV Reception monitoring and mitigation.
- (17) Preparation and implementation of a public art strategy including involvement of local artists.

- (18) Completion of a car free agreement to restrict occupants applying for residential parking permits.
- (19) Preparation of an Environmental Management Plan – post construction.

2.6 Section 278 agreement to secure the following:

- (1) Standard S278 Highway Improvements/ modifications on Limeharbour, including, new access points, modification of existing access points and general paving as required.

**Conditions**

- 2.7 (1) Time Limit for Full Planning Permission
- (2) A programme indicating separate phases of the development
- (3) Full Planning Permission – Design Details
  - Materials
  - Design and external appearance of the building
  - Interface of the retail areas with the public space
  - Treatment of the site along the eastern corridor
  - Fenestration
  - External lighting and security measures
- (4) Completed in accordance with submitted drawings
- (5) Landscape Management Plan
- (6) Parking – Maximum Cars and minimum cycle and motorcycle spaces
- (7) Hours of construction
- (8) Servicing and ventilation
- (9) Hours of operation - hammer driven piling
- (10) Hrs of Construction -Mon - Sat inc. Demo
- (11) Wheel cleaning during construction
- (12) On site drainage works
- (13) Black Redstart Survey
- (14) Black Redstart habitat provision
- (15) Green roofs
- (16) Signage for basement parking
- (17) Land contamination
- (18) Re-use of excavated materials
- (19) Implementation programme for archaeological works
- (20) Foundation design and ground works
- (21) Construction operations and impact on dock wall
- (22) Horizontal access strip from dock wall
- (23) Surface and foul water drainage system
- (24) Materials, openings and maintenance regime for the boundary with the DLR
- (25) Noise – PPG24
- (26) Use of barges for construction traffic
- (27) Access by construction vehicles limited to Limeharbour
- (28) Demolition recycling plan
- (29) Limit A1 retail floor space
- (30) Community facility in the southern court
- (31) Recycling plan
- (31) Refuse storage facilities plan

2.8 That the following informatives be provided to the applicant for information:

- (1) Plan Numbers and supporting documents
- (2) Landscape Management Plan
- (3) Thames Water
- (4) Environment Agency
- (5) English Heritage – London Region
- (6) Environment Agency – surface and foul water drainage
- (7) Environment Agency – horizontal access strip to dock wall
- (8) Environment Agency – Land contamination
- (9) DLR – interface of development with DLR

- (10) Recycling provision
- (11) Refuse storage facilities
- (12) Code of Practice for Works affecting British Waterways
- (13) Environment Agency – tidal flood defence level
- (14) Environment Agency – construction close to flood defence wall
- (15) Entertainment licensing
- (16) Surface water
- (17) Site notice
- (18) Control of Pollution Act
- (19) Relevant Building Regulations

### **3. EXECUTIVE SUMMARY**

- 3.1.1 The proposal is for a mixed-use development, consisting of a total of 8 buildings, ranging from 43 to 7 storeys in height. The scheme comprises 972 residential units, commercial, office, community facility, a range of retail, health and fitness, landscaping, dockside walkway, and parking for 527 cars.
- 3.1.2 The following is a summary of the assessment of the proposed scheme:
- The Environmental Impact Assessment is satisfactory, including the cumulative impact of the development, with mitigation measures to be implemented through condition and the S.106 agreement;
  - The Greater London Authority provided their 1<sup>st</sup> Stage Response. The report concluded that, the design, density and scale are appropriate, providing an attractive addition to the skyline;
  - The proposed land uses comply with the mixed-use development policies in the adopted and draft UDP's;
  - The site has a Public Transport Accessibility Level (PTAL) of 6 (where 6 is excellent). Improvements to the existing capacity will be undertaken through the Section 106 agreement;
  - The density of 1031 habitable rooms per hectare is consistent with Council's 1<sup>st</sup> Deposit Draft UDP policy;
  - The development will introduce a new landmark into the skyline and is considered acceptable in the context of the Central Area Zone;
  - 35% affordable housing is provided on a gross floor space (or a total of 293 affordable housing units). The proposed mix of units is in accordance with Council's Housing Needs Survey and of the affordable housing units, 47% are provided as family housing; and
  - The proposal incorporates a number of sustainability measures.
- 3.1.3 The proposed development is considered appropriate in terms of townscape, environmental and infrastructure considerations. The proposal includes contributions towards transport, health, education, employment and training and open space. The scheme accords with the Council's policy objectives and the GLA East London Area objectives. The high quality development will provide significant benefits to the local area.

### **4. BACKGROUND**

#### **Location**

- 4.1 The site lies on the Isle of Dogs and is bounded by the elevated Docklands Light Railway Line, beyond which lies Limeharbour to the east; Harbour Exchange development to the north; Millwall Inner Dock is directly to the west of the site; and Pepper Street is located to the south. The site has a total area of 27,400sqm and was previously utilised as a leisure and entertainment centre, known as the London Arena. The Arena was constructed in the 1980's. The building itself has a height of 18m, equivalent to 6 residential storeys or 4-5 commercial storeys. The London Arena is not currently in use, except for a separate commercial unit on the northern side of the structure, currently being utilised as a gym. The grounds of the Arena on its eastern side are currently being used as an open carpark. Vehicular access to the site is from Limeharbour via a ramp under the DLR line.

## Surrounding Land Use

- 4.2 A mix of predominantly commercial and residential uses surround the site. To the west, the site fronts Millwall Inner Dock. A floating Chinese restaurant is located on the Dock along this boundary. On the opposite side of the Dock are emerging redevelopment schemes within the Millennium Quarter. The guidance provided in the Millennium Quarter Master Plan proposes that the height of the buildings step down diagonally from the portion of the quarter with frontage to Marsh Wall towards the south east corner of the quarter at West India and Millwall Docks. A mixed use development, diagonally opposite the site across Millwall Inner Dock at 1 Millharbour, was approved in February 2005, and included two residential towers (40 and 48 storeys high). Further south at 31 – 39 Millharbour, approval in June 2005, was issued for a mixed use development, including a residential building up to 22 storeys in height. Approval (May 2002) was also issued for a mixed use development, including a residential building up to 15 storeys high at 41 – 43 Millharbour.
- 4.3 To the north of the site is the Harbour Exchange office complex with buildings up to 45m in height (ranging from 5 – 16 storeys). The DLR runs along the eastern side of the site within the site boundary, with Crossharbour DLR Station located approximately halfway along this boundary.
- 4.4 On the opposite side of Limeharbour are commercial uses to the north east of varying size including, 3 Limeharbour, approved in December 2003 (PA/02/01917) for a 17 storey mixed use residential and commercial development. To the south east is a medium to low density residential precinct with local shops opposite the Crossharbour DLR Station and the designated district centre comprising an Asda supermarket. Council has an agreed Supplementary Planning Guidance for the redevelopment of this site for a mixed use scheme.
- 4.5 Running along the southern side of Pepper Street is a development known as Lanark Square, which is approximately 7 storeys high and incorporates a colonnade of retail uses along the ground floor with offices above. Adjacent is Balmoral House, a 4 storey residential building and Aegean House, which is setback from Pepper Street and is an 8-storey commercial structure.
- 4.6 The site is well served by public transport links being located at Crossharbour DLR Station and with direct access to local bus services.

## History

- 4.7 The current application is the fourth scheme proposed on the site. The previous schemes are summarised below [Note: these applications have since been withdrawn]:

### ***Duplicates PA/03/1793 and PA/03/1794, December 2003***

- 4.8 Mixed use development comprising the demolition of London Arena and redevelopment by erection of 8 buildings ranging from 43 to 7 storeys in height with a total of 141,320sqm of floor space over a podium. The proposal comprised:
- 1021 residential units (C3)
  - 26,500 sqm of office space (B1)
  - a 15,560 sqm hotel
  - a community facility of 1,140 sqm
  - a range of retail uses including A1, A2 and A3 comprising 3,805 sqm
  - new health and fitness club (D2) 1,150 sqm
  - associated landscaping including new public open spaces
  - a dockside walkway
  - parking for 541 cars.
- 4.9 The application was submitted on 23 December 2003. The statutory consultation period for this application was complete, however many comments from statutory authorities were not yet received. Council's consultant had partially completed their review of the Environmental Statement, however prior to this being finalised the applicant indicated that amendments were proposed. Council confirmed that given the increase in floor space, a new application

would be required. The new application is the subject of this report.

***Duplicates PA/03/667 and PA/03/952, May 2003***

- 4.10 Mixed use redevelopment comprising the demolition of London Arena and redevelopment by erection of 9 buildings ranging from 50 to 7 storeys in height and consisting of:
- 1088 residential units (C3)
  - 23,945 sqm. of office space (B1)
  - a 190 room hotel
  - community facility
  - a range of retail uses including A1, A2 and A3 comprising 4,480 sqm
  - new health and fitness club (D2)
  - associated landscaping including new public open spaces
  - a dockside walkway
  - parking for 571 cars.
- 4.11 London City Airport objected to the height of this proposal.

***PA/02/703, May 2002***

- 4.12 Mixed use redevelopment comprising construction of 6 buildings ranging from 4-storeys (22 metres AOD) up to 35-storeys comprising:
- 1,062 residential units (C3)
  - 61,700sqm of office (B1)
  - 400 room hotel including conference centre (C1)
  - a range of retail uses including A1, A2 and A3, comprising, 13,000 sqm
  - 1,760sqm leisure including health and fitness club
  - community facilities including doctors surgery, children's play area and sports facilities
  - public open space including winter garden and demountable ice rink
  - new internal road, access arrangements including new pedestrian and cycle routes through development and waterside walkways
  - upgraded DLR station relocated on site next to offices and hotel
  - associated car parking.
- 4.13 The application was submitted on 21 May 2002. Concerns with the proposal principally comprised the design, massing, scale and height; land use mix; and transport capacity. A considerable number of objections were received including from the GLA regarding urban design and quality, under-provision of affordable housing, insufficient transport capacity requiring improvements to DLR capacity and Crossharbour Station and other elements of the network.

**Current Proposal**

- 4.14 Full planning permission is sought for a proposed development comprising the demolition of London Arena and redevelopment by erection of 8 buildings ranging from 43 (136.70m) to 7 storeys in height with a total of 142,810 sqm of floor space over a podium. The proposal comprises:
- 972 residential units;
  - 26,500 sqm of office (B1) space;
  - 15,560 sqm hotel (D1) or 178 rooms;
  - 1,157sqm of community (D1) uses;
  - a range of retail uses including A1, A2, A3, A4 and A5 comprising 4810sqm;
  - new health and fitness club 1085 sqm;
  - associated landscaping including new public open spaces and a dockside walkway;
  - a new internal road; and
  - parking for 527 cars at basement level.

The development is divided roughly into two halves by the access road creating an east west corridor across the site.

- 4.15 Each of the residential blocks will provide retail uses at ground floor level, with entrances into

the residential units via adjacent lobbies. The retail uses mark most corners of the development, as well as at either end of the east-west link road, attracting public activity throughout the site.

- 4.16 The **Northern Group** of buildings are arranged around a central circular access road connected to the main east west access road. This group of buildings comprises a 15-storey hotel complex along the Limeharbour frontage with dual access from the internal circular access road and a separate access road directly from Limeharbour. An office building abuts the northern edge of the hotel structure, rising to a height of 16-storeys, with access via the internal circular road.
- 4.17 Connected to the office building at ground level is a large A3 use proposed as a restaurant, protruding into the public space. A residential building abuts the southern edge of the hotel structure, rising to a height of 9-storeys. A small proportion of the affordable housing units are proposed within this building at ground, first and second floor level. Vehicular access to the residential apartment block is from the east west access road. The office building, hotel and residential block form a 'U' shape around the central area. On the western side of this northern group of buildings are two residential blocks. The north western tower block rises to 43-storeys high, whilst the south western block is 14-storeys. The latter block includes a ground floor retail use.
- 4.18 The **Southern Group** of buildings is again arranged around an open courtyard incorporating public open space, together with a playground and an enclosed community facility. This group comprises three main buildings. The first is a 'L' shaped building incorporating predominately retail and a Health Club on the Ground Floor with affordable residential housing above up to a height of 10-storeys along the internal access road and 16-storeys along Limeharbour.
- 4.19 The two other buildings in the southern group incorporate a mix of retail and residential on the ground floor, with residential above. The building fronting Pepper Street will rise to a maximum height of 11-storeys, stepping away from Pepper Street from Level 8 upwards and incorporating affordable housing. The building fronting the Dock rises to 14-storeys, stepping away from the Dock from Level 10 upwards and joining the buildings in the northern group at level 6 upwards. This allows the east west corridor through the site to be maintained.

## **5. PLANNING POLICY FRAMEWORK**

5.1 The following Unitary Development Plan **proposals** are applicable to this application:

- (1) Limeharbour
- (2) Central Area Zones
- (3) Flood Protection Areas
- (4) Sites of Nature Conservation Importance
- (5) Water Protection Areas

5.2 The following Unitary Development Plan **policies** are applicable to this application:

- DEV1 Design Requirements
- DEV2 Environmental Requirements
- DEV3 Mixed use developments
- DEV4 Planning Obligations
- DEV5 High Buildings and Views in the Central Area Zones
- DEV8 Views
- DEV12 Landscaping
- DEV13 Tree Planting
- DEV18 Public Art
- DEV45 Development in areas of archaeological importance
- DEV47 Development Adjacent to Water Areas
- DEV48 Riverside Walkway
- DEV 50 Environmental Impact of Major Development
- DEV51 Contaminated land
- DEV56 Litter and Waste
- CAZ3 Mixed Use development

EMP1	Promoting Employment Growth
EMP6	Access to Employment
EMP9	Business Use
HSG2	New Housing developments
HSG3	Affordable Housing
HSG7	Dwelling mix and type
HSG8	Dwelling Accessibility
HSG9	Maximum Density
HSG13	Internal standards for residential developments
HSG16	Amenity space
T9	Strategic Traffic Management
T13	Off-Street Carparking
T15/T16	Transport and development
T17	Parking standards
T21	Pedestrian Routes
T24	Cyclists
T26	Use of Waterways for construction spoil
S6	New retail development
OS9	Children's Play Space
ART8	Criteria for hotels

5.3 The following New Unitary Development Plan 1st Deposit Draft **proposals** are applicable to this application:

- (1) Mixed Use Opportunity Site
- (2) Flood Protection Areas
- (3) Sites of Nature Conservation Importance
- (4) Water Protection Areas

5.4 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

EMP1	Promoting economic growth and employment opportunities
EMP2	Mixed use development
EMP4	Proposals for Office Development
EMP8	New Build Residential/Employment Mixed-use proposals
EMP9	Ancillary Uses
TC6	Eating, Drinking and Night Time Economy
TC7	New development and the Sequential Approach
TC8	Retail development in area Action Frameworks and Mixed Use Opportunity Sites
CC4	Hotel and Conference Centre Development
HSG2	New Housing Developments
HSG4	Affordable Housing Target
HSG5	Affordable Housing Ratio and Mix
HSG8	Dwelling Type and Mix
HSG9	Housing Density
HSG10	Lifetime Homes and Wheelchair/Mobility Housing
HSG12	Amenity Space
SF1	Social Facilities
TRN1	Transport and Development
TRN2	Public Transport Schemes
TRN5	The Road Network
TRN6	Parking and servicing
TRN7	Transport Assessments
TRN8	Travel Plans
TRN9	Linkages
TRN10	Pedestrian permeability
TRN11	Bicycle Facilities
TRN12	Materials Handling
UD1	Scale and density
UD2	Architectural Quality
UD3	Ease of movement and Access Through Inclusive Design
UD4	Design Statements and Access Statements



UD5	Safety and security
UD7	Tall Buildings and Large Development proposals
UD8	Important views
UD9	Public Art
UD11	Landscaping
UD12	Urban Design, the Blue Ribbon Network and the Thames Policy Area
UD16	Areas of Archaeological Importance
ENV1	Amenity
ENV3	Noise and Vibration Pollution
ENV4	Disturbance from Plant
ENV5	Disturbance from Demolition and Construction
ENV6	Sustainable Construction Materials
ENV8	Energy Efficiency
ENV9	Contamination
ENV11	Waste Disposal and Recycling Facilities
ENV12	Recycling of Construction Waste
ENV16	Enhancement of Biodiversity
ENV19	Protection of the water environment
ENV20	Flood Protection
ENV21	Water Conservation
ENV22	Waterside Walkways
ENV27	New Open Space Provision
ENV28	Access to Open Space
IM1	Planning Agreements
IOD3	Activity Nodes
IOD6	New Open Spaces on the Isle of Dogs
IOD7	The Waterfront
IOD8	Access

5.5 The following Community Plan **objectives** are applicable to this application:

- (1) A better place for living safely - reduction in crime and improved safety.
- (2) A better place for living well – quality affordable housing and access to health care, leisure and retail facilities.
- (3) A better place for creating and sharing prosperity – an international centre for business and trade, more jobs for local people, community involvement in planning, and higher living standards.

## 6. **CONSULTATION**

6.1 The following were consulted regarding this application:

### (1) **Head of Highways Development**

Highways is satisfied with the proposal, subject to the implementation of conditions with regard to ingress and egress, water based transport, and no access to Pepper Street for construction vehicles. The planning application documents have identified a number of area improvement measures that should be attached/identified in the legal agreement:

1. General improvements to pedestrian routes in the area including new paving surfaces and an assessment of the pedestrian crossing facilities on Marsh Wall with new or relocated crossings and existing crossings made wider.
2. Signalisation of the junction of Marsh Wall/ Limeharbour with a Green Man phase.
3. There will also be some standard S278 highway improvements/modifications on Limeharbour, including, construction of new access points, modification of access points and general repaving as required.

### (2) **Environmental Health**

Daylight and Sunlight

Environmental Health are satisfied with the “*Site Layout Planning for Daylight and Sunlight*” published by the Building Research Establishment (BRE). The content of the report satisfied the vertical sky component (VSC) method, which considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential which look towards the site; the average daylight factor (ADF) method, which considers the amount of sky visibility on the vertical face of the window in the context of the window size, room size and room use; and the annual probable sunlight hours (APSH) method considers the amount of sun available in both summer and winter for each given window faces within 90 degrees of due south. The report concluded that the daylight, sunlight and overshadowing implications of the proposed development on neighbouring properties and amenity space are anticipated to be insignificant. Environmental Health acknowledged that the scheme does cast some shadow on the Millwall Dock ecology, which British Waterways have confirmed acceptable.

#### Contaminated Land Officer

The Contaminated Land Officer recommends that a number of conditions be included to ensure that if the land is identified as contaminated, it is properly treated and made safe before the development commences to ensure the protection of public health.

Recommendations incorporated as conditions.

### (3) **Strategy**

#### Millennium Quarter Master Plan

Whilst its accepted that the site falls outside the Millennium Quarter, the Master Plan sets out, as interim planning policy the form and mix of development that the Council would consider acceptable within the Millennium Quarter and should be a consideration for any development proposal adjacent to the Millennium Quarter.

The Master Plan seeks to ensure that the building heights step up diagonally towards Canary Wharf, with a maximum height of around 110 metres adjacent to the Canary Wharf complex ensuring that these building forms create the backdrop to the Millennium Quarter. The application site is located directly adjacent (across Millwall dock) from the 70 metre height area.

#### Affordable Housing

The London Plan states that ‘Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private and residential and mixed-use schemes, having regard to their affordable housing targets adopted in line with policy 3A.7.....’ (Policy 3A.8). The justification states that the Three Dragons toolkit is one mechanism that will help.

The applicant has now revised the affordable housing offer to provide 35% affordable housing on a floor space basis, which is consistent with Council’s emerging UDP (1<sup>st</sup> Draft) policy requirements. The proposed mix is also consistent with Council’s recently finalised Housing Needs Survey.

### (4) **Greater London Authority**

The proposal reflects a quality mixed use development that delivers many of the policies of the London Plan. The 30% affordable housing provision (35% provision on a gross floor space basis) has been justified and greater provision is likely to make the development unviable. Whilst the principle of the development is supported in strategic planning terms, the development application cannot be fully supported until TFL are satisfied with the proposal and the percentage of renewable energy is clarified and justified. Further discussions with TFL are required. The ground floor uses fronting onto the dock and the bulk of the office block should also be revised.

The GLA have since confirmed that TFL are satisfied. The GLA have confirmed that they are satisfied with the design issues for the ground floor use and office

block. Council is awaiting a response from the GLA on the Sustainability Report.

(5) **Transport for London (TFL) / Docklands Light Railway (DLR)**

The development site has good access to public transport facilities with a Public Transport Accessibility Level (PTAL) of 6 (in a range of 1 – 6, where 6 is excellent). The site is a short walk from Crossharbour DLR station, Canary Wharf Underground Station and is served by bus routes D3, D6, D7 and D8, which operate at a frequency of every 5 to 8 minutes.

Pedestrians and Cyclists

Measures should be enforced which designate priority to pedestrians and cyclists, especially where these modes interface with other traffic.

Cycle Parking

TFL expects to see a total of 1232 cycle parking spaces in the development proposals.

Work Place Travel Plan

TFL welcomes the adoption of a Work Place Travel Plan to promote sustainable travel amongst employees, residents and visitors. TFL would like to see as part of the Travel Plan, a welcome pack for residents, which details routes to nearest public transport facilities. This will help to identify and improve the most safe and direct pedestrian access.

Coach Parking

TFL welcomes the provision of coach parking within the development as this measure will benefit the broader area by reducing congestion caused by coaches parking in residential streets and the need to travel to the development by private car by providing facilities which cater for alternative means of travel.

Services and Deliveries

TFL recommends that servicing and delivery issues be addressed through preparation of a Service and Delivery Plan. In order to minimise and combine deliveries and promote the use of quieter and less polluting vehicles.

Buses

TFL has concerns about the technical process that has been used to provide the Transport Assessment. TFL is disappointed that the estimated impact the development will have on bus journey times with estimated journey times has not been indicated in the Transport Assessment.

Docklands Light Railway

TFL is concerned that the Transport Assessment underestimates the effects that the development will have on Crossharbour DLR station. TFL requests that a contribution be made towards the installation of Docklands Arrival Information System (DAISY) within the new development. This system allows real time next train arrival information to be displayed on plasma screens, which is beneficial for residents' visitors using the DLR, and would encourage the use of public transport.

Car parking

TFL is satisfied that the proposed level of car parking meets London Plan Standards. TFL welcomes the reduction of hotel car parking to 5 spaces.

DLR Property Impact

TFL would like to highlight that there is a potential conflict of works between the development proposals and DLRL Capacity Enhancement Order Application. TFL requests that the developers work in conjunction with DLRL to reduce the possibility of this conflict occurring and to inform the developer of construction regulations that apply when developing land near the DLR. TFL requires, during the proposed works that access to Crossharbour DLR station is maintained and that the use of equipment is agreed. This will ensure that the access maintained is safe and direct.

### Taxis

TFL welcomes the provision of a taxi rank into the northern square. This is well located to serve the commercial elements of the scheme.

TFL have since indicated that they are now satisfied with the above issues and recommend that a number of conditions and/or mitigation measures to be included in the Section 106 agreement.

(6) **London Development Agency**

In the event of consent being granted, initiatives to open up the employment opportunities to local people including the provision of appropriate training and addressing other barriers to employment, e.g. childcare should be formalised through a S106 agreement between the Council and the applicant. Similarly the S106 agreement should also encourage use of local businesses for the supply of goods and services during construction and subsequently.

Contributions for employment and training are incorporated as part of the S106 agreement.

(7) **Thames Water Authority**

Conditions recommended and incorporated regarding sewerage and water resources.

(8) **London Borough of Greenwich**

The proposed development by reason of its proposed scale, height, bulk and location to the south of the Canary Wharf 'cluster' of high buildings would result in visual clutter effectively blocking the Docklands panorama when viewed from Eltham Park, Greenwich Park and the World Heritage site thereby adversely affecting the overall perspective and essential quality of these views, contrary to policy D17 of the Greenwich Unitary Development Plan, adopted 1994 and policies D26 and TC7 of the Greenwich Unitary Development Plan, Second Deposit Draft, April 2004.

These comments have been taken into consideration.

(9) **Government Office for London**

No comment at this stage. The application will be referred to GOL following the Council's Strategic Development Committee decision and prior to any consent being issued.

(10) **Environment Agency**

Conditions recommended and incorporated regarding flood risk assessment. The developer has negotiated with the Environment Agency in an attempt to remove the condition, which requires a horizontal access strip of 8m to be maintained adjacent to Millwall Dock. The EA has recommended that the condition be amended to ensure that a horizontal access strip is maintained adjacent to the Millwall Dock. The exact width of the access strip must be subject to approval by the Environment Agency with recognition that it is practice to seek a 8m wide access strip as a minimum. This is to allow access to the flood defences for raising, repair, replacement or inspection.

(11) **English Heritage Archaeology**

Conditions recommended and incorporated to safeguard against likely damage to potential archaeological remains have been incorporated.

(12) **British Waterways, London Docklands**

Informative recommended and incorporated. The applicant requested that British Waterways make a comment on the Environment Agency's objection to the distance between the proposed structure and the Dock Wall. They have indicated that sufficient access exists from both land and water.

**(13) Conservation & Urban Design Team**

Urban Design is delighted with the submitted 'design statement' along with detail drawings. It reflects the long investigation and refinement of the proposal, which has resulted into an exemplary mixed-use architectural landmark. The revised massing after the London City Airport and GLA's feedback has also been rightly included in the proposal, resulting in a more slender tower with landmark quality and with a reduced height.

Landscape Plan

The Landscape Design Strategy should include:

- (1) The clear illustration of the central landscape feature between south and north blocks, facing Millwall Inner Docks (opposite the Chinese Restaurant);
- (2) Sympathetic detailing to the central boulevard, which is the only vehicular access to the development, ensure that a pleasant outlook is achieved for the residential balconies on either side of the boulevard; and
- (3) "Landscape zones" to buffer the residential flats and public areas. A3 size schematic section & plan for the same, with typical detail for the edge condition and level change. (Raising the floor level by 1m, which makes any openings beyond eye-level at finished floor level of public realm).

Conditions recommended and incorporated.

Southern Court and Community Facility

Condition recommended and incorporated to ensure that further details of the roof profile, treatment and relationship of the community facility with adjoining residential units.

Limeharbour Streetscape

Condition recommended and incorporated to ensure that further details are provided to illustrate the treatment of the development along Limeharbour to assess the interface of the proposal with the DLR.

**(14) Housing**

The applicant has now revised the affordable housing offer to provide 35% affordable housing on a floor space basis, which is consistent with Council's emerging UDP (1<sup>st</sup> Draft) policy requirements. The proposed mix is also consistent with Council's recently finalised Housing Needs Survey.

Council's Housing Officer has confirmed that the proposals meet the Borough's requirements.

**(15) Cleansing Officer**

The cleansing officer provided the following comments:

- On a weekly collection cycle, the development would require space for approximately 200 refuse containers;
- Recycling provision should allow for about 25% as much again as the total refuse provision, i.e. 250 containers or equivalent space;
- The ceiling height of 5m gives adequate clearance for the refuse collection vehicle;
- Domestic and commercial waste should be kept separate.

Recommendations incorporated as conditions.

(16) **Landscape Section**

No comment was made.

(17) **Head of Building Control**

No comment was made.

(18) **Corporate Access Officer**

The Access Officer has reviewed the Access Statement and plans and made a number of comments relating to the design of the scheme.

Amendments have now been made to satisfy the access requirements.

(19) **London Fire & Civil Defence Authority**

Supplementary information provided is considered to be satisfactory subject to compliance with previous brigade comments and access for fire fighters and fire appliances. These will form part of the building application.

(20) **London Borough of Southwark**

No objection.

(21) **BBC - Reception Advice**

No comment was made.

(22) **London City Airport**

No objection

(23) **Crime Prevention Officer**

Issues associated with permeability and the transitional spaces were highlighted. A number of measures, such as, lighting and landscaping, secure car parking, protection of blank elevations with soft landscaping, management of vehicular access, no shutters on commercial premises, and the inclusion of CCTV to facilitate good management of the area.

Recommendations incorporated as conditions.

6.2 Responses from neighbours of surrounding development and other interested parties are summarised as follows:

No. Responses: 29    In Favour: 2                      Against: 27                      Petition: 0

6.3 Comments:

- Negative impacts on amount of sunlight received;
- Creation of wind tunnels;
- Tower will cast shadows;
- Increase traffic congestion;
- Construction period will cause noise and traffic;
- Height and density is too high;
- Negative impact on TV reception;
- Over-development and inadequate infrastructure, including, transport and public amenities, such as medical facilities;
- There is ample retail space and office space in the area;
- The development does not address the cumulative impact with other proposals;
- Lack of car parking for residents and shoppers;

- The river should be used for removal of waste during construction and the supply of materials to stop congestion on the roads;
- The Marsh Wall/ Limeharbour junction has congestion and safety problems;
- View of Canary Wharf will be impeded;
- Pepper St is blocked and paved and is not designed for heavy traffic. Use of Pepper Street will increase noise and pollution;
- The redevelopment should include public toilets for the benefit and use of many visitors to this part of the IOD;
- The community facility is not explained;
- Strong support for the redevelopment of the London Arena site as it will create a better social environment, bring more leisure, recreational and social facilities and activities to the area; and
- Vehicular and pedestrian access should remain open at all times during construction and thereafter.

## **7. ANALYSIS**

### **7.1 Land Use**

7.1.1 The site is currently occupied by the London Arena, previously utilised as a leisure and entertainment centre. The London Arena is not currently in use, except for a separate commercial unit on the northern side of the structure, currently being utilised as a gym. The grounds of the Arena on its eastern side are currently being used as an open car park. The surrounding area predominantly comprises a mix of commercial and residential uses.

7.1.2 The site is identified on the Draft UDP Proposals Map as site “171 – Mixed Use” and is also identified in the Outline Area Action Framework for the Isle of Dogs as an “Activity Node”, which specifies that, “new mixed use development predominantly residential in waterfront locations subject to infrastructure capacity”.

7.1.3 The proposal will provide 972 residential units, being consistent with the requirements of UDP Policy HSG2 and Draft UDP Policy HSG1 and Council’s aims to meet the housing targets of 41,280 homes between 2006 and 2016.

7.1.4 Additional uses are proposed including 4810sqm to comprise a potential mix of shops, financial and professional services, food and drink; 26,500sqm of office space; a community facility of 1157sqm; and a health and fitness club of 1085sqm. This is consistent with UDP Policies CAZ3, DEV3 and Draft UDP Policy EMP2, which promote mixed-use developments.

#### **7.1.5 Office Use**

Although the local and national policy frameworks both encourage mixed use developments, the need for each proposed use should be able to be justified. Council’s adopted UDP 1998, Policy CAZ3, Paragraphs 5.9 refers to office development as follows:

*“The current provision of office development (either in the form of schemes constructed or in the pipeline) is sufficient to accommodate demand in the lifetime of this UDP”.*

Council’s draft UDP Policy EMP4(2) states, *“In considering large office proposals, the Council will take into account: (b) market demand for office space, the mix of existing supply and those of unimplemented planning permissions”*. The supporting text indicates that those proposals for new office development will be considered in the context of the possible over-provision of offices in the areas concerned.

Taking into account the above information, some additional analysis was requested. A report was prepared by GVA Grimley, dated May 2005. It indicates that there is enough demand to support the 26,500sqm of office space proposed as part of the development.

#### **7.1.6 Retail Use**

The proposal includes 4,810sqm of retail floor space comprising of a mixture of A1, A2, A3, A4 and A5 uses. The precise composition of the mix of uses has not yet been determined. Council’s adopted UDP 1998, Policy S6, Paragraph 4.9 refers to new retail development as follows:

*“The Council will require applications for new retail developments to be accompanied by a retail impact analysis where they are likely to have significant effects upon existing District Centres... It is seen as essential that new developments are accessible by public transport and that people who can cycle or walk are encouraged to do so”.*

Policy TC8 of the 1<sup>st</sup> Deposit UDP states that, “...edge-of-centre sites may be considered subject to demonstrable need and the sequential approach”. The supporting text considers that more mixed use development will provide demand for more local shops than are currently provided. Large proposals should provide for local service shops in order to meet the needs of future and local residents.

The Retail Impact Assessment provided by the applicant presented two alternative development options for the comparison A1 quantum of floor space; a ‘realistic’ development option of 1,500sqm gross and an ‘alternative’ (less likely) development option of 3,000sqm gross. The two development scenarios were considered due to the possibility that the composition of the Millennium Quarter may be altered.

Additional information was provided to justify the quantum of retail floor space proposed in accordance with the relevant key retail policy tests. The information provided concluded that the Retail Impact Assessment provided:

- Demonstrates the need for the scale of floor space involved based on demands generated by the scheme (and therefore that the scale of retail floor space is appropriate to the development);
- Despite the fact that there may be opportunities for retail and associated development in neighbouring defined centres, the retail element proposed meets the specific policy requirements of providing a mixed-use scheme on this site and appropriate facilities to meet the needs generated by the development; and
- Demonstrates that the impact of the proposals, adopting a worst case approach, would not affect the vitality and viability of either of the Canary Wharf Centre or the Isle of Dogs District Centre.

It is recommended that a planning condition restricting the quantum of floor space to be let as A1 use be included to limit the amount of A1 floor space to 1,500sqm.

#### **7.1.7 Hotel Use**

The proposed hotel use is considered to be consistent with wider government policy regarding tourism in London as well as being consistent with the Draft UDP Policy CC4.

#### **7.1.8 Flood Protection Area**

Both the current UDP and the Draft UDP designate the site within a Flood Prone Area. Council has consulted with the Environment Agency in relation to tidal and flood defences, in accordance with UDP Policy U2. Under Policies U3 and U5, appropriate mitigation measures to protect against flooding and to protect the tidal defences, have been recommended by the Environment Agency. These have either been adopted by the applicant or will be enforced through planning conditions.

### **7.2 Environmental Impact Assessment**

7.2.1 Council's consultants Casella Stanger undertook a review of the Environmental Statement. The review highlighted a number of areas where additional information or clarification should be provided. Further to Council's request, the applicant submitted information under Regulation 19, which was re-advertised in accordance with the legislation and again reviewed by both Casella Stanger and Council's Environmental Health Department.

7.2.2 The Environmental Statement has been assessed as satisfactory, with mitigation measures to be implemented through conditions and Section 106.

### **7.3 Density and Scale**

7.3.1 Policy HSG 9 states that new housing developments should not exceed approximately 247 habitable rooms per hectare, however higher densities may be achievable where accessibility to public transport is high. Council's Draft UDP Policy HSG9 allows the



provision of housing at higher densities, stating that 650 to 1100 habitable rooms per hectare or 240-435 units per hectare is appropriate within the Isle of Dogs Area Action Framework. The proposed density is 1031 habitable rooms per hectare or 354 units per hectare. This is consistent with the Draft UDP requirements and also with the policies in the London Plan.

- 7.3.2 In terms of scale, UDP Policy DEV5 specifies that high buildings in the Central Area Zone are encouraged subject to the design, siting, character of the locality and impact on views. In addition, under the Draft UDP Policy UD7 applications for tall buildings will be considered in areas with excellent public transport facilities. Draft Policy UD8 also requires an assurance that public access to identified viewpoints are maintained and enhanced.
- 7.3.3 The mass of the development decreases from north to south. East to west, the building masses are orientated lower, minimising overshadowing to the squares and neighbouring properties. The ground floor uses of the scheme, such as public open space, are located at prominent corners of the scheme along Pepper Street where they relate to the low rise red brick buildings located along the south and east sides of the site.
- 7.3.4 The office, which is located on the north edge of the proposed north square, relates to the height of the adjacent Harbour Exchange office development. The hotel, which is located on the eastern edge of the north square mediates between the height of the office and residential buildings that define the south and west side of the north square. The tower, on the north west corner of the site is separated from the adjoining buildings to provide a landmark feature. The tower is articulated and steps down in height from north to south. The residential buildings respond in height to the surrounding development, apart from the residential block on the dock edge, which is taller than the adjacent blocks. In order to reduce the perceived mass of the block on the dock edge, the upper two storeys are setback.
- 7.3.5 The design and external appearance of the development is discussed in Section 7.7. The impact on views is discussed in Section 7.4. Accessibility to public transport is very good in this location and will also be improved in terms of capacity by various measures to be undertaken through Section 106, refer Section 7.11 for further detail.
- 7.3.6 In addition, the GLA supports the density and scale of the proposal and states, that, “*The proposed density is 1,142 habitable rooms per hectare. The site has a Public Transport Accessibility Level (PTAL) of 6 and is in a central location. This scheme is supported by adequate public transport provision and demonstrates high standards of architecture and design, exceptions to the density matrix presented in table 4B.1 of the London Plan (600 – 1100 hr/ha), can be accepted in this situation*”. [Note: The density of the development has decreased, from 1,142 to 1031 habitable rooms per hectare since the GLA 1<sup>st</sup> Stage Report was written].
- 7.3.7 It should also be noted that there is no objection from London City Airport.

## **7.4 Views**

- 7.4.1 The site is not designated within any Strategic View Consultation Areas under either the current or the Draft UDP and therefore, views from these locations will not be directly affected by the development. Although the development will introduce a new landmark into the skyline, it is considered to be acceptable in the context of the Central Area Zone.
- 7.4.2 A number of photomontages were submitted to assess the impact of the development on local views. It is considered that the proposal would provide an attractive landmark for the area. The potential impacts on local views and local Conservation Areas has also been considered. The development is unlikely to be visible from any Conservation Areas to the north of Canary Wharf. The development may however be seen from parts of the Conservation Areas at Narrow Street in Limehouse; from Coldharbour and from Island Gardens and Chapel House. There will be no significant impact on the Conservation Areas identified.

## **7.5 Privacy**

- 7.5.1 The proposed buildings have adequate separation distances from habitable rooms of adjacent developments as follows:
- Peninsula Court is located 40m to the east, beyond the DLR elevated railway. Other residential buildings to the east are located a greater distance away; and
  - Buildings to the north of the development are commercial in nature and are therefore not a consideration in terms of separation distances.

- 7.5.2 Council's UDP Policy DEV 2 and Policy ENV1 of the 1<sup>st</sup> Deposit UDP requires that all developments should seek to protect the amenity of residential occupiers of the Borough and that a distance of approximately 18m between opposite habitable rooms in order to allow sufficient privacy for residents. Two locations have been identified where the proposed distance is below these guidelines:

- 2 Pepper Street is located approximately 6m south of the proposed residential units. However, the proposed building is two storeys at this point and the uses in this part of the development will be retail. Given that there are no opposite habitable rooms, there is no unacceptable conflict with Policy; and
- Balmoral House (residential property adjacent to the Crossharbour Station) is located approximately 16m to the south of the balconies of the proposed residential units. The distance between the windows of each of the developments complies with Council's policy.

It is considered that in these instances the proposed setbacks are adequate and privacy to adjoining developments will not be affected to unsatisfactory levels.

## 7.6 Open Space

- 7.6.1 Policy HSG16 and 1st Deposit UDP Policy HSG12 requires that all new housing developments include adequate provision of amenity space. Council's SPG for Residential Space provides numerical requirements as follows:

- 50sqm of private space per family unit;
- 50sqm plus an additional 5sqm per 5 non-family units; and
- 3sqm of child play space per child bed space.

The proposal is for:

- 144 family units (144 x 50sqm = 7200sqm);
- 828 non-family units (828sqm + 50sqm = 878sqm);
- 333 child bed spaces (333 x 3sqm = 999sqm)

This equates to a total requirement of 9077 sqm.

- 7.6.2 The proposal provides:
- a total of 923sqm of child play space (a shortfall of 76sqm);
  - a total of 5561sqm of amenity space; and
  - 3590sqm of balcony space.

Including balconies and part of the community facility, total of 9151sqm of open space is provided. This exceeds the requirements specified in Council's Residential Space SPG by 74sqm. Further provision of open space is provided in the form of green roofs, whilst these are not accessible, they will provide wildlife habitat in the interest of ecological enhancement of the site.

- 7.6.3 Council's 1st Deposit UDP Policy ENV27 states that the Council will seek to secure new sites of high quality Publicly Accessible Open Space and enhancements for existing sites from Section 106 agreements. In this instance, the additional population will place additional demand on the existing open spaces in the locality. Hence, developer contributions towards the upgrade and/or maintenance of existing open space and leisure facilities in the locality have been secured through the Section 106 agreement. This will assist in mitigating the demand on the existing open spaces in the locality, for example, St Johns Park, or Mudchute Park, which are approximately 200m or 300m respectively, from the site.

## 7.7 Design and External Appearance

- 7.7.1 The existing proposal is the culmination of numerous pre-application discussions with Council Urban Design, Development Control and Conservation Officers and is a solution

based on an investigation and assessment of various development options.

7.7.2 Proposed materials include glass and steel elements for the tower and office block. The hotel and residential blocks are proposed to use a combination of red brick or granite with glass and steel. The public amenity elements at ground and first floor will be predominately red brick or granite. It is considered that the combination of these materials will successfully respond to the range of materials and scales of the development found around the site. The proposal is high quality in terms of materials and detailing. This high quality will be ensured through planning conditions.

7.7.3 The GLA has indicated that *“the reduced 43 storey rectangular tower is slender and elegant and will be a welcome addition to the skyline. The tower is freestanding onto Millwall Dock to create a grand entrance into the north square from the dock edge. The full height of the tower can now be appreciated from the square and meets the criteria of the London Plan Policy 4B.8 Tall Buildings – Location. The proposed tall buildings will provide an attractive landmark for the development, enhance the skyline and contribute to regeneration of the wider area. The height of the massing of most of the development addresses London Plan Policy 4B.7 Respect Local Context and Communities.... The materials to be used will be of a high quality and compliment the existing palette of materials in the neighbourhood. Many building to the north and west use glass and metal cladding; while to the south and east the built form is smaller in scale and more residential, red brick is more prevalent”*.

7.7.4 In addition to the above, the GLA identified the following detailed design issues in the original submission:

- The office block at the northern edge is bulky and detracts from the overall quality of the development, this should be revised to reflect the scale and quality of the rest of the scheme; and
- There are residential apartments at the base of the tower on the ground floor and also fronting onto the dock and the north square. This is considered inappropriate and an unsuitable urban design layout. This should be revised so that the residential apartments are not fronting onto the main public thoroughfares.

7.7.5 The applicant has discussed the design of the office with Council's Urban Design Officer who has confirmed that Council are satisfied with the design of the office block at the northern edge of the scheme.

7.7.6 However, Council's Urban Design officer also identified the requirement to ensure that the residential apartments on the ground floor do not front onto the main public thoroughfares.

7.7.7 The applicant has amended the scheme to ensure that the residential apartments at the base of the tower do not front onto the main public thoroughfares.

7.7.8 In accordance with the requirements for a Riverside walkway under UDP Policies DEV 48, the design allows for a continuous walkway along the riverside boundary or western flank of the site, adjacent to the dock. Soft landscaping and improvements to the existing public walkway are proposed. It is recommended that these be included as conditions.

## 7.8 Housing

7.8.1 The scheme proposes a total of 972 residential units. The proposed mix of unit types and sizes is appropriate to the nature of the development and location of the site and therefore accords with Policy HSG7 of the UDP and Policy HSG8 of the 1<sup>st</sup> Deposit Draft UDP. The table below summaries the overall mix of units by unit type.

Number of Bedrooms	Total Number of Units	% of Total
Studio	108	11.1%
1 Bed	342	35.19%
2 Bed	378	38.89%
3 Bed	99	10.19%
4+ Bed	45	4.63%
	<b>972</b>	<b>100%</b>

7.8.2 The larger family units are concentrated in the affordable housing component of the scheme, where 47% of the 293 affordable housing units are family units, refer Section 7.8.6 of this report for further detail.

**Internal Layout**

7.8.3 Policy HSG13 of the UDP requires that all new housing developments have adequate provision of internal residential space in order to function effectively. In addition Policy HSG8 of the UDP requires that developments comply with Planning Standard No. 5: Access for people with disabilities. Council’s Draft UDP Policy HSG10 requires that all new residential units meet Lifetime Homes Standards and that 10% of all new housing is designed to wheelchair/ mobility standards. These requirements are also reflected in the London Plan. The plans and access statement provided by the applicant demonstrate compliance with all statutory requirements including the London Plan.

**Affordable Housing**

7.8.4 The 1998 UDP Policy HSG3 requires that 25% affordable housing be provided on all housing developments with a capacity of 15 dwellings or more (calculated on a unit basis). However, Policy HSG4 of the Council’s 1<sup>st</sup> Deposit Draft UDP requires 35% affordable housing, calculated on a floor space basis. This is further supported by the adoption of the London Plan in February 2004, which requires a 50% affordable housing provision. The scheme proposes to provide 35% affordable housing on a gross floor space basis. This equates to a total of 293 affordable housing units. The proposed affordable housing provision thus accords with Policy HSG4 of Council’s 1<sup>st</sup> Deposit Draft UDP.

7.8.5 The GLA also considered the provision of affordable housing as part of the Stage 1 Referral to the Mayor:

*“After considerable negotiation between GLA and Council officers with the applicant the level of affordable housing provision has increased from 16% to 30% (or 35% on a floor space basis, which is in accordance with Tower Hamlets Council emerging policy)...However, given the London Plan sets a target of 50% for affordable housing the applicants were asked to justify the 30% proposal. GLA officers have now verified the resulting toolkit analysis, and it is accepted that 30% affordable housing is all the development can sustain based on the projected residual value, which indicates a significant financial loss to the applicant. ”*

**Mix of Units – Affordable Housing**

7.8.6 The scheme proposes an 84:16 split of social rent to intermediate housing, and thus satisfies the ratio specified in Policy HSG 5 of Council’s 1<sup>st</sup> Deposit UDP.

7.8.7 In terms of affordable housing mix, UDP Policy HSG7 requires new housing developments to provide a mix of unit sizes, including a substantial proportion of family dwellings, between 3 and 6 bedrooms. Council’s Draft UDP Policy HSG8 requires new residential developments and mixed use schemes to provide housing types and sizes to meet local needs. Council’s Housing Needs Survey specifies the need for larger family units, being 3 and 4 bedroom units.

7.8.8 The table below summarises the proposed affordable housing unit mix and demonstrates compliance with Council’s Housing Needs Survey and Policy HSG8 of the 1<sup>st</sup> Deposit UDP.

<b>Number of Bedrooms</b>	<b>Housing Needs Survey % requirements</b>	<b>Proposed %</b>	<b>Total Number of Bedrooms Proposed</b>
1 Bed	20%	18.4%	54
2 Bed	35%	34.1%	100
3 Bed	30%	32.1%	94
4+ Bed	15%	15.4%	45
<b>Totals:</b>		<b>100%</b>	<b>293</b>

## **7.9 Access and Transport**

### **Access**

- 7.9.1 Access to the site is via Limeharbour. The applicant has agreed to a number of standard S278 highway improvements/ modifications on Limeharbour, including, new access points, modification of existing access points and general paving as required.
- 7.9.2 Council's Highways Officer identified a number of items to be included as part of the S106 agreement, including contributions towards general improvements to pedestrian and cycle routes in the area including crossings, new paving surfaces and the signalisation of the junction of Marsh Wall/ Limeharbour with a green man phase. The applicant has agreed to these contributions.

### **Parking**

- 7.9.3 The application proposes 527 car parking spaces at ground and basement levels, including:
- 497 residential spaces;
  - 15 office spaces; and
  - 5 hotel spaces.

The following are also proposed:

- 10 disabled spaces;
  - 135 motorcycle spaces; and
  - 237 (including 16 stacker) cycle spaces.
- 7.9.4 Council's Highways Department has assessed the parking associated with the scheme and has determined that the provision is satisfactory. TFL are satisfied with the proposed level of carparking and confirm that it meets London Plan standards.
- 7.9.5 TFL initially required that 1232 cycle parking spaces be provided for the development. This figure was generated on a basis of one cycle space per unit and is somewhat greater than that included in Council's 1<sup>st</sup> Deposit UDP, which specifies 20% of the number of residential units. TFL have agreed to a 'compromise' of 1 cycle space per 2 units for the residential component of the scheme. The 'compromise' generated the requirement for 759 cycle spaces. The applicant has agreed to this provision. A condition is included to reflect the above.

### **Public Transport**

- 7.9.6 TFL considers that the development is broadly in line with London Plan policies for improving travel in London, in particular policies for integrating transport and development; and improving conditions for buses, walking and cycling. The site is a short walk from Crossharbour DLR Station, Canary Wharf Underground Station and is served by bus routes D3, D6, D& and D8 which operate at a frequency of every 5 to 8 minutes.
- 7.9.7 The GLA 1<sup>st</sup> Stage Report included a number of items to be included as part of the S106 agreement. Refer section 7.11 of this report for further detail.

## **7.10 Sustainability**

- 7.10.1 The development seeks to achieve a very good Building Research Establishment Environmental Assessment Method (BREEAM) rating on the office component and a very good rating is also sought on the BRE Ecohomes Rating Prediction Checklist. In accordance with the requirements of the GLA, the applicant has clarified the percentage of the site's energy needs that will come from renewable energy. Council are awaiting a response from the GLA regarding the sustainability appraisal.

## **7.11 Planning Obligations**

- 7.11.1 An analysis of the impacts of the development on the locality has been undertaken. In keeping with the ODPM Circular 05/2005, a number of requirements for planning

obligations have been identified to either:

- prescribe the nature of the development, (e.g. by requiring that a given proportion of the housing is affordable);
- compensate for loss or damage caused by the development, (e.g. loss of open space); or
- mitigate the development's impact, e.g. (through increased public transport provision).

The outcome of these planning obligations will ensure that the proposed development accords with published local, regional or national policies. The identified planning obligations meet all of the following rests:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonably related in scale in kind to the proposed development; and
- reasonable in all other respects.

Refer table below for a summary of the Section 106 Heads of Term.

7.11.2 Legal comments have been incorporated within the body of this report.

<b>S.106 Heads of Term</b>	<b>Contribution/ Clause in Legal Agreement</b>
<b>Affordable Housing</b>	
<ul style="list-style-type: none"> <li>• 35% (gross floor space)</li> <li>• Comply with Housing Needs Survey</li> </ul>	Clause in S.106 agreement
<b>DLR/ TFL</b>	
Equipment upgrade to mitigate the adverse effects on DLR radio communications (such as a booster to offset signal interruption)	Clause in S.106 agreement
DAISY (TFL stated 8 screens required counting the number of foyers in the hotel, office and residential towers)	£150,000
<b>Bus Network Improvements (TFL)</b>	
Contribution towards the D5 bus service or new bus service and potential new bus stops on East Ferry Road	£400,000 Minimum
<b>Highways Works</b>	
General improvements to pedestrian and cycle routes in the area including crossings and new paving surfaces.	£125,000
Signalisation of the junction of Marsh Wall/ Limeharbour with a green man phase.	£75,000
Standard S278 highway improvements/ modifications on Limeharbour, including, new access points, modification of existing access points and general repaving as required.	S.278 Agreement
<b>Open Space/ Leisure and Recreation</b>	
Open space improvements to relieve the pressure that will arise from the new housing on existing overcrowded open space and recreational facilities in the locality, for example St Johns Park or Mudchute Park, which are approximately 200m or 300m respectively, from the site.	£100,000
<b>Public Realm</b>	
<ul style="list-style-type: none"> <li>• Public Piazza</li> <li>• Access to Dockside Walkway</li> </ul>	Clause in S.106 agreement
<b>Education</b>	
Mitigate the demand of the additional population on education facilities	£482,212
<b>Medical</b>	
Mitigate the demand of the additional population on medical facilities	£2,624,437
<b>Public Art</b>	
Implementation of a public art strategy, including the involvement of local artists, to add to the enjoyment of the development and contribute to creating a sense of place and identity	Clause in S.106 agreement
<b>Employment and Training</b>	
<b>Local Labour in Construction</b>	

LliC project to allow people to gain access to construction employment. This will include apprenticeship scheme, Construction Challenge programme, Summer School programme and other schemes or programmes that may be developed. Clauses in the S.106 agreement should include the following: <ul style="list-style-type: none"> <li>• Employment Strategy which aims for 20% of jobs generated to be filled by local people;</li> <li>• On a regular time period, no greater than 2 months, labour returns are to be forwarded by arrangement with LliC so that the local labour force can be monitored against the %;</li> <li>• All construction jobs to be reported to LliC via Docklands Recruitment (although not exclusively);</li> <li>• All developers, contractors and sub-contractors to be informed in writing of the LliC scheme so that they are in a position to support the scheme;</li> <li>• The developer and a manager of each company working on the site should attend a 2-hour briefing session at LliC centre annually to discuss progress, and how to improve local benefits on site.</li> </ul>	£125,000
<b>Skillsmatch</b>	
A partnership job brokerage service to address the recruitment needs of the Owner and its contractors and maximise the employment of residents in the administrative area of the Council on the Site and to ensure that the Owner and its contractors target local people for recruitment.	£75,000
<b>Car Free Agreement</b>	
Restrict occupants applying for residential parking permits	Clause in S.106 agreement
<b>Travel Plan</b> <ul style="list-style-type: none"> <li>• Work Place Travel Plan – TFL and LBTH</li> <li>• Requirements to provide travel information with the residents welcome pack – TFL</li> <li>• Service and Delivery Plan -TFL</li> </ul>	Clause in S.106 agreement
<b>TV Reception Monitoring and Mitigation</b>	Clause in S.106 agreement
<b>Code of Construction Practice</b>	
Obligations in relation to construction works (noise levels, hours of work, transport arrangements, air quality, method statements).	Clause in S.106 agreement
<b>Environmental Management Plan – post construction</b>	
Plan for the environmental management of the development after its construction and during its occupation	Clause in S.106 agreement
<b>TOTAL: £4,156,649</b>	

## 8. **SUMMARY**

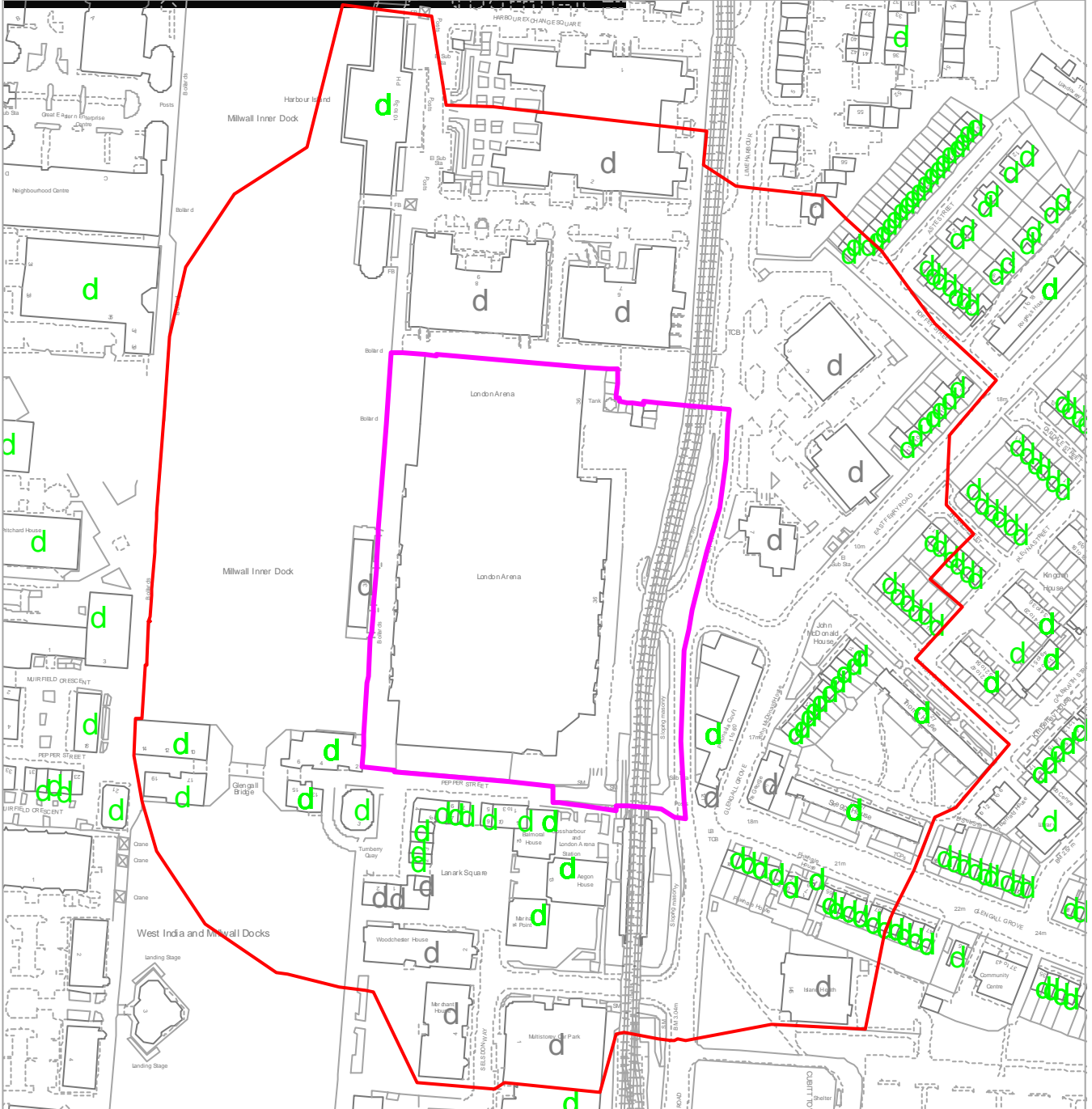
- 8.1 The site has good access to public transport facilities and provides a high quality mixed use development that is compatible with the surrounding context. The proposed tower will provide an attractive landmark for the development, enhance the skyline and contribute to the regeneration of the wider area.
- 8.2 The proposal is in accordance with strategic policies contained in the London Plan. The site is located within the Isle of Dogs Opportunity Area and the Central Area Zone and meets the policy objectives for the area. The proposal provides additional housing, including an appropriate level of affordable housing, and provides opportunities for employment.
- 8.3 An Environmental Statement was submitted with the application, which has been reviewed by independent consultants. Following this, further information was submitted, which together with the Environmental Statement is considered to satisfactorily identify the likely impacts and the necessary mitigation measures.
- 8.4 The proposed development is appropriate in terms of townscape, environmental and

infrastructure considerations. The proposal includes contributions towards transport, health, education, employment and training and open space.

- 8.5 The proposal is in accordance with Council policies and GLA objectives for the East London Area and will provide a high quality development with significant benefits for the local area.



# Site Map



- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

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## THE LONDON ARENA, LIMEHARBOUR, LONDON, E14 9TY