

Strategic Development Committee



Agenda

Wednesday, 9 June 2021 6.30 p.m.

Committee Room One - Town Hall Mulberry Place

The meeting will be broadcast live on the Council's website. A link to the website is here - <https://towerhamlets.public-i.tv/core/portal/home> The press and public are encouraged to watch this meeting on line

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers will be extremely limited due to the Covid 19 pandemic restrictions. You must contact the Democratic Services Officer to reserve a place, to be allocated on a first come first served basis. No one will be admitted unless they have registered in advance.

Details of the how the meeting will work, including ways of contributing to this meeting, are set out in the information sheet.

Chair:

Councillor Kahar Chowdhury

Vice Chair: To be elected

Members:

Councillor David Edgar, Councillor John Pierce, Councillor Abdul Mukit MBE, Councillor Sabina Akhtar, Councillor Tarik Khan, Councillor Val Whitehead and Councillor Rabina Khan

Substitute Members:

Councillor Leema Qureshi, Councillor James King and Councillor Kyrsten Perry

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Monday, 7 June 2021**

The deadline for submitting information for the update report is Noon
Tuesday, 8 June 2021

Contact for further enquiries:

Zoe Folley, Democratic Services, Zoe.Folley@towerhamlets.gov.uk 020 7364 4877 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
<http://www.towerhamlets.gov.uk/committee>



Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

View Planning application documents here:

https://www.towerhamlets.gov.uk/ignl/planning_and_building_control/planning_applications/planning_applications.aspx

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London Borough of Tower Hamlets

Strategic Development Committee



Wednesday, 9 June 2021

6.30 p.m.

APOLOGIES FOR ABSENCE

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (Pages 7 - 8)**

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer. Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. **ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2021/22.**

To elect a Vice -Chair for the Committee for 2021/22.

3. **MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 18)**

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 18th May 2021.

4. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 19 - 22)**

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.



5. STRATEGIC DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

To note the report.

	PAGE NUMBER	WARD(S) AFFECTED
6. DEFERRED ITEMS - NONE		
7. PLANNING APPLICATIONS FOR DECISION	33 - 38	
7.1 Asda – Crossharbour District Centre, 151 East Ferry Road, London, E14 3BT (PA/19/02534)	39 - 174	Blackwall & Cubitt Town

Proposal:

A hybrid planning application (part detailed, part outline) for of existing buildings and the comprehensive, mixed-use, re-development of the site, comprising a maximum of 218,991sqm (GEA) of floorspace.

Full details are submitted for 526 residential units (Class C3), flexible commercial floorspace, including a new foodstore (17,087sqm GIA - A1-A4/B1), a primary school (D1), community uses (D1), public bus parking and a site wide basement, with associated uses as part of the development including car parking (up to 410 spaces), cycle parking, and an energy centre. Building heights would range between a maximum of 17.4m AOD (3 storeys above ground level) and 60m AOD (15 storeys above ground level). Creation of new vehicular and pedestrian access and public realm works, including all ground floor hard and soft landscaping and other works incidental to the proposals programme of interim works (which include a temporary multi-storey car park with 349 car parking spaces and a temporary access lobby to the retail foodstore). Outline permission (with layout, scale, appearance and landscaping at upper levels being reserved) is sought for up to 111,137sqm GEA above podium level, comprising of between 1217 and 1446 residential units (C3), with associated private and communal podium amenity and landscaping, within four buildings with maximum heights ranging between up to 45.850m (AOD)/12 storeys and up to 115.50m (AOD)/32 storeys.

[The application is accompanied by an Environmental State

Officers recommendation:

Grant planning permission with conditions and planning obligations

Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Next Meeting of the Strategic Development Committee
Wednesday, 14 July 2021 at 6.30 p.m.



The best of London in one borough

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Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON TUESDAY, 18 MAY 2021

COMMITTEE ROOM ONE - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Kevin Brady (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Sabina Akhtar
Councillor Tarik Khan
Councillor Val Whitehead

Other Councillors Present:

Councillor Dan Tomlinson
Councillor Andrew Wood
Councillor Zenith Rahman

Apologies:

Councillor John Pierce
Councillor Dipa Das
Councillor Rabina Khan
Councillor Leema Qureshi

Officers Present:

Akhlaqul Ambia	– (Development Viability Officer, Place)
Paul Buckenham	– (Development Manager, Planning Services, Place)
Kevin Crilly	– (Senior Planning Officer, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Sally Fraser	– (Area Team Leader (East), Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Jen Pepper	– (Affordable Housing Development and Partnerships Manager, Place)
Tanveer Rahman	– (Senior Planning Officer, Place)
Simon Westmorland	– (Area Team Leader (West), Planning Services Place),
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Councillor Kevin Brady declared a Non DPI interest in Agenda Item 4.1. Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557). This was on the grounds of membership of a Members Club, that had objected to the application. He did not consider that this had affected his views on the application

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 20th April 2021 be agreed as a correct record

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.

4. DEFERRED ITEMS

4.1 Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street (PA2000557)

Update report published

Paul Buckenham introduced the application for the demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development and associated works. The update report set out additional representations in support and contained

clarification of drawings and documentation that was not listed in the previous meeting's update report

This application was considered by the Strategic Development Committee on 20 April 2021.

As set out in the minutes of the meeting, the Committee expressed concern that the public benefits of the scheme did not outweigh the less than substantial harm identified to heritage assets, as required by paragraph 196 of the NPPF (2019). Members deferred the application for further consideration of the affordable workspace arrangements and potential for public realm improvements to Redchurch Street.

Tanveer Rahman briefly outlined the site and the surrounds, including the heritage assets and the main elements of the scheme, highlighting the design of the affordable workspace. Officers were of the view this would provide a high quality space.

Addressing the points raised at the previous meeting, the following points were noted:

Affordable Workspace

It was confirmed that the original offer exceeded the Council's Local Plan and the London Plan requirements. However, Officers have since engaged with the applicant and the Director for Growth and Economic Development. Based on a calculation of the realistic market rate for the floorspace, Officers had secured the following changes:

- Increased rent discounts on the lower and ground floor Affordable workspace for 15 years (representing an estimated 36 – 42% discount on the lower ground floor and an estimated 19 – 25% discount on the ground floor). Followed by 10% discount for the remaining lifetime of the development.
- An affordable workspace delivery strategy. This comprised measures to:
 - Safeguard the use of the lower ground floor as 'maker space',
 - A review mechanism on the rent levels for the lower ground, if not occupied.
 - requirements around engagement with local colleges and internships and apprenticeship programmes.
 - ground floor to be fitted to shell and core.
 - marketing strategy with first refusal for microenterprises operated by existing Tower Hamlets Council Tax or Business Rate payees.
 - Measures to secure all workspace for microbusinesses

Public realm improvements to Redchurch Street

Officers have also engaged with the applicant and the Director of Public Realm regarding contributions towards improving the setting of the area. This should also help mitigate any impacts to the setting of the Owl and Pussy Cat Public House and beer garden. Contributions had been secured for the completion of a scoping report and for works to be carried out as set out in the Committee report.

Overall, given the additional public benefits as outlined above, in addition to the range of the original benefits, Officers considered that this would outweigh the less than substantial heritage harm caused by the scheme and that the application should be granted planning permission.

The Committee asked a number of questions of Officers about the following issues:

- Affordability of the workspace. It was confirmed that the improved offer exceeded policy. It was felt that the Council had secured a good offer both in terms of the 15 year offer and the lifetime offer.
- The need for additional workspace in this part of the Borough. Officers expressed confidence regarding its occupation, based on the evidence base.
- That the update report contained no additional objections.
- The public realm works and the plans to mitigate any impact on the Public House and beer garden and its operation. It was noted that Officers would work with the Council's development coordination team in relation to the delivery of the public realm improvements and to ensure that it would have no adverse impact on the operation of the public house. It was also noted that details of a Construction Management Plan were required to be submitted. Officers undertook to ensure that the relevant Council Officers and the development coordination team are consulted on the plan and involved in its development with a view to minimising any impacts from the works. Officers would write this into the conditions.
- The extent of the consultation undertaken, particularly with the Boundary Estate. Confirmation was provided that the scope of the consultation undertaken by the Council met all the necessary requirements. This included the requirements in the Council's Statement of Community Involvement regarding notifying neighbouring properties, which were outlined. Press and site notices were also displayed. The Council had gone above and beyond the minimum requirements and the applicant had also carried out consultation. The Committee also received reassurances about the impact on the Boundary Estate.
- The height of the building and the tall building policy. Whilst the building was located outside of the tall building zone, each application needed to be considered on its own merits. It was also important to note in considering this issue the precedence set by the appeal

scheme for a taller building on the site, and the number of tall buildings nearby. In view of this, Officers were of the view that it is not tenable to sustain an objection in principle to a tall building on the site.

- The views of Hackney Council on the scheme. The Committee should note their views and they should be given the same weight as a third party consultee.

On a vote of 3 in favour and 2 against the Committee **RESOLVED:**

1. That, planning permission is **GRANTED** at Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street (PA2000557) for the following development:
 - Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14,393 sqm of B1(a)) floorspace, up to 1,444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1,181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.
2. Subject to any direction by the Mayor of London and the prior completion of a legal agreement to secure the planning obligations listed in the Committee report dated 18th May 2021.
3. The conditions and informatives set out in the report dated 18th May 2021

5. PLANNING APPLICATIONS FOR DECISION

5.1 Site at Stroudley Walk, London, E3 3EW (PA/20/01696)

Update report published

Paul Buckenham introduced the application for the demolition of existing buildings and structures and redevelopment to provide four buildings, including a tall building of up to 25 storeys, comprising residential units and flexible commercial space and associated works. The update report included additional representations and a number of clarifications including corrections to the level of affordable housing provision.

Kevin Crilly presented the report providing an overview of the site, which had an excellent PTAL rating.

Member were advised of the following issues:

- Details of the previous consented scheme. Due to this, the existing homes and businesses on site had already been vacated so were vacant.

- Consultation had been undertaken. The main issues raised were noted.
- Height of each block and what they would provide in terms of their uses.
- The proposals included the re-provision of the social rent homes and in addition to this, there would be a net uplift in social rent homes, facilitated by grant support. The proposals had been viability tested. It is also recommended that the s106 agreement secure an early stage review.
- Officers were mindful of the conflict with policy in terms of aspects of the housing mix, but on balance given the wider benefits of the application, considered that this was acceptable.
- The proposal would deliver a number of additional public benefits. This included: improvements to public realm and lighting, a pocket park a court yard, and landscaping improvements
- Other benefits included: the delivery of flexible retail and commercial uses with enhancements to facades
- Design. The scheme was considered to have an acceptable relationship with surrounding properties and the setting of the area.
- Height of the development. The development would meet 3 out of the 4 points of the exception criteria for tall buildings outside the Tall Building Zone. Officers also felt that significant weight should be given to the regenerative benefits and the role of the height in supporting the viability of the scheme. Taking these factors into account, it was considered that a tall building in this area was acceptable.
- That, in relation to the heritage assessment, the proposals would have a limited impact on views of the Church of St Mary, the listed buildings and setting of the area. It was considered that the public benefits of the proposals would outweigh any harm so the application complied with the tests in the NPPF.
- That in terms of neighbouring amenity, the proposals broadly complied with policy. Properties would retain a reasonable level of sunlight and daylight.
- The transport proposals included the provision of cycle parking and facilities.
- Contributions had been secured including for improvements to the nearby cycle highway and cycle facilities.

Officers were recommending that the application was granted planning permission.

The Chair then invited the registered speaker to address the Committee.

Councillor Andrew Wood expressed concerns about the application. He considered that it was too small for the site given the site's development potential and the PTAL rating. There was a need for more housing in the borough, since Tower Hamlets is missing its housing targets. Therefore, it should match the example of taller buildings elsewhere such as those in Newham and deliver more housing including affordable housing.

Councillor Zenith Rahman, ward Councillor, spoke in support of the application. She expressed support for the scheme, highlighting the community benefits such as the additional affordable housing, the new pocket park and the community café. She stated that, as a community worker, she recognised the need for these facilities and they were welcome.

Councillor Dan Tomlinson ward Councillor, also addressed the meeting. Whilst he expressed support for the new homes, which were much needed in the area, he also noted that some concerns had been raised about the height of the development and the impact on sunlight and daylight on neighbouring properties. He stressed the need for ongoing engagement with residents over the course of the development, especially during the construction phase, particularly with the residents of Regent's Court. Current provision for cyclists in the area was unacceptable and the report only proposed modest contributions in this respect, but more was needed especially to facilitate safer and more convenient cycle turns at the nearby junction. He proposed that a condition be imposed limiting the number of occupants that could move in until the completion of the works to improve the cycle routes.

The applicant's representatives, Duncan Cumberland Babu Bhattaheerjee spoke in support of the application highlighting the following points:

- Site was in need of regeneration.
- Applicant had worked closely with Officers and had consulted residents, and will continue to work with the community.
- Extension community consultation had been carried out.
- That the scheme would deliver a number of community benefits and the developer was eager to deliver the scheme. It was important that the development started soon given the time limits on the grant.

The Committee asked a number of questions of the Officers and the registered speakers around the following issues:

- The housing delivery targets. Councillor Wood stated that the Mayor of London has set housing targets. The recent review showed that the Borough had fell short of meeting the targets, which had consequences for the Council .Consideration should be given to developments in the Isle of Dogs to see what was possible for site with a transport PTAL rating of 6.
- The impact on the existing business and affordability of the rents to businesses especially small local businesses. The Committee sought clarity about the type of businesses the applicant sought to attract and whether local businesses could be given priority, when allocating the business space.
- Officers confirmed that, since the business operators had already moved to Fairlie Court, none would be displaced.
- The applicant's speakers also reported that they had agreed leases with business operators on favourable terms. They also underlined

their commitment to seek a range of occupants, complimenting existing businesses, including small and independent businesses.

- It was also confirmed that, given the flexible nature of the proposed units, and the introduction of the new uses classes, it was possible that the units could be occupied by a range of types of businesses. In view of these discussions, the Committee proposed an additional condition requiring: the submission of a Marketing Strategy for the commercial units, with an obligation to exercise best endeavours to reach out to local businesses.
- The Committee also discussed the measures to mitigate any noise disturbance from aircraft noise, as detailed in the noise assessment. The Committee proposed an additional condition requiring compliance with noise mitigation measures
- It was also noted that the applicant had submitted details of their energy strategy. This has been reviewed by Officers and the GLA and they considered that this was acceptable. To ensure compliance with these measures, the Committee asked that an additional condition be added ensuring compliance with the Energy Strategy.
- Members also sought clarity regarding the improvements for the Cycle Super Highway given the expected increase in cycle trips. The Committee discussed the need for this, particularly in relation to improving the safety of cycle routes near the junction, and the difficulties in addressing this due to the complex constraints. The Committee also heard about TfL's indicative plans for such a scheme. Following the discussions, the Committee proposed amendments to the contributions for cycling as set out in resolution 2 below.
- The Committee also discussed the affordable housing grant. It was noted that, in line with the requirements, all of the social rent units, would be provided at London Affordable Rent. It was also noted that the grant funding had been confirmed, but was time sensitive given the grant conditions requiring that the scheme was delivered on site by a certain time.
- Members also sought clarification about the height of the scheme, the merits of changing the height and massing and how the development fitted in with the Bromley by Bow Master Plan.
- Officers further explained the key aspects of the assessment of the application as set out in the report. Consideration had been given to changing the height and massing, and placing this elsewhere in the scheme, but due to the negative implications of this, the application had declined to do this.
- The Committee also sought and received reassurances regarding the accessibility of the community café, the pocket park and the courtyard to all residents, with opportunities for the courtyard to be closed at night.
- Other issues discussed included: clarification of the nature of the community café.

Councillor Kevin Brady **moved** and Councillor Val Whitehead **seconded** additional conditions as set out below in resolution 2 and 4 below.

On a unanimous vote the Committee **RESOLVED**:

1. That, subject to any direction by the Mayor of London, planning permission is **GRANTED** at Site at Stroudley Walk, London, E3 3EW (PA/20/01696) for the following development:
 - Demolition of existing buildings and structures and redevelopment to provide four buildings, including a tall building of up to 25 storeys, comprising residential units and flexible commercial space (A1/A2/A3/B1) at ground floor level and alterations to façade of retained building, together with associated ancillary floorspace, cycle and car parking, landscaping and highway works.
2. Subject to the prior completion of a legal agreement to secure the planning obligations set out in the Committee report, and the following amendments agreed at the Committee meeting.
 - Conditions D and E of the financial contributions be combined to provide £270k for improvements to the Super Cycle Highway on Bow Road, with a cascade method to ensure that, in the event the improvements were not viable, this contribution be allocated to towards the TFL Cycle Hire Docking station.
3. That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
4. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the report, in addition to the conditions agreed at the meeting regarding
 - Compliance with the Energy Strategy.
 - Compliance with Noise Mitigation Measures.
 - Submission of a Marketing Strategy for the commercial units, with an obligation to exercise best endeavours to reach out to local businesses.

The meeting ended at 8.30 p.m.

Chair, Councillor Kevin Brady
Strategic Development Committee

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under [Council Constitution, Part C Section 35](#) Planning Code of Conduct

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair’s discretion. The procedure for considering applications for decision shall be as follows:
 Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will introduce the item with a brief description.
- (2) Officers will present the report supported by a presentation.
- (3) Any objections that have registered to speak to address the Committee
- (4) The applicant and or any supporters that have registered to speak to address the Committee
- (5) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (6) The Committee may ask points of clarification of each speaker.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council’s website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules – Part C of the Council’s Constitution Section 35 Appendix B. • Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7). 	 <p>Council’s Constitution</p>

Public Information – Accessing and Participating in the Meeting

The meeting will be held at the Council's Town Hall as a socially distanced meeting, combining 'in person attendance (Committee Members and certain Officers) with remote attendance through a Microsoft Teams meeting. The ways of speaking at the meeting are set out below, including the option of in person attendance, and if not possible, contributing by alternative meetings.

You are encouraged to watch the meeting live via our Webcasting portal <https://towerhamlets.public-i.tv/core/portal/home>. The meeting will also be available for viewing after the meeting. This meeting is open to the public, but due to the restrictions on capacity relating to the Covid – 19 pandemic, **you must contact the Democratic Services Officer to reserve a place at the meeting**, to be allocated on a first come first served based. Availability of seating for the public observing the meeting and the press will be extremely limited. No one will be admitted who has not registered in advance.

The following guidance provides details about the operation of the Committee Meetings under the current restrictions.

How can I register to speak and address the Committee?

Members of the public and Councillors may address the meeting in accordance with the Development Committee Procedure Rules. (Details of the process are set out on the next page).

Should you wish to address the Committee, please contact the Democratic Services Officer, shown on the front page, to register to speak by the deadline. You may address the meeting in person at the committee meeting. If you are not able to do so, you may contribute by remote means through the Microsoft Teams meeting element– by the video link or by dialling in. Should you require assistance with this, please contact the Democratic Services Officer, who can help you join the meeting, including providing advice on the etiquette for addressing via virtual means.

You may also wish to consider whether you could be represented by a Ward Councillor or another spokesperson. You may also submit a written representation for summary in the Committee update report to be submitted 12noon the date before the meeting.

Procedure at the Committee meeting.

The Chair will formally open the meeting and will introduce themselves and the participants, including the Committee Members and Officers present in person and the attendees present by virtual means.

The standard format for considering each planning application shall be as follows, however the Chair may vary the order for hearing the application in specific circumstances.

- Officers will introduce the item with a brief description, and mention any update report that has been published.
- Officers will present the application supported by a presentation
- Any objectors that have registered to speak to address the Committee, either in person or by virtual means.


- The applicant or any supporters that have registered to speak to address the Committee, either in person or by virtual means.
- Committee and Non Committee Members that have registered to speak to address the Committee.
- The Committee may ask points of clarification of each speaker.
- The Committee will consider the item (Questions and Debate)
- Voting. At the end of the item, the Chair will ask the Committee to vote on the item.
- The Lead Planning Officer will confirm the results to the Chair.

Electronic copies of the agenda papers, including the update report and planning files

To access the documents, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date. Copies of the Committee agenda are published at least five working days before the meeting. A Committee update report is normally also published the day of the meeting.

A link to the electronic planning file can be found on the top of the Committee report. Should you require any further information or assistance with accessing the files, you are advised to contact the Planning Case Officer.

For Further Information, contact the Democratic Services Officer shown on the agenda front sheet.

Non-Executive Report of the: Strategic Development Committee 9 th June 2021	
Report of: Director of Legal and Interim Monitoring Officer	Classification: [Unrestricted]
Strategic Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings	

Originating Officer(s)	Paul Buckenham, Development Manager Zoe Folley, Democratic Services Officer
Wards affected	[All wards]

Summary

This report sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Strategic Development Committee for the Municipal Year 2021/22 for the information of members of the Committee

Recommendations:

The Committee is recommended to:

1. To note the Strategic Development Committee’s Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to this report.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for the information of the Committee and no specific decisions are required

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable to noting reports.

3. DETAILS OF REPORT

- 3.1 It is traditional that following the Annual General Meeting of the Council at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Quorum and Membership for the forthcoming Municipal Year. These are set out in Appendix 1 and 2 to the report respectively.

- 3.2 The Committee's meetings for the year are set out in Appendix 3 to this report as agreed at the Council meeting on 19th May 2021
- 3.4 In accordance with the programme, meetings are scheduled to take place at 6.30pm
- 3.5 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which made provision for remote attendance at, and remote access to, council meetings, expired on 6 May 2021.
- 3.6 The Committee Calendar has been prepared on the basis that all meetings will revert to physical attendance and also to the previous start times.
- 3.7 It is currently expected that social distancing regulations will be relaxed on or around 21 June 2021. Any meetings taking place before that date may need to operate under hybrid meeting arrangements in accordance with the requirements.
- 3.8 From the date of full relaxation, attendance at physical meetings by all Members, officers and the public will be possible

4. EQUALITIES IMPLICATIONS

- 4.1 When drawing up the schedule of dates, consideration was given to avoiding schools holiday dates and known dates of religious holidays and other important dates where at all possible.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

- 5.2 No implications arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no specific comments arising from the recommendations in the report. The information provided for the Committee to note is in line with the

Council's Constitution and the resolutions made by Full Council on 19th May 2021

7. COMMENTS OF LEGAL SERVICES

- 7.1 The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Council on 19th May 2021

Linked Reports, Appendices and Background Documents

Linked Reports

None.

Appendices

Appendix 1 – Strategic Development Committee Terms of Reference and Quorum

Appendix 2 – Strategic Development Committee Membership 2021/2022

Appendix 3 – Strategic Development Committee Meeting Dates 2021/2022

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

None.

Officer contact details for documents:

- [N/A]

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1. Strategic Development Committee

Summary Description: To determine larger-scale major or strategic planning matters, within and exceeding the remit of the Development Committee in terms of size and scale amongst other issues.	
Membership: 8 Councillors (each political group may appoint up to 3 substitutes).	
Functions	Delegation of Functions
<p>1. To consider any matter listed within the terms of reference of the Development Committee (including minor material amendments and observations to neighbouring authorities and the Mayor of London) where any one of the following applies:</p> <p>(a) Applications for buildings exceeding 30 metres in height (25 metres on sites adjacent to the River Thames)</p> <p>(b) Applications for residential development with more than 500 residential units, or on sites exceeding 10 hectares in area</p> <p>(c) Applications for employment floor space on sites of more than 4 hectares</p> <p>(d) Major infrastructure developments</p> <p>(e) Applications not in accordance with the development plan involving more than 150 residential units or a gross floor space exceeding 2,500 square metres</p> <p>(f) Applications on Metropolitan Open Land involving buildings with a gross floor space exceeding 1000 square metres</p> <p>(g) Applications for developments including 200 or more car parking spaces</p> <p>(h) Legal proceedings in relation to the matter are in existence or in contemplation</p> <p>(i) Three or more members of the Development Committee are disqualified in some way from participating in the decision</p> <p>(j) On an exceptional basis, the Development Committee has decided that a particular application should stand referred to the Strategic Development Committee</p> <p>(k) To consider any application or other planning matter, including pre-application presentations (subject to the agreed protocol) referred to the Committee by the Corporate Director, Place where s/he considers it appropriate to do so (for example, if especially significant strategic issues are raised)</p>	None
Note: It shall be for the Corporate Director, Place to determine whether a matter meets any of the above criteria	
Quorum: 3 Members of the Committee	
Additional Information: Constitution Part C Section 35 (Planning Code of Conduct)	

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STRATEGIC DEVELOPMENT COMMITTEE
(Eight members of the Council)

Labour Group (7)

Conservative Group (0)

Ungrouped (1)

Cllr Abdul Mukit
 Cllr David Edgar
 Cllr John Pierce
 Cllr Kahar Chowdhury
 Cllr Sabina Akhtar
 Cllr Tarik Khan
 Cllr Val Whitehead

N/A

Cllr Rabina Khan

(Substitutes not applicable)

Substitutes:-
 Cllr Seema Qureshi
 Cllr James King
 Cllr Nyrrsten Perry

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APPENDIX 3

SCHEDULE OF DATES 2021/22 STRATEGIC DEVELOPMENT COMMITTEE

- Wednesday, 9th June, 2021
- Wednesday, 14th July 2021
- Wednesday, 18th August 2021
- Thursday, 23rd September 2021
- Thursday, 28th October 2021
- Wednesday, 1st December 2021
- Wednesday, 12th January 2022
- Wednesday, 16th February 2022
- Wednesday, 30th March 2022

Meetings are scheduled to take place at 6.30pm

It may be necessary to convene additional meetings of the Committee should urgent business arise. Officers will keep the position under review and consult with the Chair and other Members as appropriate.

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development Plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (NHB) and Community Infrastructure Levy (CIL) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as “*local finance considerations*”, the key question is whether they are “material” to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be ‘material’ to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “*must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “*dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...*”

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

5.1 The Committee to take any decisions recommended in the attached reports.



Application for Planning Permission

Reference	PA/19/02534
Site	Asda – Crossharbour District Centre, 151 East Ferry Road, London, E14 3BT
Ward	Blackwall and Cubitt Town
Proposal	<p>A hybrid planning application (part detailed, part outline) for the demolition of existing buildings and the comprehensive, mixed-use, re-development of the site, comprising a maximum of 218,991sqm (GEA) of floorspace.</p> <p>Full details are submitted for 526 residential units (Class C3), flexible commercial floorspace, including a new foodstore (17,087sqm GIA - A1-A4/B1), a primary school (D1), community uses (D1), public bus parking and a site wide basement, with associated uses as part of the development including car parking (up to 410 spaces), cycle parking, and an energy centre. Building heights would range between a maximum of 17.4m AOD (3 storeys above ground level) and 60m AOD (15 storeys above ground level). Creation of new vehicular and pedestrian access and public realm works, including all ground floor hard and soft landscaping and other works incidental to the proposals, including a programme of interim works (which include a temporary multi-storey car park with 349 car parking spaces and a temporary access lobby to the retail foodstore).</p> <p>Outline permission (with layout, scale, appearance and landscaping at upper levels being reserved) is sought for up to 111,137sqm GEA above podium level, comprising of between 1217 and 1446 residential units (C3), with associated private and communal podium amenity and landscaping, within four buildings with maximum heights ranging between up to 45.850m (AOD)/12 storeys and up to 115.50m (AOD)/32 storeys.</p> <p>[The application is accompanied by an Environmental Statement]</p>
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Ashbourne Beech Limited and Asda Stores
Architect/ agent	CZWG/ DP9
Case Officer	Rikki Weir

Key dates

- Application registered as valid on 06/01/2020
 - Consultation (including Environmental Impact Assessment (EIA)) on 07/01/2020
 - EIA Regulation 25 re-consultation on 01/06/2020
 - Re-consultation in relation to amendments on 08/02/2021
 - EIA Regulation 25 re-consultation on 22/01/2021
 - EIA Regulation 25 re-consultation on 10/03/2021
-

EXECUTIVE SUMMARY

The application site is designated as a Site Allocation (Crossharbour Town Centre) earmarked for strategic housing-led redevelopment of the Crossharbour District Centre, providing retail floorspace and other compatible uses. In line with the Site Allocation, the proposal would provide a primary school, community/local presence facility as well as public squares, open spaces, green grid and local pedestrian and cycling routes. It is located within the Isle of Dogs and South Poplar Opportunity Area, where development proposals are expected to optimise the delivery of housing and employment numbers.

The overall development would deliver up to 1,972 homes with 25% affordable housing (up to 370 affordable homes), 17,087sqm of flexible commercial (A1 – A4 and B1 use class) floorspace, reprovision and continuous trading of the anchor hypermarket, a 7,135sqm primary school (D1 use class), a 1,983sqm community hub (D1 use class), a 103sqm bus interchange, and a 17,793sqm underground car park.

From a design perspective, it is considered that the proposed development responds positively to its context. The proposal has paid special attention to the areas of lower rise built form close to northern (Glengall Grove) and eastern (Friars Mead) boundaries, resulting in sensitive and neighbourly development. Officers have also worked closely with the applicant to ensure that impacts on Mudchute Park have been minimised and that development would step-down sufficiently in relation to its surroundings.

In relation to transport matters, the proposed development seeks local connectivity improvements in line with the requirements of the Site Allocation policy. This includes significant financial contributions towards improved highways improvement works, bus connectivity around the site (including replacement bus interchange), improved cycling connectivity with Cycle Superhighway 3 (CS3), a Crossharbour DLR station upgrade, new Cycle Hire docking facilities, and East Ferry Road public realm improvements.

The proposal would provide a pedestrianised series of interlinking public areas referred to as Urban Forest, Artway, Crossharbour Arcade, Central Stage, Fountain Square, Piazza, Play Street, Belvedere and Grand Stairs. The site would also include an improved pedestrian access to Mudchute Park, maintain pedestrian access from Glengall Grove, maintain controlled vehicular access to Island Health and controlled pedestrian access from Friars Mead. The proposed development would be a 'car-free' residential scheme, only allowing disabled persons residential car parking (60 spaces), whilst reducing commercial car parking spaces from 600 to 350 spaces and providing a policy compliant residential and commercial short and long stay total of 3,609 cycle parking spaces across the application site. Overall the development is considered to be acceptable in relation to highways matters.

Despite extensive community engagement, the proposal would result in some impacts upon neighbouring residents from a daylight and sunlight perspective. Officers are satisfied that the scale and massing of the built form close to the boundary with existing residential development (at Glengall Grove and Friars Mead) has been designed sensitively to minimise such impacts. It is not considered that the development would result in any undue privacy,

outlook or sense of enclosure concerns to neighbours. Whilst officers have given careful consideration to these impacts and discussed them at length within the report, it should be acknowledged that such impacts are often an inevitable consequence of development that is required by policy to make a significant contribution to the delivery of housing, as is the case with this development, located within a Site Allocation, Tall Building Zone, and constituting redevelopment of the District Town Centre. Officers are required to balance the identified impacts with the public benefits of the wider scheme.

In relation to sustainability matters, the scheme proposes to connect to the Barkantine district heating network which is a positive. The Energy Strategy would sufficiently reduce carbon dioxide emissions and additional carbon offsetting payment would be secured through the S106. The environmental impacts associated with the proposed development, as set out in detail in the Environmental Statement, have been fully considered. Officers are satisfied that any potential impacts that may arise from the construction or operation of the development can be sufficiently controlled and mitigated through the various recommended planning conditions and obligations.

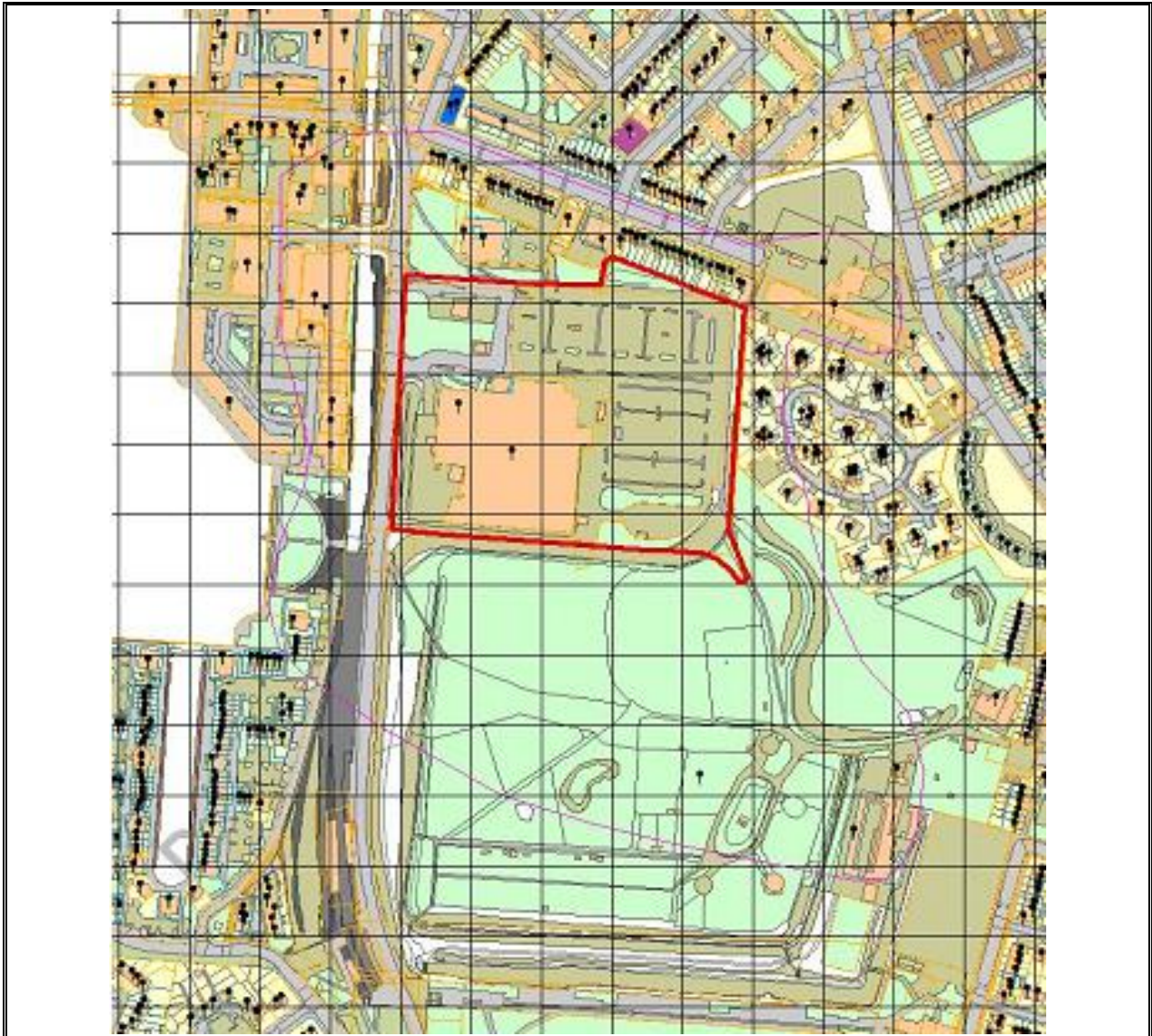
In terms of the ecological impacts of the scheme, the site is located directly adjacent to Mudchute Park, a Site of Metropolitan Importance for Nature Conservation, and Local Nature Reserve. The site would not have any adverse overshadowing impacts on Mudchute Park due to its location to the north. However adverse impacts would stem from the necessary sewer realignment which would involve construction works on part of the park. Additional habitat restoration and enhancement works have been proposed, along with funding to the Mudchute Association, which would mitigate the construction impacts. Overall it has been concluded that the on-site and off-site mitigation and additional habitat creation would create a net biodiversity gain and would outweigh any potential harm from overshadowing. The on-site works would involve significant gains in biodiversity through additional trees, soft landscaping and biodiverse roofs, resulting in a development with an Urban Greening Factor of 0.4 providing an acceptable quality and quantum of greening in and around the site.







With regard to the heritage impacts of the development, the proposal is considered to preserve the setting of nearby conservation areas and listed buildings. The proposal would be visible in long range strategic views from Greenwich and Tower Bridge. Overall it is considered that any harm to heritage assets would be less than substantial (at the lower end of the scale), which would be outweighed by the significant wider public benefits of the District Town Centre redevelopment.

Considered as a whole, the proposed development delivers the requirements of the Site Allocation and accords with the Development Plan. It would make a significant contribution to the delivery of the Council's housing targets and address the borough's identified housing need. The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to employment and skills training, carbon offsetting, and transport network improvements.

Overall the proposal is considered to be well designed; officers are satisfied that the proposed development would deliver a high quality, well integrated, inclusive and sustainable place. It is on this basis that the grant of planning permission, subject to conditions, is recommended.

SITE PLAN



-  Planning Application Site Boun
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point
-  Locally Listed Buildings
-  Statutory Listed Buildings

**Planning Applications Site Map
PA/19/02534**

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



**London
Borough of
Tower Hamlets**

Date: 27 May 2021

1. SITE AND SURROUNDINGS

- 1.1 The application site, towards the south of the Isle of Dogs, East London, comprises an Asda hypermarket superstore, petrol filling station, 600-space car park, bus interchange and associated access ways and landscaping. It is 4.5 hectares in size and includes a parcel of land adjoining to and within Mudchute Park. The site is bounded by East Ferry Road to the west with the raised Docklands Light Railway (DLR) line running north-to-south between Mudchute and Crossharbour stations. To the north is Island Health, a 2 storey general medical health facility, surrounded by amenity grassland and 4 storey residential blocks of flats, interspersed with lower scale community buildings on Glengall Grove. To the east are 2 storey residential properties of Friars Mead. To the south is Mudchute Park and Farm, designated as Metropolitan Open Land, a Local Nature Reserve and a Site of Metropolitan Importance for Nature Conservation.



Figure 1 – Aerial view of site looking eastwards

- 1.2 The site does not lie within a conservation area. The nearest conservation areas are Chapel House (400m to the south), Island Gardens (650m to the south), and Coldharbour (750m to the north-east). The site does not contain any listed buildings. The nearest listed buildings are the Grade II listed Carnegie Library (80m to the north), the Grade II listed Millwall Wharf warehouses (400m to the east), and the Grade II* listed Isle of Dogs Pumping Station (520m to the north-east).
- 1.3 In terms of land use character, the surrounding area is characterised by low rise residential land uses to the north and east. Parkland (publicly accessible open space) is to the south. Across the DLR line to the west is a mixture of low and medium rise residential buildings alongside a multi-storey car park and the higher rise Northern and Shell commercial building. Millwall Outer Dock is also located 80m to the west.
- 1.4 Pedestrian and vehicular access is provided from East Ferry Road. Pedestrian access is also available from Glengall Grove, Friars Mead and Mudchute Park. The site has a Public Transport Accessibility Level (PTAL) ranging from 1b (Very poor) at the east of the site, 4

(Good) to the centre and west of the site, 3 (Moderate) at the north and north-east of the site and 5 (Very good) at the north-west of the site. Crossharbour DLR station is situated 90m to the north-west of the site. Mudchute DLR station is situated 220m to the south-west of the site. The bus interchange within the site serves 4 bus routes – the D6, D8, 135 and 277 connect towards Dalston Junction, Old Street, South Hackney, and Stratford.

- 1.5 The application site is listed within the Local Plan as a Site Allocation (Crossharbour Town Centre) designated for strategic housing-led redevelopment of the District Centre, providing retail floorspace and other compatible uses. Other site designations include: Flood Risk Zone 3a, Green Grid (from Glengall Grove south to north-east site boundary along east site boundary), New Green Grid (3 routes through site), Green Grid Buffer Zone, Aviation Safeguarding (45m+ height development), Crossharbour Primary Shopping Area, Primary Shopping Frontage (eastern frontage of hypermarket), Neighbourhood Planning Area (Isle of Dogs), Tier 3 Archaeological Priority Area (Isle of Dogs), Tall Building Zone (Millwall Inner Dock Cluster), and Critical Drainage Area (to north-east of site).
- 1.6 The site is also located within the Mayor of London’s Isle of Dogs and South Poplar Opportunity Area which is identified as having capacity for 31,000 new homes and 110,000 new jobs. Crossharbour Town Centre is identified within the Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) as an emerging area of change. In this area, development is expected to form the heart of commercial and civic functions for Island Gardens and Cubitt Town with a significant increase in the existing residential community and wider commercial draw, including an enhanced network of local and strategic connections.
- 1.7 Relevant photographs of the application site are included in Appendices.

2. PROPOSAL

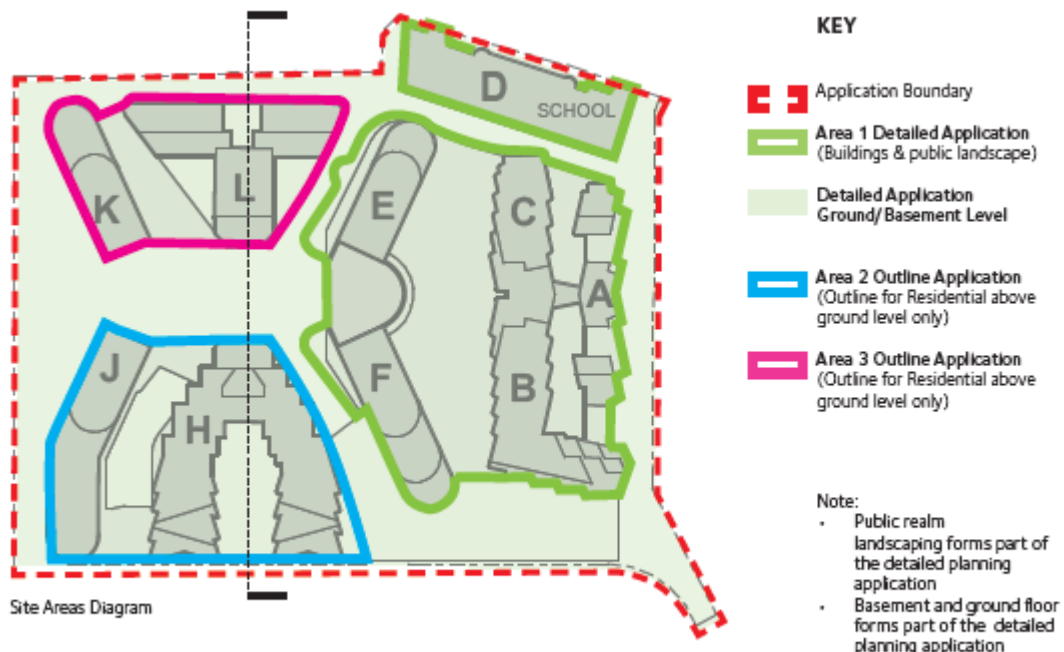


Figure 2: Building Plots Key Plan (from Parameter Plans)

- 2.1 The applicant has submitted a hybrid planning application for part outline and part full planning permission. In relation to Figure 2, it can be seen that the Detailed component relates to Area

1 of the development along with ground floor areas of Areas 2 and 3 as well as all public realm and basement areas within the site, for which full details have been submitted. The Outline component relates to the residential upper floor levels of Areas 2 and 3, the finer details of which would be the subject of reserved matters applications, should planning permission be granted. The planning application is underpinned by a site wide illustrative masterplan.

The Detailed Component (Phase 1 + Building F + ground and basement floor levels of Phases 2 and 3)

2.2 Figure 2 shows the Detailed and Outline components of the hybrid application. Figure 3 below shows the Phases of the development. Detailed planning permission is sought for Phase 1 (+ Building F, ground floor level buildings, public realm and basement level) which is located towards the eastern half of the site, adjoining Friars Mead to the east, Glengall Grove to the north and Mudchute Park to the south. Detailed planning permission is also sought for the ground floor levels of Phases 2 and 3 as well as all public realm and basement areas within the site. Below is an overview of the detailed component:

- 526 residential units (including 21% affordable housing by habitable room) arranged in 5 blocks (Building A, B, C, E and F), ranging between 3 and 15 storeys in height, comprising a total of 9 cores and a number of ancillary service cores
 - In relation to phasing of the development, Phase 1 consists of 354 residential units (including 31% affordable housing by habitable room) and relates to the above details excluding Building F
- 8,737sqm (GIA) hypermarket (A1 use class)
- 7,232sqm (GIA) commercial (A1-A4 / B1 uses) uses
- 4,567sqm (GIA) primary school
- 1,888sqm (GIA) community hub
- 94sqm (GIA) bus interchange

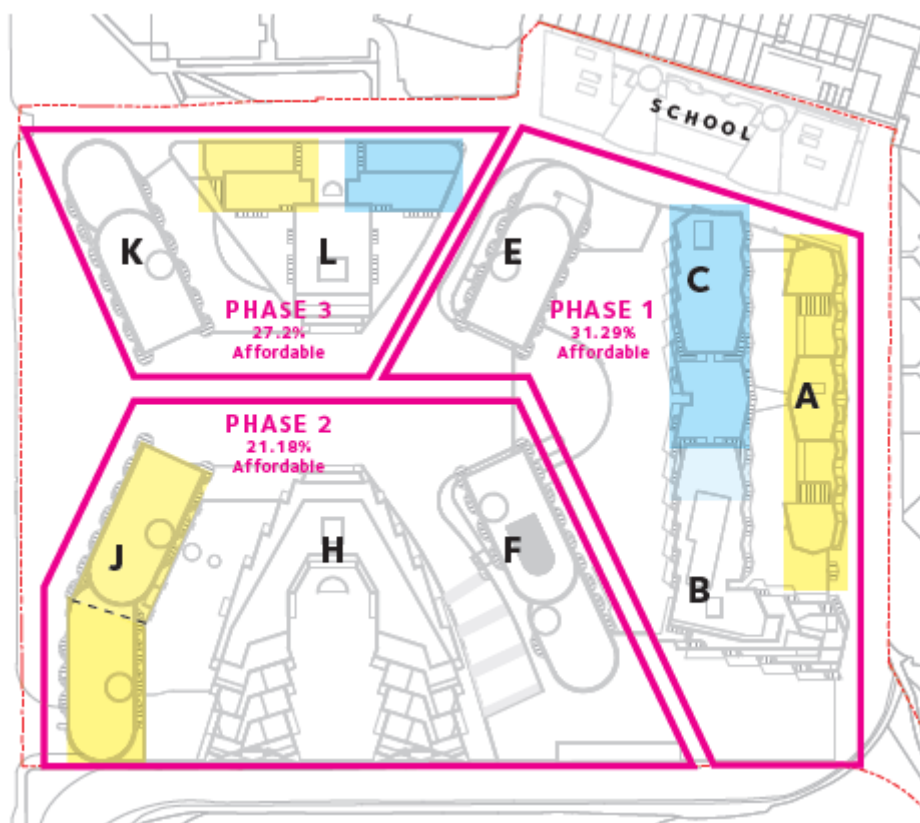


Figure 3: Phases of delivery (affordable rented housing locations in yellow; intermediate housing locations in blue)

2.3 The Detailed component includes 526 residential homes (C3 use class) and 17,087sqm (GEA) of commercial floorspace, including the reprovided hypermarket and a range of other ground floor units around the site, public realm and basement level (mainly commercial and residential car parking and servicing). The applicant seeks flexibility surrounding the use class (A1-A4 / B1 uses) of commercial units other than the hypermarket. The range of uses for proposed commercial units includes retail, cafe, bike shop and workspace. A primary school (D1 use class) is proposed for the north-east of the site.

The Outline Component (Phases 2 (not including Building F) and 3 above ground level)

2.4 It is proposed that the Outline component of the scheme (upper floor levels of Phases 2 and 3) would deliver:

- Up to 1446 homes (to provide 25% affordable housing overall for the Detailed and Outline components in total) arranged in 4 blocks (Buildings H, J, K, L), ranging between 32.050 AOD to 115.500 AOD in height, currently shown as comprising a total of 11 cores with ancillary service cores

2.5 The detail of the above elements would therefore be assessed through reserved matters applications and any conditions and S106 obligations attached to the permission. The acceptability of these details at reserved matters stage would be subject to the limitations within the Parameter Plans, Development Specification and Design Code documents.



Figure 4: Site location plan (from Parameter Plans)

2.6 In order to provide a greater understanding of the Outline component of the scheme, some of the key parameter plan, together with a short commentary, has been set out below. Some of the details on the plans will appear small; these have been included in order to provide an explanation surrounding the purpose of each Parameter Plan. The full set of plans can be viewed in detail on the Council’s website, along with the full suite of planning application documents.

2.7 The **Parameter Plans** define the following:

Parameter Plans
Building Plots Key Plan
Proposed Typical Upper Floor Uses
Site Location and Application Boundary
Existing Site Sections
Horizontal Deviation Plans (1 st to 30 th levels)
Roof Level Plan
Parameter Elevations (West, East, North, South)
Illustrative Floor Plans
Indicative Communal Amenity Space Access Plan

Figure 5: Table of Parameter Plans

2.8 The **Development Specification/ Design Code** submission document is to be read alongside the Parameter Plans and other submitted documents. It sets out a written account of the parameter plans and details and provides the framework within which the reserved matters must come forward.

2.9 The matters reserved for later determination, in relation to the Outline component of the scheme are:

Reserved Matter	Description
Appearance	The aspects of the development which

	determine the visual impression the development makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
Layout	The way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
Scale	The height, width and length of each building proposed within the development in relation to its surroundings.
Landscape	For those areas above ground floor levels for plots H, J, K & L

Figure 6: Reserved matters

2.10 The detail of the above elements would therefore be assessed through the four reserved matters and any conditions and S106 obligations attached to the permission. The acceptability of these details at reserved matters stage would be subject to the limitations within the Parameter Plans and Development Specification/ Design Code document.

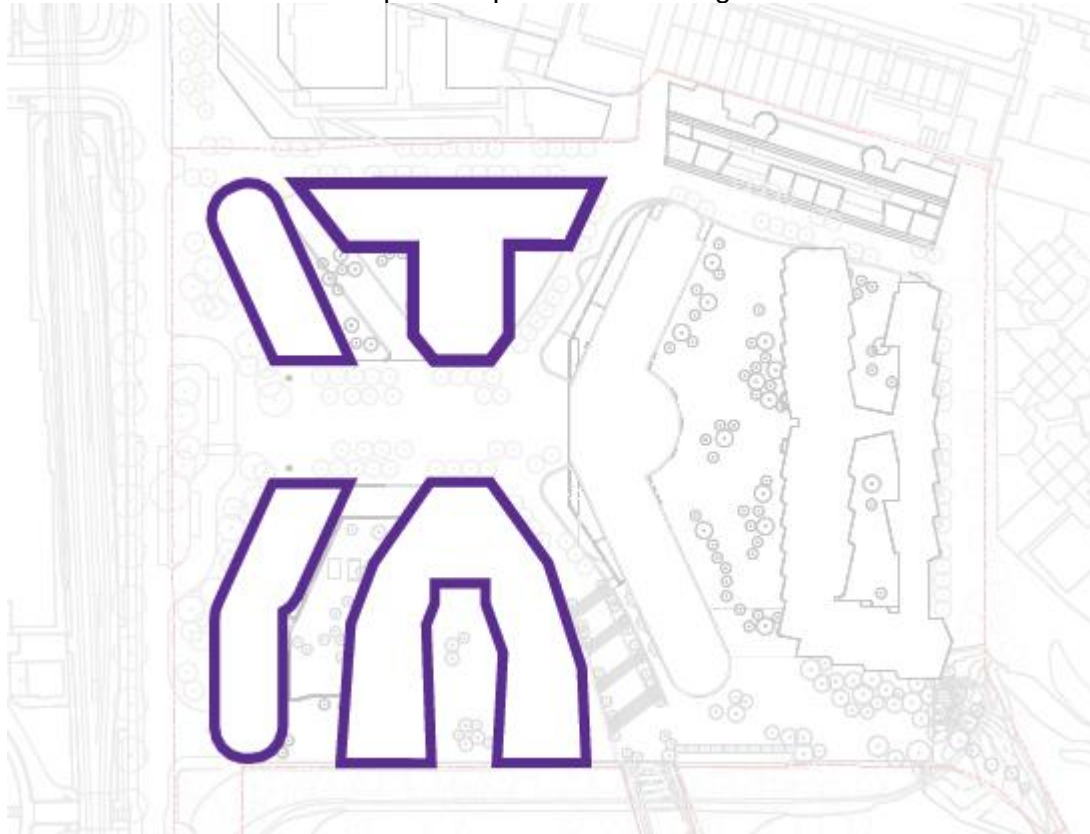


Figure 7: Proposed residential uses (upper floors) for outline component (from Parameter Plans)

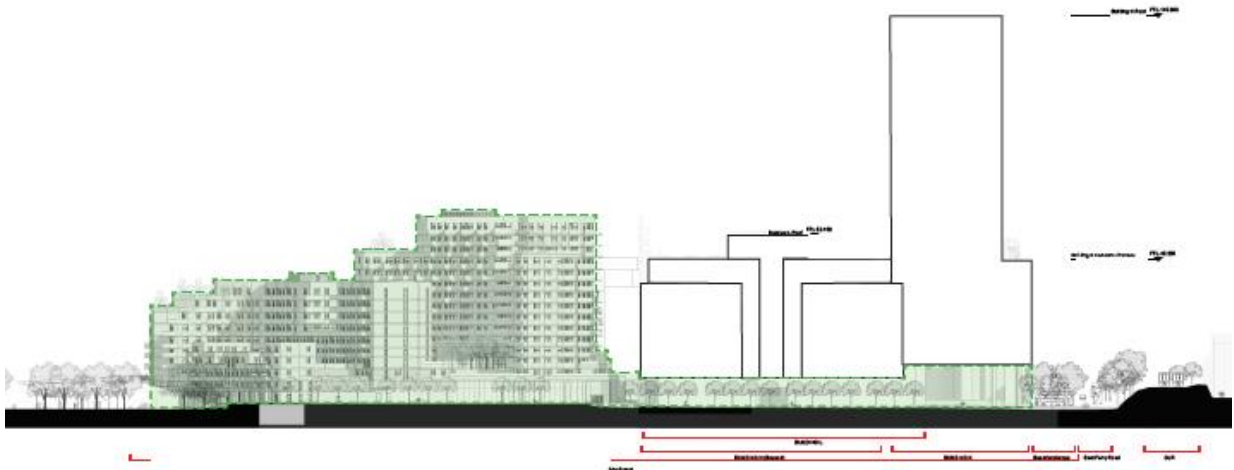


Figure 8: Northern elevation with detailed and outline components (from Parameter Plans)

Other key elements of the Outline component:

Phasing

- 2.11 The implementation of the proposed development would come forward in a phased manner. Figure 3 above should be referred back to for an illustration of the development Phases.

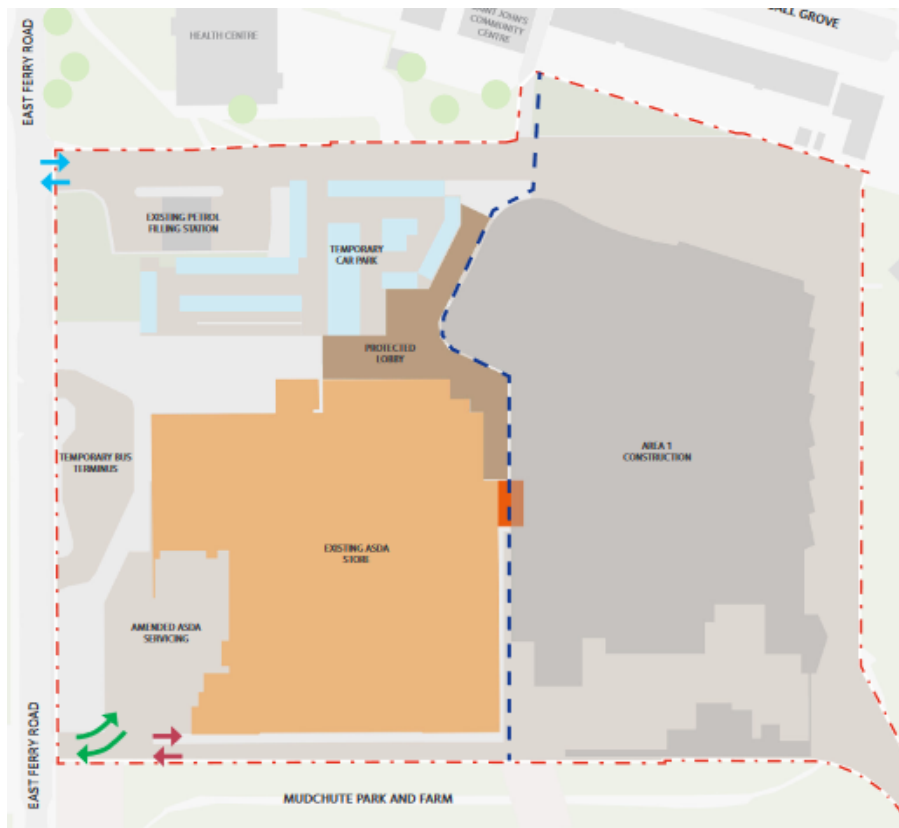


Figure 9: Stage 3 of development sequencing

- 2.12 Figure 9 shows that whilst construction for Phase 1 would be ongoing, the existing hypermarket presence would be maintained along with a new temporary multi-storey car park and bus terminus. Once Phase 1 (including replacement hypermarket) is complete, construction on Phase 2 (existing hypermarket building to south-east of the site) can progress, before moving to construction of Phase 3 (to north-west of the site). Figure 3 shows the practical Phases in regard to delivery of affordable housing. Further details on phasing can be found within the **Development Sequencing** and **Delivery and Interim Works** submission documents and within the Housing section of this report.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history that relates to the application site is set out below:
- 3.2 PA/17/01603: An application for planning permission for the demolition of existing buildings and redevelopment for a comprehensive mix of uses comprising a maximum of 224,193sqm (GEA). The proposed development comprises the following uses:- retail (Class A), residential (C3) (maximum 2,142 units), primary School (D1), cultural/community uses (D1), commercial uses (B1) and associated uses as part of the development including car parking, cycle parking, public bus parking/facilities, storage and energy centre. Creation of new and improved vehicular and pedestrian access and circulation through the site, new and enhance public realm including hard and soft landscaping. Full details are submitted for Phase 1 which comprises of 532 residential units (C3), retail including a new food store (Class A1), a primary school (D1), community uses (D1), energy centre, car and cycle parking and a site wide basement. Details of hard and soft landscaping and associated works with the creation of new and improved vehicular and pedestrian access and circulation alongside facilities and works incidental to the proposals. Withdrawn – 02/08/2017.
- 3.3 PA/17/00777: Request for an Environmental Impact Assessment Scoping Opinion in support of an application for the redevelopment of 151 East Ferry Road under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). Scoping Opinion Issued – 21/04/2017.
- 3.4 PA/11/03670: Hybrid planning application for the demolition of existing supermarket, and comprehensive redevelopment of the site for mixed-use purposes to provide up to 30,445sq.m (GEA) of floor space (Use class A1 / A4, B1, D1-D2) and up to 850 residential units (Use class C3) comprising: 1) Full Details Demolition of existing supermarket; 14,112sqm (GEA) replacement supermarket (Use Class A1) (Ground and First Floor beneath Blocks E, F, G and K); 8,323sqm (GEA) flexible non-food retail (Use Class A1 / A4) (Ground and First Floor beneath Blocks I, H and J); 84 residential units (use class C3) (Within Block G, 8 storeys); Basement parking; New bus stop, bus layover and servicing access; Formation of a new vehicular and pedestrian access and means of access and circulation within the site, new private and public open space and landscaping; and Associated plant and servicing. 2. Outline / All matters reserved Maximum of 766 residential units (use class C3) (within blocks A, B, C, D, E, F, H, I, J, K, L, between 2 and 23 storeys); Up to 6,410sqm (GEA) flexible retail, financial and professional serviced, food and, drink and office floorspace (Use class A1/A4, B1, D1 and D2); Up to 1,600sqm (GEA) community use floorspace (Use Class D1-D2); Formation of a new vehicular access and means of access and circulation within the site, new private and public open space and landscaping; and Associated plant and servicing. Permitted – 10/11/2014.
- 3.5 PA/11/01228: Request for Scoping Opinion as to the information to be contained within an Environmental Impact Assessment to be submitted in support of an application for major retail, commercial and residential development. Scoping Opinion Issued – 23/06/2011.

- 3.6 PA/04/00029: Comprehensive mixed use redevelopment of the district centre to provide food and non-food retail floorspace, financial and professional services, food and drink, library and education centre, health and fitness centre (Use Classes A1, A2, A3, D1 and D2), 573 residential units (Use Class C3), public and private open space, new bus terminus, new access arrangements and car parking. The application includes the submission of an Environmental Statement under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Withdrawn – 13/04/2011.
- 3.7 PA/01/00873: Demolition of existing petrol filling station and the erection of a new filling station, car wash, bus terminus and CCTV cameras together with alterations to access and parking arrangements. Permitted – 11/10/2001.
- 3.8 PA/99/00271: Refurbishment and part renewal of existing store, relocation of petrol filling station and works to the bus terminal and site generally. Permitted – 02/02/2000
- 3.9 PA/81/00516: Approval with reference to application dated 23rd March 1981 for the district centre development in the Isle of Dogs consisting of: Asda Superstore, Shop Units, petrol filling station, car parking and loading arrangements. Permitted – 01/07/1981.
- 3.10 ID/80/00001: The construction of a shopping centre including a superstore, retail units, petrol station and tyre bay, car park, library and health centre. Permitted – 02/05/1980.

4. STAKEHOLDER ENGAGEMENT AND PUBLICITY

- 4.1 The applicant undertook extensive pre-application engagement with the Council and local residents and other relevant stakeholders. This included meetings and public exhibitions. The Statement of Community Engagement submitted with the planning application provides a more detailed summary of the consultation to date and ongoing engagement for the future.
- 4.2 In addition to this, the applicant presented their proposal at pre-application stage to the Council's Conservation and Design Advisory Panel (CADAP) on 13th May 2019. The CADAP comments and applicant's response are set out in the Design and Access Statement that supports this application,
- 4.3 At application stage, a total of 313 neighbouring properties were notified about the planning application by the Council in January 2020. Site notices have been erected in close proximity to the site. The application was also advertised in the local press.
- 4.4 Statutory consultees and residents that had submitted a representation were also re-consulted in February 2021 in respect of amendments to the scheme with new site notices and a local press advertisement also posted. EIA Regulation 25 re-consultations were also undertaken in relation to amendments to the Environmental Statement in June 2020, January 2021 and March 2021.
- 4.5 A total of 104 letters of representation have been received in general objection, including 4 from local councillors. A general online petition (182 in objection, 31 in support and 31 undecided) has been received as well as a petition from Cubitt Town School of 33 in objection in relation to the potential of a new, competing school. 1 letter of general support has been received. The concerns that were raised following both initial consultation and re-consultations are outlined and categorised below.
- 4.6 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Land use

- Inadequate provision of infrastructure (health and emergency services; schools; water supply and drainage; play spaces; telecoms; and transport) in the area to support such a high density development
- Loss of only petrol filling station on the island would result in a long and difficult trek to Cotton Street petrol station which is overpriced
- Petrol filling station should be re-included in the proposals as this is a vital community asset
- Although the sale of vehicles solely fuelled by fossil fuels from 2030 will be banned, there will still be hybrid vehicles being manufactured and sold. It will be at least another 15 years before there will be a significant tail off in the need for fuel supply
- Pleased that petrol filling station is not included as this is in line with clean air initiatives and move towards electric cars
- New Idea Store is not needed and existing Cubitt Town Library should be refurbished instead
- Tiny bit of token commercial thrown in. And commercial premises at the base of skyscrapers never work, as can be seen on the rest of the Island.
- Shops, markets and entertainment areas will be overcrowded
- Impact on shopping facilities with increase in people
- Proposed leisure facility is private for residents and would not help against increased pressures on surrounding leisure centres such as the Tiller
- Welcome the increase in social housing
- No recreational facilities such as cinema, swimming pool or ice rink
- Too many smaller housing units less suitable for families resulting in no community life
- Amount of affordable houses does not meet planning policy requirements
- Car wash is an important facility for local people. The one in Preston Road is small and there would be long queues
- Balance towards residential and shops is heavily weighted towards residential – this is supposed to be a district centre bringing the community together and the mix is not appropriate for a district centre
- Why not consider using the area currently designated as a possible school to include childminding/crèche/early learning facilities
- The scheme should include a legal obligation to accommodate the Britannia Pharmacy
- A publicly accessible sports centre would be a very appropriate addition
- Object to building a new school next to Cubitt Town School. There are so many primary schools on the Isle of Dogs, so another is not needed
- Cubitt Town School: The school community is concerned about the density of the development and the impact this may have on the children's health, safety and wellbeing. We are also concerned as the planning includes a potential road going through our green space and play area and school building. Which makes us wonder what the long-term future of Cubitt Town School may be. There are concerns about a 3 FE school being built in such close proximity to our school and the long-term impact this may have on the school and the community it serves. We are aware that schools currently have falling rolls and there has been school closures. We feel using the money to support improving an existing school would be more worthwhile and have a positive impact on the community. Playground for school should not be inside or on roof
- Island Health: We note the large volume of residential houses that are planned to be built, and the expected population to increase. As the health practice is only a few 100M away from the proposed site this will directly impact us and our ability to safely continue to offer clinical care. In order for us to meet the increase in demand, provisions would need to be made. These include expansion of our clinical space, as well as the need to employ more staff. At the moment there is a road alongside the

petrol station which is used both by Asda shoppers and us at the health centre. Patients, and staff use this access daily, it is also particularly important that ambulances have unobstructed access to the health centre. What provisions or measures will be put into place to ensure that this access (both pedestrian and vehicle) remains accessible to all, both during construction, and when the development is complete

Officer response: This is covered in the Land Use and Design sections of this report.

Design, Density & Site Layout

- Soulless, high-density residential skyscrapers
- Isle of Dogs doesn't need another massive development
- Violates numerous guidelines such as: height requirements, massing principles, the Tower Hamlets step down principle
- Design, scale and density of the development amounts to the arrival of a cluster of towers in the same style of South Quay/Canary Wharf encroaching on the borders of Mudchute Farm
- The magnitude (size and density) of the proposed development goes against the architectural style, community atmosphere and natural environment in the heart of the Isle of Dogs
- Reducing the height, possibly to the same height of the sister tower next to it, could be a good compromise. The development in itself is great in every other aspect
- A max of 5 storeys would be more appropriate
- No respect to the local context and street pattern or, in particular, the scale and proportions of surrounding two/three storey buildings
- Out of character with the area
- Potential increase in crime around the underground car park
- Low rise family housing is needed not tall blocks of flats
- Unclear where the site boundary is and if neighbouring flood defence bund and trees will be removed and if new wall will be built in same position as existing fence
- Architecturally dissonant to the neighbourhood
- Originally London Docklands Development Corporation and the council pledged that no very high-rise developments would come past Crossharbour thus maintaining a community and residential feel to the lower part of the island. This seems to have been completely overridden for the sake of corporate profit and meeting imposed housing targets
- Removal of garden gates from Friars Mead through the site would add 45 minutes journey towards the DLR
- Creation of wind tunnels, dangerous for vulnerable people
- Unique views of Canary Wharf cluster from Mudchute Park will be lost
- Lack of respect and understanding for ambience of the area
- Play Street will be an anti-social behaviour hotspot

Officer response: This is covered in the Design section of this report.

Biodiversity

- Very high rise development bordering Mudchute Park will cause loss of outlook to the green space and hem it in
- Mudchute Park is a public amenity which benefits the whole of the borough and a highly valued space which allows many people to escape the everyday pressures of urban living and it would be eroded by the proposal
- Unclear whether the existing woodland between the Mudchute, Friars Mead and Asda will be maintained. The loss of such woodland would be very concerning especially to the ecological balance of wildlife and the biodiversity of species.
- Will destroy bird habitats

- Will overshadow both local residential communities as well as the open space, wildlife and farm animals of the neighbouring open spaces
- Loss of and impact on trees and tree line
- Park would be surrounded by a concrete jungle
- Will destroy the natural ecosystem of the park and irreversibly damage animal biodiversity
- Mudchute Association: Concerned about; increase in visitor usage and population pressures of massive overdevelopment would harm the Metropolitan Open Land; £6.7m mitigation needed; overlooking from a 'cliff wall' of development similar to New York's Central Park; the park would be overshadowed by Building H in particular which would be up to 30 metres above existing ground level; current proposal is more impactful than the scheme initially resolved to be refused at committee in 2012; need to be made fully aware of the extent of works required for the Barnfield Sewer diversion to support the proposals.

Officer response: This is covered in the Biodiversity and Design sections of this report.

Amenity

- Impact on the amenity of the surrounding existing residents in terms of overlooking, loss of privacy and visually overbearing impact
- Impact on the daylighting and sunlighting conditions of the properties within Friars Mead, Glengall Grove and Cubitt Town School given the buildings' height and proximity to the boundary
- Daylight and sunlight analysis does not take neighbouring extensions into account
- Impact on right to light of properties within Friars Mead
- Additional traffic noise and pollution in the area
- High levels of noise, vibration, artificial light, odour, fume or dust pollution during the construction and life of the development
- Lockdown restriction mean that residents will be spending more time at home and will be greater impacted by proposals
- Water pressure will drop and sewers will be flooded
- Negatively impacts the wind circulation for the Docklands Watersports Centre.

Officer response: This is covered in the Amenity and Environment sections of this report.

Construction

- Construction working hours 07:00 to 18:00 hours Monday to Friday over a 10 year period is detrimental to the residents' quality of life
- Will result in noise, pollution and stress for many years especially alongside other already approved plans on the Island
- Significant dust and debris
- Unbearable noise levels of deep piling

Officer response: This is covered in the Highways and Amenity sections of this report.

Highways

- DLR is already overfull at peak hours and there is little scope for additional capacity
- Increases in DLR capacity may not be enough to cope
- All transport on the island will be impossible to use
- Reduction in retail and residential car parking
- Grand Stairs through the site should have ramp access rather than a lift which is not environmentally friendly and needs to be waited for
- Major concern of traffic deadlock
- No required level of accessibility to public transport and wider accessibility of the development site to support the proposed high density housing

- Pressure on the already high on-street parking pressure
- Insufficient proposed car parking
- The scale and protracted length of the scheme (~9 years) will blight the area with increased traffic generation, vehicular access issues, congestion, highway safety issues
- More electric car charging points should be provided
- Tower Hamlets has declared a Climate Emergency so the vehicles of residents living in this development must be 100% zero emission and 100% of resident vehicle parking bays must be provided with electric vehicle charging infrastructure
- Cycling routes proposed seem unrealistic in the local area
- Removal of bus depot will cause traffic chaos
- Little evidence of how cyclists will be able to have any connectivity in the local area. It is suggested that cyclists will connect with CS3, however, there are no segregated cycling routes to access the CS3 or any other cycle routes on the Isle of Dogs.
- Lack of suitable cycle parking when accessing the retail units
- If there is not a pedestrian and cycle overbridge connection to the west side of East Ferry road and Crossharbour DLR the proposed pedestrian crossings will cause a traffic jam
- The bus stand currently located in East Ferry road is dangerous and an unnecessary obstruction. The road is not wide enough to cater for either bus stands or bus stops.
Officer response: This is covered in the Highways section of this report.

Community engagement

- Not enough time to review submission material given lockdown restrictions restricting ability for community to meet and discuss
Officer response: Public comments have been accepted from application validation in January 2020 until committee date.

Other environmental matters

- Impact on air quality in light of Tower Hamlets Climate Emergency
- Planning documents advise there will be a CHP facility. In order for this development not to adversely affect air quality there should be no fossil fuel supply to the CHP
- Lack of solar power to offset the energy consumption of this development
- Tower Hamlets has an Air Quality Action plan to improve the borough's Air Quality and I am concerned this new development, in conjunction with many others across the borough, will have a detrimental impact to the environment and overall air quality.
Officer response: This is covered in the Environment section of this report.

Other comments

- Residential units will lie empty as investment properties
- Council shoehorning in its trojan horse project with no regard for neighbours' concerns
- Coronavirus pandemic has impacted the area massively with a potential dearth of jobs in the area. This is not the right time to propose or to proceed with this development
- Do not touch this site

5. CONSULTATION RESPONSES

5.1 Below is a summary of the consultation responses received from both internal and external consultees from initial consultation stage, including various re-consultations.

5.2 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Internal responses

LBTH Transportation and Highways

- 5.3 Initially concerned with proposed high level of residential car parking but this was subsequently amended to car-free apart from Blue Badge provision. Initially concerned that the car parking layout shows that some of the accessible bays are located within the basement which has a reduced roof height. Applicant clarified that the reduced head height area would still be over 2.6m and affect only 4 spaces.
- 5.4 Changes have been made to the proposed servicing area which remove the previous concerns over conflicts between refuse vehicles and turning buses.
- 5.5 Objection to the provision of 350 commercial car parking spaces. 235 is the number of spaces that the London Plan allows. 300 spaces with gradual reduction over the years would be an acceptable compromise.
- 5.6 The removal of the petrol filling station from the proposal removes some of the previous concerns regarding the proposed public realm improvements between the site and East Ferry Road. Subject to approval, the applicant would be required to enter into a maintenance agreement with the Council, through s106 legal agreement, to fund public realm maintenance over a period of 25 years.
- 5.7 Subject to approval, a comprehensive package of benefits are to be secured within a s106 legal agreement, including; new pedestrian links to Mudchute Park (as per the Local Plan site requirements); £500,000 to support improved cycle infrastructure in the Isle of Dogs; £510,000 toward bus service improvements; £220,000 towards a Bike Docking Station; £250,000 of public realm improvements to East Ferry Road; and £1,000,000 to support station capacity improvements to Crossharbour Docklands Light Railway station. All of the above measures are required to encourage walking, cycling and the use of public transport.
- 5.8 Should planning permission be granted the following conditions will be required:
- A 'Permit Free' agreement which restricts all future residents (other than those that are exempt) from applying for parking permits on the surrounding public highway.
 - All blue badge parking to be retained and maintained for their approved use only for the life of the development.
 - A Car Park Management Plan which states how spaces will be allocated, whether charging for all tenures will be expected and a clause which explicitly states that no sub-letting will take place. In terms of the commercial parking, should permission be granted, then a Car Park Management Plan and Travel Plan will be needed showing the mitigation measures required to reduce the number of spaces over a ten year period to match the then policy standards and to help achieve the MoL's required modal split targets for the Borough.
 - Full details of the cycle provision for all uses are required together with details of how this provision meets the London Plan standards and accords with the London Cycle Design Standards in terms of the design elements and how 5% of the spaces are designed for larger / adapted cycles. All Cycle facilities are to be retained and maintained for their approved use only for the life of the development.
 - Travel Plans for all uses and in particular the school will be required. Residents should be issued with Travel Packs indicating the range of facilities and transport options in the locale.
 - A Waste Management Plan.
 - A general Service Management Plan indicating how servicing for the store and to the other uses, such as residential home deliveries, post, 'Amazon' type deliveries will take place within the boundary of the site.

- A Construction Management Plan showing how construction will take place whilst limiting the impact on the public highway and its users.

5.9 In summary the majority of highway and transportation issues associated with this development have been addressed. The one remaining issue of contention is the level of commercial parking which, as proposed, exceeds the maximum standards in both the Local Plan and the London Plan

LBTH Housing:

- 5.10 This application proposes to deliver a 25% quantum of affordable housing (measured in habitable rooms). This falls short of the Council's minimum target of 35%. Nonetheless, this target allows for viability to be taken into consideration. The viability has been tested by the Council's assessors and they concluded that there is a significant deficit in the scheme viability. This offer of 25% is above what is deemed viable. We also note that the applicant's current's offer has improved significantly from the 16% that was presented initially.
- 5.11 The tenure split within the rented is 65:35 in favour of rented. Whilst it is not completely in sync with the council's 70:30 target, it is helping to maximise the overall quantum of affordable housing. The application is in hybrid form, with an element in detail and the remainder in outline form. With this in mind, the applicant has proposed two scenarios for the residential, a minimum amount and a maximum. Under both scenarios the overall quantum of affordable and tenure split will remain unchanged. The amount of affordable in terms of units will also remain unchanged. On the minimum scheme, the number of private sales units is reduced, but the tenure mix in this element is changed so more habitable rooms are provided, thereby maintaining the overall quantum.
- 5.12 Within the viability constraints for this scheme, we would deem the overall quantum and tenure split to be acceptable. The tenure mix within the rented would see a 25% provision of 1 beds against a policy target of 25%, a 30% provision of 2 beds against a 30% target, a 30% provision of 3 beds against a 30% target and a 15% provision of 4 bed plus units against a 15% policy target. This unit mix is acceptable as it mirrors the Council's targets and also includes a provision of 5 bed units.
- 5.13 The tenure mix within the intermediate would see a 48% provision of 1 beds against a 15% target and a 52% provision of two beds against a 40% target. The tenure mix for the intermediate units is out of sync with the Council's targets. This is mainly down to the significant challenges around the affordability of large intermediate units in very high value areas such as this. The challenges are not just to the 3 bed plus units but also 2 beds. With this in mind the applicant has agreed that the 2 bed intermediate units can come forward as London Living Rent.
- 5.14 The applicant's initial proposal contained significantly more 1 beds and fewer 2 beds, however following discussions, the provision of 2 beds was increased, 3 beds could not be added as it would have a further adverse effect on an already negativity scheme viability. The scheme phasing has improved significantly from the initial application, where all the affordable was proposed in the final phase of 3 phases. We will now see affordable housing delivered in every phase, with the vast majority delivered by completion of phase 2. The rented units will be secured in line with the Council's requirement that 50% are at London Affordable Rent (LAR) levels and 50% at Tower Hamlets Living Rents.
- 5.15 We are pleased to see a good number of rented family sized units in detailed form. The units are well designed and contained separate kitchen/living spaces for the larger units. This should also be captured in the design codes for the outline element of the scheme. The applicant states, in the Design Code document, that the scheme overall would deliver 10%

wheelchair units. It should be ensured that it is at least 10% of each tenure, so for the rented we would expect to see no less than 21 units.

- 5.16 The applicant states that the market and intermediate units will be easily adaptable, and the rented will be full wheelchair accessible. This should be secured through condition. Furthermore, for any avoidance of doubt, the condition should state that by fully wheelchair accessible we mean to the standard required by Building Regulation M4(3)(2)(B). Concerns on disabled parking spaces and wheelchair units have been picked up by Occupational Health Officer. Wheelchair design guidelines should also be incorporated into the Design Codes document for the future detailed applications.

LBTH Housing (Occupational Therapy):

- 5.18 Applicant has included what is required for Part M4 (3) 2b - accessible at point of completion. Pleased 2nd lift added has been added for rented wheelchair units on the second floor (Belvedere Level) of Building A previously only accessible by 1 lift. It will be easier to house disabled families from our list into 3b,5p rather than 3b,4p WCH flats on second floor of Building A. Not sure if there is scope to change that to a double, single and twin room? Access to these units looks good as there are no fire doors on approach to the lifts or outside the lifts on approach to the flats. The layout is basic at the moment but according to the design document they have considered the turning circles and space requirements. 3b homes are usually more popular with separate kitchens/diners and lounges rather than open plan. I would also ensure that one of the 2 bathrooms is set out as a Part M4(3) 2b compliant shower room as this would increase the types of people who can be housed and increase flexibility.

Officer response: The 2 x 3b4p units in Building A have subsequently been amended to 3b5p units. Detailed design of these units would be controlled by condition, subject to approval.

- 5.19 Parking - There are 17 wheelchair accessible parking bays. It looks like they are accessed by car via ramp. I cannot see safe pedestrian access marked out to the lift leading to the Belvedere level. Requires clarity about whether or not there are two lifts or what the exit strategy is for wheelchair users to leave the basement without their car if the lift is out of service. Requires clarity on how a wheelchair user will leave the basement once they have left their car.

Officer response: Clarification was subsequently provided on safe access around the car park. This arrangement would be secured by a Car Park Management Plan condition, subject to approval.

- 5.20 From Core A1 there are 2 doors from the lift to the refuse site. Will there be scope to retrofit automatic door opening systems for wheelchair users who are unable to access the doors. Requires clarity on how refuse is managed, i.e. is it in tall high bins.

Officer response: Clarification was subsequently provided on refuse management. This arrangement would be secured by a Site Wide Waste Management Plan condition, subject to approval.

- 5.21 Typical 1b,2p WCH unit design -The bathroom would need to be fitted out as a shower room in a 1b. It is a compliant flat.

- 5.22 Typical 2b,3p WCH unit design - Bathroom needs to be set out as a shower room. Double room has an en-suite shower room but it is not wheelchair accessible so there would need to be a wheelchair accessible shower room rather than an accessible bathroom. It is compliant.

Officer response: Clarification was subsequently provided on unit layouts. Indicative details have been shown within the Design Code document. Detailed design of these units would be controlled by condition, subject to approval.

LBTH Biodiversity:

- 5.19 Initially concerned about; tree mix; proportion of native planting; uplighting of trees.
- 5.21 Subject to approval, conditions would be required to secure; detailed survey of areas of the Local Nature Reserve to be damaged; detailed reinstatement plan of damaged area; habitat restoration plan; monitoring scheme to commence a year before works begin; funding for an ecologist for the Mudchute Association; Jersey Cudweed seeding on biodiverse roofs; a pre-commencement biodiversity strategy for the site indicating the total areas of biodiverse roofs and numbers of other features for biodiversity such as bird and bat boxes to be delivered across the site, with minimum quanta to be delivered prior to commencement of each phase; a detailed biodiversity enhancement plan for each phase prior to commencement of above-ground works in that phase. Furthermore the S106 legal agreement is to include financial contributions to Mudchute Park.

LBTH Arboriculture:

- 5.22 Initially concerned that the layout of trees could significantly adversely impact on existing mature trees and that the mix was not appropriate. Subsequently further details on tree mix were submitted and it was confirmed that, subject to approval, the mix and layout of trees would be secured by condition to alleviate initial concerns.

LBTH Building Control:

- 5.23 The comments below may have implications for the planning process. They are not intended to be a complete review of the scheme with regard to building regulations or associated legislation.
- Prior to commencement of any demolition of buildings it will be necessary to serve a Demolition Notice on LBTH Building Control Section.
 - Fire Service access to the site and in particular to the firefighting shafts should be in accordance with Approved Document B5 and/or BS9991/BS9999
 - Hydrant locations should be established within 90 metres of each block to ensure that the Fire Services has access to a reasonable water supply in the event of a fire.
 - A minimum number of firefighting shafts should be provided in accordance with Approved Document B5 and/or BS991/BS9999
 - The staircase should not connect to the basement car park unless suitable justification provided by a fire engineer
 - To maintain the integrity of the protected staircase and escape route it will be necessary to provide either; a final exit from the stair at ground level direct to the open air, or; additional lobby protection at ground level adjacent to the flat entrance doors.
 - Provision should be made for adequate space separation between buildings on the site and the adjoining site in accordance with AD B4.
 - Provision should be made to provide adequate ventilation to the car park and to the common access corridors to the residential accommodation.
 - It appears from the proposals that it is intended to build over/adjacent a public sewer. In this respect the applicant should consult with the sewerage undertaker.
 - Provision for solid waste storage and collection should be made in accordance with AD H.
 - Means of access to the building and facilities within the building for disabled persons should be in compliance with Approved Document M.
 - Provision should be made for the safe cleaning of windows in accordance with Approved Document K.
 - The applicants' attention should be drawn to the provisions of the Party Wall etc Act 1996 (Rights of Adjoining Owners) which requires notices in writing together with details of the proposed work to be served upon the adjoining owner before any relevant work is carried

out on or adjacent to a party wall, party fence wall or boundary between land of different ownership.

LBTH Health Impact:

- 5.24 Following clarifications and amendments to the Health Impact Assessment in relation to affordable housing, cycle parking and storage, car parking, play space, open space, green space and biodiversity, this is now considered to be acceptable.

LBTH Heritage and Design:

- 5.25 Comments incorporated within section 7 of this report.

LBTH Education Development Team:

- 5.26 In relation to the proposed school, current pupil place forecasts show that by 2023 there will be an increase in demand for pupil places on the Isle of Dogs. The potential link between the application site and Cubitt Town Infant and Junior School site would enable the existing 3-form school to expand by up to 2 forms of entry. There would also be the potential to create an Early Years facility that could provide 2 year olds and Nursery places that are also in demand on the Island.

LBTH Environmental Impact Assessment Officer:

- 5.27 External consultants have been appointed to review the adequacy of the Environmental Statement. Details are provided in the relevant section of the report.

LBTH Energy Efficiency Unit / Sustainability Officer:

- 5.28 Subject to approval, S106 legal agreement to secure; carbon offsetting contribution of £2,181,600 to offset the remaining 1,212 tonnes CO2 and achieve net zero carbon (this calculation has been based on the old carbon price of £60 per tonne for a 30 year period. If the carbon price is required to be in line with the emerging GLA policy of £95 per tonne then the contribution would be £3,454,200); connection to Barkantine district heating network as a priority.
- 5.29 Subject to approval, conditions required to secure; as-built calculations to demonstrate delivery of anticipated carbon savings and monitoring requirements of the GLA 'Be Seen' policy; maximisation of renewable energy generating technologies on-site; BREEAM excellent for all commercial units >500m2 at the latest BREEAM methodology relevant to that phase.

LBTH Enterprise & Employment:

- 5.30 Subject to approval, S106 legal agreement required to ensure provision of;
- 129 apprenticeships during the construction phase.
 - 1 apprenticeship during the end use phase
 - 20% of the construction phase workforce will be local residents of Tower Hamlets.
 - 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.
 - Financial contribution of £815,576.15 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development.
 - Financial contribution of £99,951.15 towards the training and development of unemployed residents in Tower Hamlets.
 - Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works

LBTH Environmental Health (Air Quality):

- 5.31 Subject to approval, conditions required to secure; dust management plan; boiler and CHP air quality standards compliance; non-residential kitchen extraction details; NRMM details; PM10 monitoring.

LBTH Environmental Health (Contaminated Land):

- 5.32 A pre-commencement condition should be secured in order to identify the extent of the contamination and the measures to be taken to avoid risk when the site is developed

LBTH Environmental Health (Noise & Vibration):

- 5.33 Subject to approval, conditions required to secure; noise insulation verification report for new residential units; noise from plant compliance; restrictions on demolition and construction activity.

LBTH Environmental Health (Smell/Pollution):

- 5.34 No comments.

LBTH Health and Safety:

- 5.35 General comments provided.

LBTH Sustainable Urban Drainage Systems:

- 5.36 Subject to approval, condition required to secure a detailed surface water drainage scheme prior to commencement including: • the peak discharge rates for all storm events (1in1, 1in30, 1in100, 1in100+40%), together with any associated control structures and their position on site • Safe management of critical storm water storage up to the 1:100year event plus 40% and • An assessment towards the Suds hierarchy and how each approach could be included within the site. Thus, ensuring the IWMP is adhered to in relation to rainwater harvesting and weather-based controls reducing mains water demand for the site • Details of agreed adoption, monitoring and continued maintenance of drainage and suds features post development.

LBTH Viability Officer:

- 5.37 In summary, following extensive negotiations, the affordable housing proportion has been increased from 17% to 25%. The 25% site-wide affordable housing offer is considered to be the maximum reasonable amount of affordable housing, subject to upward reviews. Full details to be secured within the S106 legal agreement, subject to approval.

LBTH Parks and Open Spaces:

- 5.38 Concerned about the impact of the development on the Mudchute Park and Farm in relation to; the border with the Mudchute Park and Farm which will be above ground level on the Asda side and will therefore have a high wall hard up against the Mudchute; the wall and likelihood of the gully collecting litter, plus the risk of it attracting antisocial behaviour; an improved visible, accessible and welcoming entrance to the Mudchute from the south east corner of the site; an accessible route to be retained through the site from Glengall Grove and East Ferry Road (passing next to the existing St John's community centre), to that entrance to the farm.

LBTH Policy:

5.39 Concerned about affordable housing provision and housing unit mix. The centre is anchored by a large Asda supermarket; the centre has good accessibility; the centre has a good provision of community uses. However there are very few town centre uses, number of businesses more comparable to a neighbourhood centre; there are a significantly low number of comparison good uses.

5.40 The application proposes flexible permissions for commercial uses across a number of use classes. Given the scale of the development, and the significant role of the application in forming this centre, a wholly flexible approach does not seem appropriate. A clearer strategy from the applicants on distribution of uses would be an appropriate approach for the future health and balance of uses in the centre. This would comprise of the balance of A1 uses, compared to A3 – A4 uses. In this respect, more clarity from the applicants would be useful.

Officer response: Affordable housing provided is considered to be the maximum reasonable after undergoing financial viability testing. Flexible commercial floorspace (A1-A4 and B1) would be limited to 40% A3/A4 uses with minimum 10% B1 uses in order to secure an overall varied town centre commercial offer, to be secured by condition, subject to approval.

5.41 New education facilities are supported where they meet local need and demonstrate high quality and inclusive design in line with relevant guidance. The Isle of Dogs OAPF sets out indicative need for education facilities, for projections up to 2041. This is set out in chapter 4.2.1 and includes a need for 3FE Primary school. This is an indicative projection, and subject to update from Tower Hamlets education services.

5.42 The supporting text within policy D.OWS3 provides more commentary, at paragraph 13.40 the local plan confirms that the open space provided should aim to meet the local standard of 1.2 hectares per 1,000 residents. (No. of proposed residents / 1000 * 1.2) or a financial contribution will be required.

Officer response: Open space assessment is contained within section 7 of this report.

5.43 The proposal appears to introduce a significant number of new connections into and through the site, with Glengall Grove, to the north, and Mudchute Park, to the south. These appear to reflect the connections set out by the Green Grid Strategy (2017).

5.44 There appears to be an under provision of play space in respect of the outline component. It may be the case that the play areas for detail and outline components, subject to their layout and accessibility, can serve one another. In this case, the play provision may be able to meet minimum or exceed policy requirements. It is considered, for a strategic scheme of this nature the play space should be comfortably met or exceeded, taking into account the location and accessibility of each play area.

Officer response: Play space assessment is contained within section 7 of this report.

5.45 Taking into consideration the Isle of Dogs Neighbourhood Plan which is anticipated to be adopted soon, it is considered that the proposed development accords with the aims and vision of this document. It will provide a redeveloped town centre that can better meet the needs of residents in the southern part of the Isle of Dogs and will diversify the retail offer in the area. It will also support the intensification of this part of the borough and provide additional public open space and social infrastructure. The proposal does not meet the threshold required to provide an Infrastructure Impact Assessment.

LBTH Waste Policy & Development:

5.46 Initially concerned with buses within the interchange being obstructed by waste collection vehicles. Scheme was subsequently amended to deal with this and further tweaks can be dealt with via condition.

5.47 Subject to approval, condition required to secure a site-wide waste management strategy.

LBTH Regeneration:

5.48 The proposed primary school would potentially be a substantial benefit of the scheme if there is continued need for new school spaces. A fall-back position if the school is not required needs to be considered and an appropriate mechanism secured as a planning obligation – could this plot be used to deliver other community benefits / other infrastructure? This could include a sport centre, a cultural institution, new community centre, more public open space or community gardens and any alternative proposal should also create a second passage to Glengall Grove at the NE corner of the site.

Officer response: Assessment of school site provision contained within section 7 of this report.

5.49 The proposed community space for an Idea Store / LBTH Local Presence would be a substantial benefit of the scheme but should the Council in the future not elect to take up the space, a fall-back community use /strategic infrastructure use should also be considered and an appropriate mechanism secured as a planning obligation. The floorspace could be appropriate as new premises for the adjoining health practice thus allowing the rest of the site allocation to be redeveloped in a comprehensive manner.

Officer response: Assessment of community centre site provision contained within section 7 of this report.

5.50 Out-of-hours access to the school MUGA should be secured by condition to ensure that the local community can make full use of this important facility.

Officer response: Community access to the MUGA would be secured by condition, subject to approval.

5.51 The proposed 2.5m high brick wall between the Play Street and Friars Mead residential properties would be excessive in scale and as a solid barrier would likely contribute to ASB on Play Street and undermine actual and perceived safety and security of the area.

Officer response: Full details of the wall including materials and soft landscaping features would be secured by condition, subject to approval.

5.52 The proposed public open space has potential to deliver substantial benefits to the local area, however significant aspects of the proposed approach need further refinement. In particular, the proposed play space strategy raises very substantial concern, where the proposals do not provide sufficient play space for all age groups and are particularly deficient in provision for older children. Given the projected population growth on the Isle of Dogs and the current existing deficiency in open space, it is essential that all play space needs of the development are met on site. Given the District Centre aspirations of the applicant and the site allocation, public realm should also offer significant play opportunities for existing residents of the adjoining neighbourhoods.

Officer response: Play space assessment is contained within section 7 of this report.

5.53 The proposed water feature in the central square is welcome however it's size needs to be considered very carefully to ensure that it provides both visual interest and an opportunity for leisure and child play.

Officer response: Full details of hard landscaping quality would be secured by condition, subject to approval.

5.54 The proposed windscreens within the colonnades appear to be an afterthought driven solely by the poor performance of the relevant buildings in wind tunnel tests. The windscreens are likely to detract from the high architectural and public realm quality of the scheme and would significantly prejudice the use of this public space, effectively privatising it for the benefit of adjacent commercial units. The windscreens would also either wholly or partially preclude the use of the colonnades as public thoroughfares. Alternative wind mitigation solutions should be fully explored prior to determination of the application and should not be reserved by condition given that full detail of landscaping and the ground plane has been provided. A public art strategy should be secured as a planning obligation.

Officer response: It is understood that wind testing for the Outline component takes into consideration the worst case scenario and does not account for balconies. Full details of wind mitigation measures would be secured by condition, subject to approval.

5.55 Given the fledgling nature of the town centre it is essential that a professional town centre or retail strategy is secured as a S106 planning obligation, and that clear commitments are secured from the applicant to; maximise diversity of local offer; include a proportion of cafes, restaurants, pubs, clubs, office units, co-working hubs, workshops, general evening uses; ensure units safeguarded for independent operators and affordable retail; ensure commercial units are delivered to shell and core and occupied as early as practicable; maximising use of central square for markets, community and cultural events.

Officer response: Flexible commercial floorspace (A1-A4 and B1) would be limited to 40% A3/A4 uses with minimum 10% B1 uses in order to secure an overall varied town centre commercial offer, to be secured by condition, subject to approval.

LBTH Town Centres

5.63 The new Asda site proposal on the Crossharbour site will help diversify the offer in Crossharbour. The A1-A4 retail proposal and the proposal for an Idea Store will increase footfall, diversify the offer, draw people into the area and contribute to improving the vibrancy of this town centre.

5.64 Welcome the intention set out in the Retail Strategy to have a range of A1-A4 uses, including cafes and restaurants, that complement each other and diversify the offer in the District Centre. Also the intention to improve connections between the Asda site and the small parade of businesses on the other side of the Crossharbour DLR station into Pepper Street has the potential to increase footfall into this part of the town centre. Request that the new retail offer takes into account the existing offer among businesses in this area and avoid duplication where possible.

Officer response: Applicant has subsequently agreed to 30% (equating to 1,982sqm) of the non-Asda commercial spaces to be provided to local small businesses at 30% discount of local market rents. This would be secured by S106 legal agreement, subject to approval.

5.65 The inclusion of the Idea Store is also welcome as they make a significant contribution towards footfall in other town centres in the borough and will do so in Crossharbour.

External responses

Canal & River Trust

5.66 Concerned with; the visual impact of the southern element of Block J on views from Millwall Outer Dock including monotonous green slate cladding; funding to be made available for cycling improvements (or a separate developer contribution) should be put towards improvements to the access to Millwall Outer Dock (and the NCN1 underpass beneath the DLR).

Docklands Light Railway

5.67 Subject to approval, conditions required to secure; Crane / Lifting Management Plan; compliance with assigned frequencies by Ofcom which allow the use of the radios near the DLR.

Isle of Dogs Neighbourhood Forum

5.68 Welcome re-development of this site but have a number of concerns about this planning application and remain unconvinced why it needs to be so much bigger than previously approved schemes given the quantum of development in the area.

5.69 Issues with recent fires at New Providence Wharf and endemic issues in new build buildings like Amory Tower/the Madison suggest that high density development also bring new problems that the wider planning and building control system are not yet able to cope with.

Officer response: Further information can be found in the Fire Safety section of this report.

5.70 It is not possible for us to comment on whether or not the application complies with the Neighbourhood Plan as we cannot find within the documents key information. For example we cannot find (as of 16th May) the following:

- An Infrastructure Impact Assessment (IIA)
- Compliance with the GLAs Housing SPG
- Any comment on Home Quality Mark nor BREEAM status
- Whether a 3D model was submitted or not and whether it was compliant

Officer response: Residential density does not meet requirement for IIA. Quality of residential accommodation is covered in section 7 of this report. A 3D model was provided and used to help assess impacts on townscape, heritage and neighbours.

5.71 But we can see that the Construction document does not mention the Neighbourhood Plan nor its policies. And it is suggested that the eventual CEMP will not comply with our Policy CC3.

Officer response: The CEMP would be secured by condition, subject to approval. The Neighbourhood Plan would be a material consideration in determining the CEMP submission.

5.72 Urban Greening Factor is only 0.34 when should be 0.4. Given that other nearby developments most certainly fail on this policy (if applied retrospectively) we cannot in future accept further failures. And this application is not the only one that will rely on the green spaces at Mudchute Farm.

Officer response: Urban Greening Factor has been amended during application process and is 0.4. This would be secured by condition, subject to approval.

5.73 The application only provides 66% of the open space required in Local Plan policy D.OWS3. It suggests that residents can access the open space at Muchchute Farm etc. But that ignores every other planning application which all say the same thing. We know in aggregate that the Isle of Dogs area is not meeting its open space targets even if you include public spaces. The developer needs to prove that for the Isle of Dogs as a whole that we are meeting the Open Space target of 1.2 hectares per 1,000 residents if it is to escape this policy requirement.

Officer response: Open space is assessment is contained within section 7 of this report.

5.74 Extremely concerned by the 12th February 2021 email from Thames Water that said: “Water Comments Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available. Waste Comments With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application.”

5.75 This follows very similar comments by Thames Water in 2020 as well. The 30th April 2020 Response to Thames Water Comments focussed only on waste water and protecting TW assets, it ignored the fresh water supply issue completely. In fact every document submitted related to water only focusses on waste water or asset protection. This is an issue that raises profound local concerns. We have met frequently with Thames Water to discuss this issue since at least 2015 but as of 2021 there are still no firm plans to improve the water supply to the Isle of Dogs.

Officer response: Thames Water’s response concluded that conditions could be secured, subject to condition, to deal with identified concerns.

5.76 Also as a reminder the Summary from the Isle of Dogs and South Poplar Integrated Water Management Plan (IWMP) written by AECOM and published in October 2020 said: “The scale of growth planned for the Isle of Dogs & South Poplar to 2041 poses a significant challenge for the delivery of water services infrastructure in the area. Much of the existing infrastructure is close to, or already at capacity; and flood risk and water quality are key concerns in many parts of the area.” We would have expected to see a response by the developer to this water management plan and its recommendations.

Officer response: Compliance with the IWMP has been assessed in the Environment section of this report. Appropriate drainage strategy would be secured by condition, subject to approval.

5.77 We have already lost two nearby petrol stations (Texaco Burdett Road and Esso Leamouth) and another is due to go (BP The Highway), all for new housing. If ASDA goes, it leaves only one petrol station in the E14 post code area (the fastest growing place in the UK) the Texaco on Pepper Street, it is often inaccessible due to queues building up for the Blackwall Tunnel. If we aggregate development across E14 it is possible that we will achieve a population of 200,000 to 250,000 people with only one petrol station.

5.78 We would have preferred to see the petrol station replaced by a fast charging station, while there will be access to charge points in the car park for shoppers and visitors we would have liked to see a more explicit replacement of the petrol station by a fast charging electric station for non-shoppers especially for commercial EV operators like delivery vans. We need to retain a vehicle fuel station here even if the ‘fuel’ itself changes.

Officer response: Further information on the petrol filling station is included in the Land Use and Transport sections. It is understood that the current petrol filling station would be retained until close to 2030. Policy compliant electric vehicle charging including passive provision for all car parking is proposed.

5.79 LBTH has a permit transfer scheme which means a proportion of the 3 bed social rent homes will have LBTH parking permits (see Island Point on Westferry road as an example). Disabled parking (see further up Limeharbour for examples of regular blue badge parking on the road). While in principle there will be 60 disabled parking bays actual practise nearby suggests that LBTH has not been able to protect on site blue badge parking elsewhere. While not permitted, local experience clearly shows that a number of people in car free homes have cars (see Island Point), drive to work and then park near to their homes after the end of controlled parking hours. It is likely that ASDA will see even more parking pressure on nearby streets (see Tiller road and Mellish street). The technical reports need to make this clear even if it is not in the applicant's gift to control some of these issues as it paints an imaginary picture of actual practise. The s106 needs to protect disabled parking bays in perpetuity.

Officer response: Car parking management plan would be secured within the S106 legal agreement, subject to approval, to protect disabled persons car parking bays.

5.80 Tower Hamlets Council has already rejected the need for one primary school under construction (Consort Place) and a number of developers are proposing primary schools but given the unattractiveness of the area to many families (see state of Millharbour) inevitably we will need less schools than the OAPF forecasts and LBTH is closing primary schools in the west of the Borough. Unless LBTH intend to remedy this by making the area more attractive to children and families? We would therefore ask LBTH to consider; That the new school building be accessible by Cubitt Town primary school whose own buildings are quite old and will need replacement, this could open up more of the Cubitt Town school site for improved sports facilities which can then be made available to primary schools without sports facilities (old Hermitage and new Wood Wharf for example) as well as the wider population out of school hours (see George Greens). Or that the building be used for other social infrastructure, for example a youth centre. The planning permission and s106 should retain the flexibility for alternative public use.

Officer response: The proposed school site allows a link to the existing Cubitt Town Primary School. LBTH Education have intimated that they would be interested in potentially joining the two school sites to expand provision – further information is found in the Land Use section.

5.81 The Met Police intend to sell the existing Manchester road Police station by 2024, the Borough Commander recently told Police officers at the station that it would be sold (as has been discussed as likely for years). Limehouse Police station is reserved for specialist Police units. Bethnal Green the next closest Police station is some distance away, this would mean the local Police Safer Neighbourhood Teams are homeless or have to commute long distances each day to and from Bethnal Green. They need access to car parking, a place to change, toilets, power, rest facilities etc. We would ask that the new community centre if approved has some space set aside for them. And that this option be mentioned in planning/s106. Like that which will be provided for bus drivers on site.

Officer response: The Met Police have not been involved in any development discussions and have not requested space as part of this scheme. Therefore this element is out of scope of the current planning application.

5.82 We welcome the larger community centre in this application but there will be uncertainty in the community about Cubitt Town Library building which is much loved. But Cubitt Town Library is also too small for the rapidly expanding population. LBTH will need to make clear that if it approves this development what it plans to do with the building. At least one member of the Forum believes it should become a children's library and the new community centre an adult library. But regardless we do not want to lose Cubitt Town Library as a community asset.

Officer response: Proposals for Cubitt Town Library are not within the remit of this planning application.

5.83 We are perturbed that the new ASDA will be smaller. 90,414 sq. ft versus current store of 98,958 sq. ft. This makes no sense given population growth and the absence of any other applications for large format grocery stores in the area. If they assume that click and collect will be a more important method of shopping does that not contradict the Council move to reduce the number of cars? But we think this issue needs more attention as to why, are ASDA aware of the scale of population growth? Over 60% of shopping trips locally are to ASDA as the population increases (including in affordable housing) surely grocery capacity does too?

Officer response: It is understood that the existing hypermarket is 9,382sqm (GEA) and the replacement hypermarket would be 9,769sqm (GEA).

5.84 The Neighbourhood Plan is very supportive of the use of 3D models in planning having seen how they work via demos of the Vu.City model. But the way sunlight and daylight information is presented to residents and Committees is obtuse, toilsome, opaque, arcane and imperceptive to comprehend. Even if you can read spreadsheets the language is arcane. We ask that the Vu.City model be presented at Committee so that Councillors can see the actual visual loss of sunlight/daylight from different vantage points at different times of the day and year. We know this is technically feasible.

Officers response: A 3D model has been provided to aid assessment of daylight and sunlight impacts. The daylight and sunlight assessment has been undertaken in line with Development Plan policy.

5.85 Light & noise pollution on the animals are also concerns, and we note the horses had to be moved during Oktoberfest because of the noise from late night parties. We think the application needs an independent environmental assessment of the impact on wildlife and the farm. And perhaps a condition be added, marking out that developers are not allow to impede or impact the surrounding environment.

Officer response: The application is subject to an Environmental Impact Assessment. Full details of assessment of environmental impacts can be found in section 7 of this report.

5.86 Mature trees are routinely cut down well in advance of work starting and often in places where they could be saved (perhaps by pruning them back so as to not impact construction). Developers just see them as a nuisance and not a vital asset. The construction management plan needs to be more explicit about when & why each tree needs to be cut down especially on the northern boundary where many mature trees exist.

Officer response: Construction impacts and arborculture have been assessed in section 7 of this report.

5.87 Confirmation is required that the existing metal fence that separates ASDA from Friars Mead is the actual boundary of the site and that no building, removal of trees, shrubs, etc. will take place east of this fence. It is stated in one of the documents but it is not clear that this will be legally enforceable and should be added as a condition. In addition, that the replacement brick wall for this fence will be built at this exact location, no further east and again that the existing protective barrier of trees and earth will not be removed or disturbed in the creation of this wall. Lastly, that this wall will be put in place early on in the project to protect the local community as much as possible from construction noise and disruption. The same issues apply even more so to Glengall Grove on the north side. The Construction Plan needs to make clear how residents of Glengall Grove will be protected from construction given that they do not have the same green barrier as Friars Mead.

Officer response: The application documents do not appear to show any works to the east of the Friars Mead site boundary. Land ownership boundary issues would be covered under non-planning legislation. Notwithstanding the above, plans appear to show that the new brick wall would be built in the same place as the existing metal fence.

5.88 The site allocation in the Local Plan says, “The health centre and community facility should be re-provided in association with the new community/local presence facility.” But this did not happen, this leaves the existing NHS facility (owned by a charity set up by the LDDC) and its car park stuck on its own as a kind of orphan. Greater efforts should have been made by the applicant, LBTH and the NHS to re-provide the health centre in a new, larger, one floor only facility in the new building and use the existing space for public use, perhaps as a new park and playground. This can still be done by integrating the new school, medical facility on the ground floor and classrooms etc above.

Officer response: This is covered in the land use section of this report in more detail.

Environment Agency

5.89 Subject to approval, conditions required to secure; land contamination remediation strategy; verification report in line with remediation strategy; monitoring and maintenance plan in respect of contamination; remediation strategy for new contamination found during construction; infiltration of surface water compliance; piling, deep foundations or other intrusive groundworks compliance; scheme for managing any boreholes.

Greater London Authority

5.90 **Principle:** The scheme responds positively to strategic designations of this site and is supported in principle, subject to securing the provision of public realm, transport infrastructure, community and education facilities, as well as affordable retail space. In addition, further information is required to justify the re-provision of the petrol station. Subject to addressing these issues, the scheme would transform the site as part of the Crossharbour District Centre, and provide facilities to address the needs of the increased population expected in this Opportunity Area, with retail, commercial, community and education spaces, along with a substantial quantum of residential development and public realm, including a public square and bus interchange (paragraphs 21-48).

5.91 **Viability:** Further to negotiations and clarifications, the affordable housing offer has been increased from 17% to 25%. The Affordable Housing offer represents the maximum reasonable. The following provisions within the S106 legal agreement should be secured. **Surplus split on mid-stage reviews:** It has been agreed that no surplus split will apply in relation to the early stage review (i.e. the first review carried out in relation to the entire scheme) and that a 60:40 split will apply in relation to the late stage review (i.e. the scheme’s final review). In relation to all other reviews (i.e. the mid stage reviews) we can accept a 60/40 split on surplus identified following the provision of 35% affordable housing on-site through the reviews. Growth testing carried out clearly identifies substantial potential for improvement to the viability of the scheme across its lifetime which should be prioritised for the delivery of additional affordable housing.

5.92 **Affordable Housing Cap:** In line with the Affordable Housing and Viability SPG (see para 3.65), this should be 50% at the Local Plan tenure split.

5.93 **Securing additional affordable housing on-site:** All reviews (except the late stage review) should secure additional affordable housing on-site.

5.94 **Subject of the reviews:** Reappraisals of the whole scheme should take place through the course of the programme. It is not acceptable to consider the phases in isolation. This approach

could result in the under-provision of affordable housing through the reviews because the affordable housing caps would apply on a phase by phase basis rather than with respect to the entire scheme.

Officer response: Further details on viability can be found in section 7 of this report. Full details of viability mechanisms and reviews would be secured in the S106 legal agreement, subject to approval.

- 5.95 Design and heritage: The development would be visible in strategic views from Maritime Greenwich World Heritage Site, and from London Bridge towards Tower Bridge. Notwithstanding this, the height and massing strategy is generally consistent with the aspirations of the OAPF and is supported by GLA Officers. The proposal will result in less than substantial harm to heritage assets. This must be weighed against the public benefits of the scheme, which are yet to be confirmed and require further discussion (paragraphs 64 to 84).
- 5.96 Transport: A site specific S106 contribution in the region of £1 million is required towards the delivery of a major improvement scheme at Crossharbour DLR station; other contributions are also required. The provision of a bus interchange is agreed in principle, subject to further details; car parking should be reduced and a package of highways measures to support Healthy Streets approach and an enhanced public transport interchange is required (paragraphs 110 to 155).
- 5.97 Water: In response to the Stage 1 water comments (dated 27th January 2020), the Applicant has provided an updated Drainage Impact Assessment (Walsh, February 2021). The previous strategy proposed to restrict surface water runoff to 50% of the existing rate, which has now been revised to restrict to three times the Qbar greenfield runoff rate. Given the site constraints and considering that Thames Water have confirmed capacity for the proposed rate, this is considered acceptable.
- 5.98 It is disappointing that the updated drainage strategy states that the feasibility of rainwater harvesting will be further investigated during detailed design as it should be included within the scheme at this stage. In addition, the proposed rain gardens and tree pits are not shown on the drainage strategy plan. The inclusion of rainwater harvesting, rain gardens, and tree pits should be secured by a suitably worded condition to ensure that these SuDS features are included within the detailed scheme design.
- 5.99 Urban greening: Further to clarifications and amendments, the target urban greening factor score of 0.4 is achieved.
- 5.100 Energy: Concerns raised on draft wording in order to ensure connection to Barkantine Heat Network. The applicant should continue to pursue the connection to the network and maintain the dialogue with the operator. They should submit evidence of the conversations. It is understood that it might take a year for the operator to undertake a connection study and estimate of connection costs.
- 5.101 S106 wording should acknowledge that the connection to district heating is the preferred option and will be required unless insurmountable barriers are robustly demonstrated. The alternative heating strategy is insufficiently secured in the proposals and further security is required. Further security is required for Detailed component of the scheme to be served by low carbon heating in the event the Barkantine heat network connection does not proceed. Full S106 wording should be submitted for review and agreement.

Officer response: Further details on energy are included in section 7 of this report. The energy hierarchy has been agreed and full details would be secured by S106 legal agreement, subject to approval.

Health & Safety Executive

5.102 General comments provided.

Historic England

5.103 The development would be visible in LVMF views specifically behind the east dome of the Grade I Royal Naval College in LVMF 5A.1, and between the towers of the Grade I Tower Bridge in LVMF 11B.1. In both of these views, a number of existing and approved tall buildings are visible, however it should be noted that these are largely clustered around Canary Wharf.

5.104 The Council's Tall Buildings Study (September 2017) which supports the new Local Plan supports tall building development within five zones including Canary Wharf. It also includes the Millwall Inner Dock Cluster in which the development site is located. The Study recommends that new development within this zone should step down from Canary Wharf, and should be no higher than "two thirds of the height of the main Canary Wharf Cluster" (p197). This is to protect the Canary Wharf silhouette, but also to control the impact "on views from Greenwich Park...and downstream from...London Bridge" (ibid).

5.105 Whilst this application in isolation does not warrant major concerns from Historic England, we support your Council's policies to manage tall building development in order to prevent adverse cumulative impacts on the nationally and internationally significant heritage assets identified in this letter. This is particularly timely within the context of the former Westferry Printworks planning application (PA/18/01877/A1) which was recently approved by the Secretary of State for Housing, Communities and Local Government.

Officer note: This decision (Westferry Printworks) was successfully legally challenged and quashed. It is currently being reconsidered by the Secretary of State.

5.106 Finally, in determining this application, we would also draw your Council's attention to Section 5.8 of the Maritime Greenwich Management Plan, Third Review (2014) which includes information on the importance of views and management of tall building development in relation to the World Heritage Site, as well as our own Tall Buildings guidance (Historic England, December 2015) which can be accessed via: <https://historicengland.org.uk/images-books/publications/tall-buildings-advice-note-4/>.

Historic England (Greater London Archaeological Advisory Service)

5.107 Pre-determination field works are necessary in order to fully assess the archaeological potential of the site to preserve very important remains that would merit preservation from development harm – further information is in the Archaeology section of this report. GLAAS agree to post-committee field works. If significant changes to the scheme were required following field works post-committee, subject to committee resolution to approve, then the design scheme may need to be amended which could involve it being re-presented to committee.

London Borough of Hackney

5.108 No objection.

Royal Borough of Greenwich

5.109 No objection.

City of London Corporation

5.110 No comments.

London City Airport

5.111 Subject to approval, conditions required to secure; construction methodology and diagrams for the use of cranes; detailed scheme for green and/or brown roofs and associated aggressive bird management strategy.

London Fire and Emergency Planning Authority

5.112 Pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation. In other respects, this proposal should conform to the requirements of part B5 of Approved Document B, although I assume this has been assessed and complied with.

5.113 The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupiers.

London Wildlife Trust

5.114 No response.

Metropolitan Police

5.115 Subject to approval, condition required to secure Certificate of Compliance to a Secured by Design scheme where they exist or alternatively achieve Secured by Design standards to the satisfaction of the Metropolitan Police.

National Air Traffic Services

5.116 No safeguarding objection.

Natural England

5.117 The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Planning Casework Unit

5.118 No comments to make in relation to the Environmental Statement.

Port of London Authority

5.119 No additional comments following clarifications provided on using the River Thames for freight and using the riverbus as part of Travel Plans.

Thames Water

5.120 Subject to approval, conditions required to secure; foul water drainage capacity including development and infrastructure phasing plan and completion of wastewater network upgrades; surface water drainage capacity including development and infrastructure phasing plan and completion of wastewater network upgrades; piling method statement; water infrastructure network upgrades including development and infrastructure phasing plan

Transport for London

5.121 TfL raised a number of issues in relation to the application at initial consultation stage, as shown below with updates provided:

5.122 Public transport capacity: In TfL's initial response it was noted that DLR trains on the south route (Lewisham – Canary Wharf) serving Crossharbour station are currently operating at capacity in the northbound direction in the AM peak, but that planned capacity enhancements would unlock delivery of homes. It was noted that development should be phased to ensure it coincides with the delivery of the necessary transport capacity in accordance with London Plan policy T4.

Officer response: Following discussions with TfL, they are satisfied with a phasing plan being secured by condition, subject to approval.

5.123 The approach to trip generation is now acceptable, subject to travel plan monitoring and overall supermarket car driver mode share reduction targets to improve upon baseline situation. Proposed bus stands and driver facilities are fine subject to detailed wording of S106 agreement to secure them.

5.124 Public realm on East Ferry Road: Improved and now acceptable. The removal of the petrol filling station resolves concerns around this frontage and interaction of pedestrians and cyclists with tankers, and general reduction in vehicle dominance. S278 legal agreement with the Council should be entered into to deliver the site-specific improvements to East Ferry Road, using the most recently submitted plans in Addendum TA as an indicative scope of works.

5.125 Residential car parking – has been reduced from 293 to 60 spaces, these will be parking for disabled persons only. Supported subject to a condition requiring management plan, and electric vehicle charging points.

5.126 The level of commercial car parking proposed (350 spaces) exceeds the maximum standards contained in policy T6 of the London Plan 2021 standards (around 235 spaces) and consequently undermines other policies as well, notably T1, whereby developments are expected to contribute towards the delivery of the 2041 mode share targets (90% sustainable travel for Inner London OA and OAPF).

5.127 With the proposed mitigation, it is possible that the proposal will become policy compliant over time, with targets contained in the supermarket travel plan, and various levers to bring down the car driver and passenger mode share. Subject to the agreement of the mitigation measures below, combined with the other site specific mitigation agreed, and in the context of the wider public benefits of the scheme, the scheme is acceptable in strategic transport terms, but the objection to the level of commercial car parking remains.

Sport England

5.128 No objection.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

6.2 The Development Plan is influenced at national government level by:

- National Planning Policy Framework (2019)
- Planning Practice Guidance (2019)
- National Design Guide (2019)

6.3 The Development Plan comprises:

- London Plan (2021)
- Tower Hamlets Local Plan 2031 (2020)
- Isle of Dogs Neighbourhood Plan 2019-2031 Referendum Version (2020)

6.4 The key Development Plan policies relevant to the proposal are:

London Plan (2021)

Policy GG1 – Building strong and inclusive communities

Policy GG2 – Making the best use of land

Policy GG3 – Creating a healthy city

Policy GG4 – Delivering the homes Londoners need

Policy SD1 – Opportunity Areas

Policy SD6 – Town centres and high streets

Policy SD7 – Town centres: development principles and Development Plan Documents

Policy SD8 – Town centre network

Policy SD9 – Town centres: Local partnerships and implementation

Policy D1 – London’s form and characteristics

Policy D2 – Infrastructure requirements for sustainable densities

Policy D3 – Optimising site capacity through the design led approach

Policy D4 – Delivering good design

Policy D5 – Inclusive design

Policy D6 – Housing quality and standards

Policy D7 – Accessible housing

Policy D8 – Public realm

Policy D9 – Tall buildings

Policy D11 – Safety, security and resilience to emergency

Policy D12 – Fire safety

Policy D13 – Agent of change

Policy D14 – Noise

Policy H1 – Increasing housing supply

Policy H4 – Delivering affordable housing

Policy H5 – Threshold approach to applications

Policy H6 – Affordable housing tenure

Policy H10 – Housing size mix

Policy S1 – Delivering London’s social infrastructure

Policy S3 – Education and childcare facilities

Policy S4 – Play and informal recreation

Policy S5 – Sports and recreation facilities

Policy S6 – Public toilets

Policy E1 – Offices

Policy E3 – Affordable workspace

Policy E9 – Retail, markets and hot food takeaways
 Policy E11 – Skills and opportunities for all
 Policy HC1 – Heritage conservation and growth
 Policy HC2 – World heritage sites
 Policy HC3 – Strategic and local views
 Policy SC4 – London view management framework
 Policy HC5 – Supporting London’s culture and creative industries
 Policy HC6 – Supporting the night-time economy
 Policy G1 – Green infrastructure
 Policy G3 – Metropolitan open land
 Policy G4 – Open space
 Policy G5 – Urban greening
 Policy G6 – Biodiversity and access to nature
 Policy G7 – Trees and woodlands
 Policy SI 1 – Improving air quality
 Policy SI 2 – Minimising greenhouse gas emissions
 Policy SI 3 – Energy infrastructure
 Policy SI 4 – Managing heat risk
 Policy SI 5 – Water infrastructure
 Policy SI 7 – Reducing waste and supporting the circular economy
 Policy SI12 – Flood risk management
 Policy SI13 – Sustainable drainage
 Policy SI15 – Water transport
 Policy SI16 – Waterways – use and enjoyment
 Policy SI17 – Protecting and enhancing London’s waterways
 Policy T1 – Strategic approach to transport
 Policy T2 – Healthy streets
 Policy T3 – Transport capacity, connectivity and safeguarding
 Policy T4 – Assessing and mitigating transport impacts
 Policy T5 – Cycling
 Policy T6 – Car parking
 Policy T6.1 – Residential parking
 Policy T6.3 – Retail parking
 Policy T6.5 – Non-residential disabled persons parking
 Policy T7 – Deliveries, servicing and construction
 Policy T9 – Funding transport infrastructure through planning

Tower Hamlets Local Plan 2031 (2020)

Policy S.SG1 – Areas of growth and opportunity within Tower Hamlets
 Policy S.SG2 – Delivering sustainable growth in Tower Hamlets
 Policy D.SG3 – Health impact assessments
 Policy D.SG4 – Planning and construction of new development
 Policy D.SG5 – Developer contributions
 Policy S.DH1 – Delivering high quality design
 Policy D.DH2 – Attractive streets, spaces and public realm
 Policy S.DH3 – Heritage and the historic environment
 Policy D.DH4 – Shaping and managing views
 Policy D.DH6 – Tall buildings
 Policy D.DH7 – Density
 Policy D.DH8 – Amenity
 Policy D.DH9 – Shopfronts
 Policy S.H1 – Meeting housing needs
 Policy D.H2 – Mixed and balanced communities
 Policy D.H3 – Housing standards and quality

Policy S.EMP1 – Creating investment in jobs
 Policy D.EMP2 – New employment space
 Policy S.TC1 – Supporting the network and hierarchy of centres
 Policy D.TC2 – Protecting retail in our town centres
 Policy D.TC3 – Retail outside our town centres
 Policy D.TC5 – Food, drink, entertainment and the night-time economy
 Policy S.CF1 – Supporting community facilities
 Policy D.CF3 – New and enhanced community facilities
 Policy D.CF4 – Public houses
 Policy S.OWS1 – Creating a network of open spaces
 Policy S.OWS2 – Enhancing the network of water spaces
 Policy D.OWS3 – Open space and green grid networks
 Policy D.OWS4 – Water spaces
 Policy S.ES1 – Protecting and enhancing our environment
 Policy D.ES2 – Air quality
 Policy D.ES3 – Urban greening and biodiversity
 Policy D.ES4 – Flood risk
 Policy D.ES5 – Sustainable drainage
 Policy D.ES6 – Sustainable water and wastewater management
 Policy D.ES7 – A zero carbon borough
 Policy D.ES8 – Contaminated land and storage of hazardous substances
 Policy D.ES9 – Noise and vibration
 Policy D.ES10 – Overheating
 Policy S.MW1 – Managing our waste
 Policy D.MW2 – New and enhanced waste facilities
 Policy D.MW3 – Waste collection facilities in new development
 Policy S.TR1 – Sustainable travel
 Policy D.TR2 – Impacts on the transport network
 Policy D.TR3 – Parking and permit-free
 Policy D.TR4 – Sustainable delivery and servicing

- Section 4: Sub-area 4 – Isle of Dogs and South Poplar
 - Site Allocation 4.3 – Crossharbour Town Centre

Other policies and guidance

6.5 Other policy and guidance documents relevant to the proposal are:

Greater London Authority

- Draft Good Quality Homes for All Londoners (2020)
- Isle of Dogs and South Poplar Opportunity Area Planning Framework (2019)
- Culture and Night-Time Economy (2017)
- Affordable Housing and Viability (2017)
- Housing (2016)
- Social Infrastructure (2015)
- Sustainable Design and Construction (2014)
- Accessible London: Achieving an Inclusive Environment (2014)
- Play and Informal Recreation (2012)
- London World Heritage Sites (2012)
- London View Management Framework (2012)
- All London Green Grid (2012)
- Play and Informal Recreation (2012)
- Planning for Equality and Diversity in London (2007)

Tower Hamlets

- Draft Reuse, Recycling and Waste (2021)
- Draft Planning Obligations (2020)
- High Density Living (2020)
- Development Viability (2017)
- Planning Obligations (2016)

Other

- Tower of London World Heritage Site Management Plan (2016)
- Maritime Greenwich World Heritage Site Management Plan (2014)
- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenities
- v. Transport and highways
- vi. Environment
- vii. Infrastructure
- viii. Local Finance Considerations
- ix. Equalities and Human Rights

LAND USE

Principle of Development

- 7.2 The London Plan identifies the application site as falling within the Isle of Dogs and South Poplar Opportunity Area. The Isle of Dogs and South Poplar OAPF sets out the strategic policy directions for these areas and provides minimum guidelines for housing and employment capacity (31,000 new homes and 110,000 new jobs). Development proposals within Opportunity Areas are expected to optimise residential and non-residential output and densities, contributing to the minimum guidelines for employment and housing numbers.
- 7.3 Policy SD1 identifies Opportunity Areas as significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. Opportunity Areas typically contain capacity for at least 5,000 net additional jobs or 2,500 net additional homes or a combination of the two. Opportunity Areas are designated as areas that are expected to receive the most significant change and have the potential to deliver a substantial amount of the new homes and jobs that London needs.
- 7.4 Policy GG2 prioritises the development of brownfield land particularly within Opportunity Areas, surplus public sector land, and sites within and on the edge of town centres. Annex 1 (Town Centre Network) of the London Plan specifies that Crossharbour Town Centre has a 'High' growth potential for commercial and residential development.

- 7.5 Within the Local Plan, the application site is within 'Sub-area 4: Isle of Dogs and South'. The Vision for Isle of Dogs and South Poplar states that the area will have a cohesive mix of housing, employment and leisure uses within distinctive, inclusive and vibrant neighbourhoods, which have a strong sense of place. Specifically in relation to the application site, the Vision aims to strengthen the role and function of Crossharbour as a district centre with community uses within the site allocation. The overarching Vision Objectives of the sub-area are:
- a. Support the delivery of high quality interconnected places which respond to local heritage assets and the area's distinctive character;
 - b. Address severance across the area and to surrounding areas through connectivity enhancements as well as new linkages over the waterways and road network;
 - c. Manage development intensification and associated impacts on the environment and existing communities;
 - d. Support vibrant and mixed town centres through enhancing the office employment offer in Canary Wharf as well as a range of flexible small to-medium enterprises in surrounding areas;
 - e. Deliver new and improved open and water spaces, which are accessible and well integrated into new development;
 - f. Improve the transport network and secure the necessary strategic and local infrastructure, such as schools, health and community facilities.
- 7.6 The application site is also identified as within Site Allocation 4.3 'Crossharbour Town Centre' within the Local Plan, with the following land use requirements:
- a. Redevelopment of the district centre providing retail floorspace and other compatible uses;
 - b. Housing.
- 7.7 The specified infrastructure requirements for the wider Site Allocation are:
- a. Primary school;
 - b. Community/ local presence facility;
 - c. Health centre (re-provision and expansion).
- 7.8 The Site Allocation requires development to address the following design principles:
- Create a new town centre with an anchor supermarket and a range of retail, leisure and community uses with sizes which can support independent providers. Retail streets and other routes should provide active frontages
 - Respond positively to the existing character of the surrounding built environment, provide a transition in scale, height, massing and urban grain from the low rise nature of the immediate residential area to the north and east, and address the setting of the local nature reserve and Mudchute Park
 - Reinforce and complement local distinctiveness and create a positive sense of place with the provision of a new public square in the centre that is framed by the development
 - Integrate the development into the green grid route
 - Protect or enhance the setting of the Maritime Greenwich world heritage site and other surrounding heritage assets
 - Improve biodiversity and ecology within open space and green infrastructure
 - Improve walking and cycling connections to, from and across the site to establish connections to the new public square, Crossharbour DLR station and Mudchute Park.

These routes should acknowledge the existing urban grain to support permeability and legibility

- Secure the provision of a bus interchange which should be incorporated into the redevelopment of the site, and
- Improve public realm with active site edges, specifically along East Ferry Road and adjacent to Mudchute Park.

7.9 The Site Allocation requires development to address the following delivery considerations:

- The health centre and community facility should be re-provided in association with the new community/local presence facility.
- A new supermarket should be provided before the existing supermarket is redeveloped to ensure a continued service for local people.
- Delivery of new routes and the public square should be prioritised within the phasing timetable.
- Development should connect or demonstrate potential to connect to the Barkantine energy centre to help expand the local energy network.
- Development should accord with any flood mitigation and adaptation measures stated within the borough’s Strategic Flood Risk Assessment and the sequential test.



Figure 10: Crossharbour Town Centre Site Allocation in red outline (Blue outline is application site; yellow shapes are public squares; light green shape is open space; green dotted-lines are Green Grid; purple dotted-lines are local pedestrian/cycling routes; orange dotted-lines are strategic pedestrian/cycling routes)

7.10 Policy S.SG1 states that the majority of new housing and employment provision within the borough will be focussed within the Isle of Dogs and South Poplar Opportunity Area. The

policy explains that Site Allocations are designated sites that can deliver over 500 new net additional homes or sites that can provide a significant quantum of employment floorspace and jobs alongside key infrastructure.

- 7.11 The proposed development would not deliver the wider Site Allocation infrastructure requirement of an expanded health centre, as the existing health centre would remain. The previous Local Plan (Managing Development Document (2013)) only specified a re-provided (not expanded) health facility. As Figure 10 shows, not all of the Site Allocation is covered by the application site. It is considered that the proposed development would not prejudice the potential future redevelopment of the Island Health site. In light of the above, and taking into consideration that all of the other delivery considerations and design principles are adhered to, it is considered that an expanded health facility could either be delivered in another development within the Site Allocation, or could be pursued on the Island Health site. Furthermore, the substantial CIL attracted by the development would also be able to aid future health provision improvements.
- 7.12 Overall it is considered that the proposed development broadly aligns with the Sub-area vision and Site Allocation design principles and delivery considerations. Given the site falls within an Opportunity Area and is subject to a Site Allocation, the comprehensive redevelopment of the site is supported in principle. This is however subject to the scheme meeting all other specific policy requirements. The acceptability of different aspects of the overall scheme is assessed throughout the various sections below.

Changes to Use Classes Order

- 7.13 On 21 July 2020 the Government announced a number of changes to the planning system which came into force on 1 September 2020. Of note to the application proposals, the introduction of Statutory Instrument no. 757 would see changes to the Town and Country Planning (Use Classes Order) and the creation of three new use classes, Class E, Class F1 and Class F2.
- 7.14 The new 'E' use class effectively amalgamates a number of previously disparate use classes into this new use class. In the context of the application proposal, the previously existing A1, A2, A3, and B1 would fall within the E class. A4 would fall within the Sui Generis category. D1 is split out and replaced by the new Classes E(e-f) and F1. D2 is split out and replaced by the new Classes E(d) and F2(c-d) as well as several newly defined Sui Generis uses.
- 7.15 Statutory Instrument no. 757 does however stipulate transitional arrangements for planning applications such as the present which were submitted prior that statutory instrument coming into effect on 1 September 2020. These transitional arrangements state that such applications should be determined with reference to the Use Classes as they were prior to 1st September 2020 even though the application is to be determined after that date. Accordingly officers have considered the application proposals with reference to the Use Classes Order as it was prior to 1 September 2020.
- 7.16 Nevertheless, whilst the application proposals should be assessed and determined in accordance with the transitional arrangements (as per the following analysis), in officers' view the new legislation still amounts to a relevant material consideration. That is, it is relevant to note the legislative context against which the proposals would be considered in the event that they were re-submitted after 1 September 2020.
- 7.17 It is noted that the new E class would give a high level of flexibility as to the proposed uses and operation of the site which could be advantageous.

Loss of Existing Petrol Filling Station

- 7.18 It is understood that the existing Asda hypermarket and petrol filling station have been operating on the site since around 1983. The scheme initially included a replacement petrol filling station but this was subsequently amended to remove this facility and increase the affordable housing proportion. The previous 2014 consent also included removal of the petrol filling station. A number of neighbour objections have been received in relation to the loss of the petrol station as it is the only one within the Isle of Dogs locality, valued by local car-owners. Petrol stations fall under sui generis use class and their loss is not resisted by planning policy. Notwithstanding the above, it is understood that there are a number of other petrol stations within 2km of the site.
- 7.19 Whilst it is understood that one of the main reasons that the petrol filling station was omitted from the proposals was as a result of the London Fire Brigade refusing to approve it due to safety concerns, the thrust of Development Plan policies is to seek to reduce reliance on car travel in London. National government is aiming to start phasing out petrol and diesel cars and vans from 2030. In recognition of this policy position it is proposed to provide more than the policy-required number of electrical charging points. Given the above, the loss of the petrol filling station is considered to be acceptable in principle. Notwithstanding the above, it is understood that in the practical phasing of the development, the petrol filling station would remain until the end of phase 3 (currently scheduled for 2027).

Proposed Residential Uses

- 7.20 The proposed development seeks up to 159,221sqm of residential floorspace (up to 1,972 units). The Site Allocation seeks a residential-led redevelopment of the site. The principle of new residential accommodation on the site is therefore supported.
- 7.21 Part 11 of the NPPF requires planning policies and decisions to promote an effective use of land and paragraph 118 (c and d) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and promote and support the development of under-utilised land and buildings.
- 7.22 London Plan Policy H1 sets a strategic expectation that the Borough will need to deliver 34,730 homes as a 10-year housing target between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery is targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.
- 7.23 Policy S.H1 refers to the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year. Provision is to be focussed in Opportunity Areas. The Isle of Dogs and South Poplar Sub-area is expected to deliver at least 31,209 new homes.
- 7.24 Therefore, taking into consideration the local and strategic policy designations as well as the NPPF, the provision of housing and supporting non-residential uses in this location carries substantial weight in favour of the proposal.

Reprovided Hypermarket

- 7.25 The existing hypermarket is 9,382sqm (GEA). The replacement hypermarket would be 9,769sqm (GEA) and provided as part of the detailed element of the application. The Site Allocation specifies that provision of an anchor supermarket is expected. Furthermore the new supermarket should be provided before the existing supermarket is redeveloped to ensure a continued service for local people. The proposal would satisfy the Site Allocation in this regard.

- 7.26 Within the hypermarket, space is also shown for a replacement pharmacy and café. The previous consent secured a legal obligation to reincorporate the existing Britannia Pharmacy on the site. With the range of flexible commercial units provided along with pharmacy space shown within the hypermarket, it is not considered reasonable to specify the exact pharmacy company to be reprovided. The phasing plan would need to be secured by condition, to ensure the planned continued hypermarket provision.

Proposed Flexible Commercial Uses

- 7.27 The Site Allocation is expected to provide a range of retail uses which can support independent providers along with retail streets. Policy therefore supports the principle of the provision of flexible commercial floorspace as part of this development.
- 7.28 In total, the proposed development includes up to 7,232sqm (GIA) of flexible commercial (A1 - A4 and B1) floorspace; ranging in ground floor units between 20sqm and 668sqm provided as part of the detailed element of the application. The range of unit sizes would accommodate independent providers and would be laid out along new retail street configurations. Two bike hubs offering sales, repairs and workshop facilities are also planned to occupy units. The proposal accords with the Site Allocation in this regard. The proposed 'Central Square' could be used for pop-up markets and events which would aid the vitality of the town centre and a management plan should be secured by condition, subject to approval, to ensure that this ambition is realised.
- 7.29 Policy D.TC4 supports the provision of financial and professional services (A2 use class) within District Centres. Policy D.TC5 supports the provision of cafes / restaurants (A3 use class) and drinking establishments (A4 use class) within District Centres if they enhance the viability and vitality of the town centre. The policy specifies that A1 retail uses should account for 60% of units within the Primary Frontage of the District Centre and 40% in Secondary Frontages.
- 7.30 LBTH Policy, and Regeneration teams have outlined concerns on the town centre offering a diverse and proportionate range of uses for a District Centre. With regard to the flexible commercial floorspace, the proportion of café/restaurant and drinking establishment uses (A3/A4) would be limited to 40% to ensure that there would not be an overconcentration or adverse impact on amenity – this would need to be secured by condition, subject to approval.
- 7.31 Development Plan Policies require proposals to maximise and deliver investment and job creation through employment floorspace. The development includes units less than 250sqm and 100sqm which could be used as office (B1) floorspace, meeting the needs of Small and Medium Enterprise (SMEs). 10% minimum of the flexible commercial floorspace would be secured for office (B1) use by condition, subject to approval, to ensure that employment floorspace is provided to facilitate a well-rounded town centre offer and support the Sub-area vision.
- 7.32 A proportion of affordable flexible commercial floorspace would also be secured (30% discount for 30% of the space – 1982sqm) in perpetuity, subject to approval, as part of the S106 legal agreement. This affordable floorspace would be available to small, local businesses and for any of the uses within the flexible commercial units (A1-A4 and B1). This offer provided in perpetuity would provide in excess of the 10% discount for 10% office floorspace for a minimum of 10 years required by the Local Plan. The Local Plan does not stipulate any other affordable commercial provision.
- 7.33 Policy S.TC1 states that District Centres should be vibrant hubs containing a wide range of shops, services and employment. The submitted Environmental Statement reports significant beneficial effects on employment and employee expenditure from the development. The

proposed mix of commercial uses would be acceptable, subject to conditions outlined as above.

Proposed Community Uses

- 7.34 The Site Allocation requires the provision of community uses and a community/ local presence facility. Development Plan Policies require the delivery of social infrastructure and community facilities that serve a wide range of users within the borough's town centres.
- 7.35 The proposed development seeks a total of 1,983sqm (GEA) of D1 use floorspace in the form of a centrally located community/ local presence facility. Policy S.CF1 identifies this provision as a priority. IDEA Store have expressed interest in taking up the site within their pipeline. An option to secure the site as an IDEA Store will be secured by S106 legal agreement. This is in addition to the land for the school which is addressed separately below. This is considered to be in accordance with the Site Allocation and would contribute to wider placemaking objectives. In the event that IDEA Store did not take the option of this site, the Council would receive a CIL relief refund payment from the applicant. The unit would be conditioned to have permitted development rights removed for change of use so that a new planning application would be required to assess any other use, subject to approval.

Proposed Education Facility

- 7.36 Development Plan Policies seek to deliver the education facilities that the Borough needs and ensure access to adequate, affordable and high quality education. They further set out where new schools should be located in order to achieve this objective. The Site Allocation policy seeks the delivery of a primary school on-site.
- 7.37 Cubitt Town Primary School is located adjacent to the site, 10m to the north-east. As the proposed school site adjoins the existing school site, there is the potential for an expanded Cubitt Town Primary School. The existing school is 3-form and the joining of the two sites could potentially facilitate provision of a 5-form primary school along with an Early Years facility that could provide places for 2 year olds and a Nursery which is also in demand in the locality.
- 7.38 In agreement with the Council, the applicant would not deliver the primary school itself as part of the redevelopment of the site. Instead the proposal seeks to safeguard the land which would be transferred to the Council to deliver the school building in line with requirements. From a policy perspective, the delivery of a school is a requirement of the wider Site Allocation. An educational use in this location has therefore been accepted in principle by policy and is supported by an up to date evidence base. The safeguarding of land for the delivery of a primary school in this location is therefore supported. LBTH Education have commented that they would not support a competing primary school to Cubitt Town Primary School at this location but would potentially be looking to expand the existing school along with ancillary additional facilities if the Council were to take up this site option
- 7.39 The school phase of the development sits within the Detailed component of the scheme. The application submission includes detailed plans for the school so that it has been demonstrated that the school could be delivered on the site, satisfying the Site Allocation. However, practically the school would be delivered by the Council. In the event that the Council would wish to pursue alternative school plans to the details submitted as part of this application then a new planning application for the school site would need to be submitted by the Council.
- 7.40 The school layout presented relies on play space including multi-use games area (MUGA) at upper floor levels. This is not considered to be the ideal solution to the delivery of the play space required by the school, however this is a common scenario within dense urban environments, where space is often constrained. For this reason, officers do not raise

objections. The school MUGA would be conditioned to allow community access at selected times, subject to approval.

- 7.41 The submitted ES reports a significant beneficial effect on primary school capacity from the development. Officers are satisfied that the proposal is policy compliant in regard to the school provision. Full details of school delivery would be dealt with by S106 legal agreement as well as within the CIL agreement discussed in the relevant section below. In the event that the school option was not taken up for some reason, the Council would receive a CIL relief refund payment from the applicant. The school site would be conditioned to have permitted development rights removed for change of use so that a new planning application would be required to assess any non-community centre use, subject to approval.

HOUSING

- 7.42 The proposed development on a site wide basis would deliver up to 1,972 new residential units. This figure is based upon the maximum parameters and thresholds proposed by the applicant. It is proposed that the Detailed component of the development would deliver 526 homes. The scheme was amended to increase the provision of family housing units and affordable housing. This resulted in the overall amount of units decreasing from 2,015 to 1,972 and within the Detailed component from 568 to 526.
- 7.43 It is considered that the proposed development would make a considerable contribution to the achievement of the Council's housing targets. This is a significant public benefit of the scheme. The submitted ES also reports significant beneficial effects on housing delivery, expenditure from households and council tax.

Housing Delivery

- 7.44 The Borough's housing delivery performance is recorded each year by the Government through the exercise known as the Housing Delivery Test (HDT). This produces a percentage score for each borough for how much of its housing target has been built out /completed, over the past 3 years. There are measures put in place for boroughs depending on completion of homes in the borough.
- 7.45 The latest HDT report was published by the Ministry of Housing, Communities and Local Government, on 19th January 2021. The results show that 74% of the housing target has been completed in the borough over the past 3 years. By the finest of margins, the Borough fell below the 75% target, which means that a particular clause of the NPPF (11(d), footnote 7)) is engaged which is referred to as the 'presumption in favour of sustainable development'.
- 7.46 The NPPF states that in these circumstances the planning policies most important for determining the plan are deemed to be out of date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. This tilted balance is a material consideration and must be considered. However, it must be considered in the context of the statutory presumption in favour of plan-led development requirements in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Given the nature of the shortfall and the expected prospects of it being reduced, the adopted Local Plan is still considered to be afforded full weight, and if not, very substantial weight, in the Council's view.

Affordable Housing

Policy Background

- 7.47 Development Plan Policies promote mixed and balanced communities and seek to secure the maximum reasonable amount of affordable housing. Policy H5 of the London Plan and the Mayor of London's Affordable Housing and Viability SPG set a strategic target of 50% affordable housing.
- 7.48 Policy H6 and the Affordable Housing and Viability SPG also set out a 'threshold approach' whereby schemes meeting or exceeding a specific threshold of affordable housing (35%) are not required to submit viability information, nor be subject to a late stage viability mechanism.
- 7.49 In line with the above, policy S.H1 seeks 50% of all new homes to be affordable housing. Furthermore a minimum of 35% affordable housing should be provided by developments that provide 10 new residential units or more (subject to viability). Policy D.H2 requires a tenure split for affordable homes of 70% affordable/social rented and 30% intermediate housing. In terms of intermediate housing, shared ownership and London Living Rent (LLR) are the preferred recognised products.
- 7.50 Beyond the requirement for affordable housing, planning policy requires an overall mix of housing that responds to the identified housing need within Tower Hamlets. The required mix is set out in the policy D.H2. This is considered a vital component of achieving mixed and balanced communities.
- 7.51 In accordance with the policy framework set out above, the proposed development seeks to deliver 25% affordable housing, on a habitable room basis, across the whole site. This equates to 370 affordable homes based on the maximum parameters of the Outline component. It is proposed that this is delivered with an overall affordable housing tenure split of 65% (affordable/social rent) 35% (intermediate). This would be secured by S106 legal agreement.
- 7.52 Additionally, in order to maximise the affordability for Tower Hamlet's residents, policy requires a rent split within the affordable rented tenure. 50% of the units would be secured as London Affordable Rent (LAR) (as set by the GLA) and 50% as Tower Hamlets Living Rent (THLR). This, and the rent levels, would also be secured within the S106 legal agreement.

Viability

- 7.53 The Council appointed an external consultant, BPS Chartered Surveyors (BPS), to review the viability information provided by the Applicant's assessor, Bespoke Property Consultants (BPC). The BPS initial April 2020 report concerned a 2,015-unit scheme providing 16.5% affordable housing by habitable room. Importantly, the affordable housing was, at this stage, entirely within the Outline component of the planning application, with no affordable housing within the Detailed component.
- 7.54 Over the following months a series of discussions and negotiations took place involving all parties and appointed viability consultants. Further input was provided on behalf of each party by specialists in construction costs and construction programming, as well as CIL matters. The GLA were also involved in discussions.
- 7.55 Over the course of the discussions, it was agreed that the affordable housing offer was the maximum technically viable provision. A significant issue that the scheme faces, which impacts heavily on viability, is the high cost associated with the site preparation works, as well as the obligation to maintain the existing ASDA store until the replacement store is complete. This has the effect of both delaying the income to the development and increasing the burden of interest costs, which are significant in a scheme of this scale and over the proposed timelines.
- 7.56 Nonetheless, the Council advised that the initial 16.5% affordable housing provision was unlikely to provide an acceptable public benefit, particularly with the affordable housing not

being delivered within the Detailed component. Following negotiations, the applicant subsequently undertook to redesign the scheme to provide a maximum 1,972 units (reduced from 2,015 units), delivering 25% affordable housing (by habitable room) within Buildings A, C, part of Block J, and part of Block L.

- 7.57 Subject to approval, early stage (if after, an agreed period of time after the grant of planning permission, Substantial Works (2 years) have not been completed), mid stage (alongside reserved matters applications for both Phase 2 and Phase 3) and late stage (after 75% occupation of market units) viability reviews would be included, giving the opportunity for increased affordable housing provision if sufficient income growth and/or cost savings are realised. An agreed surplus identified at the early stage or mid-stage would be put towards additional on-site affordable housing. An agreed surplus identified at late stage would be put towards an offsite affordable housing contribution.
- 7.58 Whilst the amendments secured are welcome, they have served to worsen the viability position further. After some discussion about how the changes impact on the detail of the viability, the consultants reached an agreement that the deficit of the scheme extends to c.£81.9m. Whilst this is a significant deficit to overcome, it should be viewed in the context of the very large scheme, which has a gross development value (GDV) in excess of £1bn. The Council are satisfied that the scheme is deliverable despite being technically unviable due to:
- a. The applicant already owning the land and therefore not facing this as a cost.
 - b. The potential for real-world costs to be lower than those assumed in the viability assessment (which is based on a hypothetical, anonymous developer) e.g. finance costs.
 - c. The potential for the applicant to accept a lower profit than that assumed in the viability assessment, and.
 - d. The potential for growth in housing values over the lifetime of the development.
- 7.59 Regarding the potential for growth in house prices, sensitivity analysis carried out by consultants concluded that growth in sales prices of 2.50% per annum alongside increases of 2.00% per annum to build costs would overcome the deficit and make the development technically viable. Any further uplift would be captured by the review mechanisms secured, which would see further on-site provision and/or a payments in lieu, depending on the stage in the development that the surplus materialises.
- 7.60 In summary, the Viability Team is satisfied that the development has been robustly assessed and that the affordable housing provision is the maximum viable, with a deficit found in the final agreed appraisals. Nonetheless, it is considered that the development is deliverable for the reasons outlined above. Furthermore review mechanisms are to be secured within the S106 legal agreement, subject to approval, in order to ensure that any improvement to viability is captured for the benefit of the Borough.

Unit Mix and Tenure Split

Detailed Component

- 7.61 In relation to the Detailed component (526 residential units) of the application, the proportion of affordable housing would be 21% affordable housing (by habitable room). This equates to 94 affordable homes (17.9% proportion of the Detailed component by unit). Overall the Detailed component would deliver 22.8% of the scheme's overall affordable housing (by habitable room).
- 7.62 The proposed housing unit mix for the Detailed component has been tabulated below:

	Total Units	Detailed Component Affordable Housing						Detailed Component Market Sale		
		Affordable Rented (LAR)			Intermediate			Units	As a %	Policy Target %
Unit Size		Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	74	0	0%	25%	0	50%	15%	74	60.8%	30%
1 Bed	227	0			38					
2 Bed	181	2	11.1%	30%	38	50%	40%	141	32.6%	50%
3 Bed	38	10	55.6%	30%	0	0%	45%	28	6.5%	20%
4 Bed	2	2	11.1%	15%	0			0		
5 Bed	4	4	22.2%	0%	0	0%	0%	0	0%	0%
Total	526	18	100%	100%	76	100%	100%	432	100%	100%

Figure 11: Housing Unit Mix for Detailed component

- 7.63 The affordable housing offer for the Detailed component proposes a 30% affordable rented/ 70% intermediate tenure split (by habitable room) whereas policy requires a 70/30 tenure split. Where policy requires social affordable rented units to be split 50/50 between THLR and LAR, the Detailed component social affordable rented units would be 100% LAR. Whilst the affordable tenure split would not be in accordance with policy, officers note that the Detailed offer is a component of a site-wide affordable housing offer.
- 7.64 There are variances against policy D.H2 in relation to target unit mix for different housing tenures. For instance, within the affordable rented tenure, there are no 1-bedroom units provided against a 25% target. This is considered to be justified by the over-provision of family housing units with 88.9% against a 45% target, including provision of 5-bedroom units, which are rarely provided, and would constitute a public benefit of the scheme. Within the intermediate tenure there would be an over-provision of 1-bedroom (50% against 10% target) and 2-bedroom units (50% against 40% target) and a lack of family housing units (0% against 45% target). The intermediate 1-bedroom units would be provided as London Shared Ownership while the 2-bedroom units would be at LLR in order for them to meet criteria of income and affordability of units.
- 7.65 Within the market sale tenure, there would be a large over-provision of 1-bedroom (including studios) units (60.8% against 30% target), an under-provision of 2-bedroom units (32.6% against 50% target) and a significant under-provision of family housing units (6.5% against 20%).
- 7.66 It is accepted that the Detailed component would bear the brunt of viability costs in relation to the replacement hypermarket and continued provision through construction of the new build. Taking into consideration the substantial agreed viability deficit of £80m, the upfront costs of the hypermarket as explained, and the overall delivery of a redeveloped District Town Centre and site-wide affordable housing provision of 25% at 65/35 tenure split, it is considered that the proposed unit mix and tenure split would be acceptable. Furthermore it is considered that the Detailed component would make a strong contribution to addressing the housing delivery need (526 units) and the acute need for affordable housing (94 units) in the Borough.

Phase 1

- 7.67 In relation to the practical delivery of the development, assessment of the phases is necessary as this is how the scheme would practically be secured and delivered. Phase 1 (shown below) is the same as the Detailed component with the exception of Building F (only market sale

units). Phase 1 would consist of 354 residential units and the proportion of affordable housing within this phase would be 31.3% affordable housing (by habitable room) which equates to 94 affordable homes (26.6% by unit). Overall Phase 1 would deliver 22.8% of the scheme's overall affordable housing (by habitable room).

Unit Size	Total Units	Phase 1 Affordable Housing						Phase 1 Market Sale		
		Affordable Rented (LAR)			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	51	0	0%	25%	0	50%	15%	51	58.9%	30%
1 Bed	140	0			38			102		
2 Bed	130	2	11.1%	30%	38	50%	40%	90	34.6%	50%
3 Bed	27	10	55.6%	30%	0	0%	45%	17	6.5%	20%
4 Bed	2	2	11.1%	15%	0			0		
5 Bed	4	4	22.2%	0%	0	0%	0%	0	0%	0%
Total	354	18	100%	100%	76	100%	100%	260	100%	100%

Figure 12: Housing unit mix for Phase 1

7.68 As there would be fewer market sale units in Phase 1 compared to the Detailed component overall, the proportion of affordable housing within Phase 1 would be higher (than the overall Detailed component) at 31%. As the number of affordable houses delivered in Phase 1 would not change compared to the Detailed component, the 30% affordable rented/ 70% intermediate tenure split would remain. The general variances against policy D.H2 in relation to target unit mix for different housing tenures outlined for the Detailed component would be maintained for Phase 1.

7.69 It is accepted that Phase 1 would bear the brunt of viability costs in relation to the replacement hypermarket and continued provision through construction of the new build. Taking into consideration the substantial agreed viability deficit of £80m, the upfront costs of the hypermarket as explained, and the overall delivery of a redeveloped District Town Centre and site-wide affordable housing provision of 25% at 65/35 tenure split, it is considered that the proposed unit mix and tenure split would be acceptable. Furthermore it is considered that Phase 1 would make a strong contribution to addressing the housing delivery need (354 units) and the acute need for affordable housing (94 units) in the Borough.

Outline Component – Phase 2

7.70 Phase 2 (shown below) consists of Buildings F, H and J. This phase would consist of between 830 and 959 residential units. The number of affordable housing units would be fixed but there would be between 699 and 828 market sale residential units. The proportion of affordable housing within this phase would be 21.2% affordable housing (by habitable room) which equates to 131 affordable homes. Overall Phase 2 would deliver 41.6% of the scheme's overall affordable housing (by habitable room).

Unit Size	Total Units	Phase 2 Affordable Housing						Phase 2 Market Sale		
		Affordable Rented (LAR/THLR)			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %

Studio	50 – 154	0	23.6%	25%	0	0%	15%	50 – 154	46.1 – 64.7%	30%
1 Bed	303 – 413	31			0			272 – 382		
2 Bed	292 – 305	44	33.6%	30%	0	0%	40%	248 – 261	30 – 38.9%	50%
3 Bed	82 – 154	38	29.%	30%	0	0%	45%	44 – 116	5.3 – 16.6%	20%
4 Bed	16	16	12.2%	15%	0			0		
5 Bed	2	2	1.5%	0%	0	0%	0%	0	0%	0%
Total	830 – 959	131	100%	100%	0	0%	100%	699 – 828	100%	100%

Figure 13: Housing unit mix range for Phase 2 (Minimum to maximum parameters)

7.71 The affordable housing tenure split for Phase 2 would be 100% affordable rented / 0% intermediate tenure (by habitable room) which is favourable compared to the 70/30 policy position and would go towards redressing the over provision of intermediate in Phase 1.

Outline Component – Phase 3

7.72 Phase 3 (shown below) consists of Buildings K and L. This phase would consist of between 559 and 659 residential units. The number of affordable housing units would be fixed but there would be between 414 and 515 market sale residential units. The proportion of affordable housing within this phase would be 36% affordable housing (by habitable room) which equates to 131 affordable homes. Overall Phase 3 would deliver 35.6% of the scheme's overall affordable housing (by habitable room).

Unit Size	Total Units	Phase 3 Affordable Housing						Phase 3 Market Sale		
		Affordable Rented (LAR/THLR)			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	23 – 103	0	35.7%	25%	0	46.1%	15%	23 – 103	40.1 – 65%	30%
1 Bed	204 – 292	20			41			143 – 231		
2 Bed	217 – 228	15	26.8%	30%	48	53.9%	40%	154 – 165	30 – 39.9%	50%
3 Bed	40 – 97	14	25%	30%	0	0%	45%	26 – 83	5.1 – 20.1%	20%
4 Bed	7	7	12.5%	15%	0			0		
5 Bed	0	0	0%	0%	0	0%	0%	0	0%	0%
Total	559 – 659	56	100%	100%	89	0%	100%	414 – 514	100%	100%

Figure 14: Housing unit mix range for Phase 3 (Minimum to maximum parameters)

7.73 The affordable housing tenure split for Phase 3 would be 47% affordable rented / 53% intermediate tenure.

Conclusion

- 7.74 The housing component of the development would be restricted by S106 legal agreement to ensure the timely delivery of the full affordable housing component at 25% and 65/35 social/affordable rented/ intermediate tenure split. Phase 1 would be restricted so that only 50% of market sale residential units could be occupied before 100% of the affordable homes in Phase 1 were occupied. Phase 2 would be restricted so that only 50% of market sale residential units could be occupied before 75% of the affordable homes in Phase 1 were occupied. Phase 3 would be restricted so that only 50% of market sale residential units could be occupied before 75% of the affordable homes in Phase 2 were occupied. These occupational triggers would be embedded within the S106 legal agreement to ensure timely delivery and prioritisation of the site-wide affordable housing offer, subject to approval.
- 7.75 Taking into consideration the substantial agreed viability deficit of £80m, the upfront costs of the hypermarket as explained, and the overall delivery of a redeveloped District Town Centre and site-wide affordable housing provision of 25% at 65/35 tenure split, it is considered that the proposed unit mix and tenure split would be acceptable. LBTH Viability recognise that the affordable housing offer represents the maximum reasonable provision. The applicant has agreed to apply for GLA grant funding if this is deemed (in consultation with LBTH Housing) to improve the affordable housing offer (in relation to the Local Plan). The grant application would need to be made by a Registered Provider and this would be secured in the S106, subject to approval.
- 7.76 Overall it is considered that development would make a strong contribution to addressing the housing delivery need (maximum 1972 units) and the acute need for affordable housing (maximum 370 units) in the Borough, especially taking into consideration the recent adverse Housing Delivery Test result.

Accessible Housing

- 7.77 Development Plan policies require 90% of new housing to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings,' and 10% to meet requirement Building Regulation M4 (3) 2B 'wheelchair user dwellings' i.e. designed to be wheelchair accessible, or easily adaptable.
- 7.78 All proposed homes would meet the 'accessible and adaptable dwellings' standard and 10% of homes would meet the 'wheelchair user dwellings' standard. The 10% wheelchair user dwellings would be distributed across various buildings in the development and at different floor levels to enable the greatest choice, size and positioning. With this approach, the applicant has sought to ensure that wheelchair units are not concentrated in a particular location.
- 7.79 2 of 18 (11.1%) affordable rented dwellings within Building A would be 'wheelchair user' units – these would both be 3b5p family units. 8 of 76 (10.5%) intermediate dwellings within Building C would be 'wheelchair user' units – these would be 1b2p units. 45 of 432 (10.4%) market sale units within Buildings B, E and F would be 'wheelchair user' units consisting of 16 1b2p units and 29 2b3p units.
- 7.80 The Council's Occupational Therapist has reviewed the proposed wheelchair units within the social rented part of the Detailed component and considers that the units are compliant with requirement M4 (3) 2B. The provision of two lifts throughout the development and from the car park is noted and welcomed.
- 7.81 Full details of compliant accessible and adaptable layouts for residential units and for residential circulation spaces would be secured by condition and S106 legal agreement, subject to approval.

Density

- 7.82 London Plan Policy D4 states that higher density residential developments are over 350 units/hectare. The proposal would be approximately 438 units/hectare (1,927 units/4.5 hectares). Policy D4 further requires that higher density residential development should demonstrate on-going sustainability in terms of servicing, maintenance and management. Specifically, details should be provided of day-to-day servicing and deliveries, longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers).
- 7.83 Isle of Dogs Neighbourhood Plan Policy D2 expects developments exceeding the 1,100 habitable rooms/hectare density to meet the specific expectations set out in the Mayor of London's Housing SPG for development exceeding the density matrix thresholds in the previous (2016) London Plan. As the proposed development does not meet this threshold (4,757hr/5.5ha=1057hr/ha) this policy does not apply. Furthermore the density matrix within the 2016 London Plan is not within the current London Plan (2021). However, the scheme should still have regard to the guidance in the Housing SPG. Overall, although the scheme is considered to be higher density residential development, it is considered to accord with all other intertwining policy considerations, therefore the proposal is considered to be appropriate to its site context. Subject to approval, a Density Management Plan in line with the above requirements of London Plan policy D4 would be secured by condition.

Quality of Residential Accommodation

- 7.84 Development Plan policies set out a series of design standards for new residential development. The objective of the policies is to achieve high quality residential accommodation.
- 7.85 The first part of this section refers to the Detailed component of the proposed development. The second part addresses the Outline component of the scheme in the context of the above.

Detailed Component:

- Minimum space standards

- 7.86 Development Plan policies, in addition to the guidance set out in the Mayor of London's Housing SPG, set minimum internal space standards for new residential units. All residential units are also required to have a minimum floor to ceiling height of 2.5m. These minimum standards are achieved throughout the Detailed component.
- 7.87 The minimum space standards (GIA) that new residential accommodation is expected to meet are set out in the table below:

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	

Figure 12: Minimum gross internal floor areas

7.88 Officers are satisfied that all of the proposed residential units within the Detailed component are compliant with the minimum internal space standards. The Detailed component is therefore considered to be acceptable in this regard.

- Layouts and circulation

7.89 Standard 12 of the Housing SPG recommends that residential cores should generally serve no more than 8 units. The Detailed application of 526 units spanning 5 blocks would contain 8 cores. Affordable rented accommodation would be within Building A consisting of 18 mainly family-sized flats served by 1 core. 8 duplex/triplex units would be located at ground floor with front gardens for Building A.

7.90 Communal entrances and cores for Buildings B, C, E and F are located around the site. Of the 8 cores located around the site, at each floor level, cores would serve no more than 8 units apart from 2 cores within Building B. Cores B1 (at levels 01-06) and B2 (at level 4) would serve between 10 and 13 units. Standard 13 of the Housing SPG states that if a core serves more than 8 dwellings per floors then additional security measures including audio-visual verification to the access control system should be provided – these would be conditioned, subject to approval.

7.91 Building C would consist of 76 intermediate units. Buildings B (124 units), E (136 units) and F (172 units) would consist solely of market sale units. Many of the access corridors would have some access to light through a window. Officers are satisfied with the proposed tenure distribution and residential entrances in principle.

- Aspect, outlook and privacy

7.92 Standard 29 of the Housing SPG seeks the minimisation of single aspect dwellings. Furthermore single aspect dwellings that are north facing, or which serve family-sized dwellings should be avoided.

7.93 The Detailed component of the proposed development would deliver only 30% dual aspect homes. None of the proposed units would be single aspect and north facing. 9 units in Building A would be single aspect and family-sized units within the affordable rented tenure. These units would generally benefit from internal and private amenity spaces in excess of

policy requirements; some would include direct ground floor access, and they are located at a lower density area of the site, adjacent to the Play Street. Therefore the quality of these particular units is considered to be acceptable on balance. Units within Building A are considered to benefit from acceptable outlook overall, however at upper level amenity terraces, some privacy hedges and limited obscured glazing is required to be conditioned, subject to approval.

- 7.94 Ideally, a greater percentage of the proposed units would be dual aspect. It is however acknowledged that the proposed scheme is representative of the high density nature of development that characterises the Isle of Dogs as well as many parts of the Borough. Unfortunately, single aspect and residential units are often a symptom of high density development in an urban context, especially taking into consideration the scale of development and public benefits of the substantial District Town Centre redevelopment.
- 7.95 In terms of outlook, the building arrangement and floor layout would result in the overlooking of private communal amenity areas, activated space within the site, surrounding residential areas, or Mudchute Park. Minimum separation distances between habitable room windows to neighbouring buildings would be at least 18m. Therefore it is considered that each unit would achieve an acceptable outlook and level of privacy and officers are satisfied that the proposed development is acceptable in this regard.

- Daylight and sunlight

- 7.96 New residential units are required by policy to be provided with adequate levels of daylight and sunlight. The application submission includes an Internal Daylight, Sunlight and Overshadowing Report (2019) prepared by GIA on behalf of the applicant. It demonstrates the daylight and sunlight levels that would be achieved within the proposed units. An updated report (Crossharbour - Addendum to the 2019 Application (Buildings A and C)) was submitted in December 2020, reflecting minor changes made to Buildings A and C.
- 7.97 The applicant's report states that the internal daylight levels have been assessed by reference to the Average Daylight Factor (ADF), Vertical Sky Component (VSC), No Sky-line (NSL) and Room Depth Criterion (RDC), with internal sunlight assessed by reference to the Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH). More details are provided on methodology of daylight and sunlight assessments within the 'Amenity' section. ADF is considered to be the most appropriate method for assessing internal daylight for new rooms. Full assessments have been carried out in line with the above methodology for residential buildings located within the Detailed component (Buildings A, B, C, E and F) of the application. Indicative VSC daylight assessments have been carried out for residential buildings within the Outline component.
- 7.98 In terms of methodology, the assessment has been undertaken in line with the criteria provided by the BRE guidelines. The Council commissioned an independent review (by BRE) of the original daylight and sunlight assessment submitted with the application which amongst other things sought to confirm whether all the relevant rooms had been assessed, whether the methodology met the guidance contained within the BRE 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (2nd edition, 2011) and whether the conclusions of the assessment were technically correct.
- 7.99 Officers have had regard to the results of the assessment which have been summarised in Part 5 of the GIA 2019 report and Part 3 of the GIA 2020 report. The results indicate that 93% of all habitable rooms within the Detailed component would meet or exceed BRE's recommendations for daylight quantum (ADF). It is further noted that within Building A (where the affordable housing for the Detailed component would be located), all rooms would meet or exceed the ADF daylight recommendations.

- 7.100 The Council's consultant notes that there would be some parts of the scheme which would experience more ADF daylight failures such as within Buildings E (87.8% compliance) and F (89.5% compliance) however these are due to the necessary provision of overhanging balconies and also the massing of the Outline development. The Council's consultant recommended that partitions within studio units should be removed to improve internal conditions and this has been carried through to amendments to ensure that partitions would not be solid. Overall the Council's consultant summarises that the provision of daylight to internal units within the Detailed component would be generally good.
- 7.101 In regard to the Outline component, indicative VSC daylight levels have been shown on the surfaces of buildings at their maximum parameter massing. The Council's consultant notes that overhanging balconies have not been taken into consideration and so actual daylight results would be worse than reported for the Outline component. It appears that the majority of the Outline development would benefit from good levels of daylight, especially in the higher elements of the scheme. The lowest levels of VSC (between 0% and 5%) would be found on the central portion of the west elevations of Buildings H and L which would face towards the tallest buildings on-site (K and L). Areas of low VSC daylight (between 5% and 15%) would also be found on the central portion of eastern sides of Buildings H, J, K and L and at lower levels around the internal courtyard of H. These results are considered to be symptomatic of the high density layout of buildings congregated facing each other around the 'Central Square.'
- 7.102 The GIA report notes that massing may need to be revisited in order to achieve higher levels of daylight compliance in the Outline component. It would need to be ensures that areas with the lowest levels of indicative VSC daylight serve non-habitable room spaces. Massing and internal layouts are only indicative at this stage for the Outline component and once Reserved Matters applications are submitted, internal amenity could be subject to assessment and possible amendments at that stage.
- 7.103 In regard to sunlight within the Detailed component, all living spaces served by windows facing 90 degrees of due south have been assessed for Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH). Results have been provided graphically on window plots of buildings. It appears that the majority of windows would benefit from compliant levels of sunlight. More specifically, the Council's consultant notes that; Building A would receive very good sunlight provision; Buildings B and C would have reasonable sunlight except near the internal corner of Building B; Building E would have good sunlight on its south-east side but little or no sun on its north-east side. Building F would generally have poor levels of sunlight except on its upper levels and its southern end.
- 7.104 In regard to sunlight within the Outline component, this has not been analysed. The Council's consultant estimates that good sunlight should be achieved at the southern parts of Building H, the south-east side of Building J (except lower levels), and the south-west side of Building K. Poor levels of sunlight would be expected at the northern parts of Buildings H and J, the north-east side of Building K and most of Building L.
- 7.105 In regard to potential overshadowing of amenity spaces, the GIA report notes that 63.4% of the public communal areas and 67.1% of the private communal space would receive at least two hours of direct sunlight on 21st March, where the BRE recommendation is for 50% of the space. These site-wide levels are considered to be acceptable; however the Council's consultant notes that these communal areas have been aggregated for the entire development and indicates that poor levels of sunlight could be available within some individual communal areas. For example, the 'Belvedere', 'Urban Forest' and eastern 'Play Street' would receive good levels of sunlight, but lower levels would be received in 'Central Square' and the northern 'Play Street.' In relation to private communal areas, gardens between Buildings B and F and H and J would not comply but residents of these blocks would also have access to gardens which would comply.

7.106 Overall it is considered that residential units within the Detailed component would receive acceptable levels of daylight and sunlight internally. Furthermore it is considered that the Outline component has the potential to provide acceptable levels of daylight and sunlight internally, subject to further assessment at reserved matters stage.

Amenity Space

- Private Outdoor Amenity Space

7.107 Both local policy and the Housing SPG require a minimum of 5sqm of private outdoor amenity space to be provided for 1-2 person dwellings. An extra 1sqm should be provided for each additional occupant.

7.108 All of the proposed residential units in Phase 1 have been provided with private external amenity space in the form of balconies or terraces apart from a studio in Building F which has sufficient additional internal space above the minimum standard. The submitted ES reports significant beneficial effects in regard to the provision of private amenity space. Officers are satisfied that the provision of private open space is acceptable in the Detailed component.

- Communal Amenity Space

7.109 Policy D.H3 specifies that 50sqm of communal amenity space is required for 10 residential units, plus 1sqm per additional unit thereafter. This equates to a total requirement of 566sqm communal amenity space for Area 1.

7.110 A total of 3950sqm of communal amenity space is proposed across the Detailed component which is significantly in excess of the policy requirement. This is provided through podium and roof gardens. The proposal also includes an ancillary leisure centre (with facilities such as swimming pool and relaxation lounge) above the hypermarket, only for residents of the development – full details of membership arrangements would need to be secured by condition, subject to approval.

7.111 Officers are satisfied that the communal amenity space is acceptable in terms of quantum and location. It is understood that all tenures would be able to access shared communal amenity space around Buildings A, B, C, E and F. Subject to approval, conditions would be required to secure full details of landscaping and also to ensure inclusive access to disabled residents and mixed tenure access. The landscaping condition would also ensure that amenity landscaping benefits the natural urban greening of the site through provision of trees (200 are proposed at roof level), non-artificial greenery and options for communal gardening.

- Child Play Space

7.112 Policy D.H3 requires each new major residential development to provide child play space and informal recreation facilities based on the expected child population generated by that scheme. This process is undertaken in line with the guidance and requirements set out in the Housing SPG and the Play and Informal Recreation SPG. The Tower Hamlets Playspace Child Yield Calculator has been used to inform the proposal. The submitted ES generally reports significant beneficial effects in relation to play space provision.

7.113 In terms of the proposal development, play space for different age groups is provided across the Detailed component; the Landscaping Strategy (prepared by Martha Schwartz Partners) demonstrates that play elements and facilities would be provided in a range of forms for the different age groups within both the public and private realms. These comprise elements such as nature play, balancing and climbing, interpretative play, as well as external sport facilities such as table tennis and gym equipment.

7.114 In line with policy requirements, the Detailed component generates a requirement for 968sqm of play space. The proposal seeks to provide approximately 1,720sqm of play space for the residential units within the Detailed component with the play space broken down into the different types of play in line with the proportion of children expected within the scheme. This is significantly in excess (752sqm additional play space) of the policy requirements. The below table was calculated using the Tower Hamlets Playspace Child Yield Calculator:

Age Group	No. of Children	Area Required (sqm)	Area Proposed (sqm)
Under 5	41	407	701
5 – 11	31	311	619
12+	25	251	400
Total	97	968	1720

Figure 13: Child yield for the Detailed component

7.115 Officers are satisfied that the proposal is acceptable in this regard for the Detailed component. Subject to approval, conditions would be required to secure full details of play equipment and to ensure mixed tenure access to play areas, subject to the submission of further details.

Outline Component (Phases 2 (excluding Building F) and 3):

7.116 The residential accommodation associated with the outline phases (Phases 2 and 3) of the proposed development would be detailed and assessed at reserved matters stage. However, in order to ensure that all building phases are capable of achieving an acceptable standard of residential accommodation at the outline stage, officers seek to make a high level assessment.

7.117 The residential units associated with the outline phases of the development would be expected to meet the minimum space standards as prescribed by the relevant policy when assessed in detail at reserved matters stage. The Design Code submission document states that the Outline phases of the development would achieve the following:

- All residential units to meet minimum internal space standards and floor to ceiling heights.
- Target of 0% single aspect and north-facing dwellings and dual aspect units to be maximised.
- Range of unit types provided.
- All residential units will be designed to be tenure blind externally.
- Each core should serve no more than 8 dwellings per floor.
- Opening windows and/or balcony/terrace doors will be provided to all habitable rooms.
- The minimum distance between windows to habitable rooms of directly facing dwellings will be 18m.
- A minimum of 1.5 metres wide defensible buffer space will be provided to all residential units at podium garden level and to the communal courtyards at the relevant levels.

- All communal amenity spaces should be provided with direct level access from the cores of the building that they serve.
- The development is designed to be accessible to all, both by lift and by a route where gradients are, shallower than 1 in 20. At least 10% of residential dwellings must be wheelchair accessible in line with Local Authority and Building Regulation requirements.
- Wheelchair accessible accommodation must be served by two lifts and have access to the basement car park, where secure wheelchair parking bays are provided as part of the detailed application proposals.

7.118 Further to the above, in regard to communal amenity space, the Outline component residential units would benefit from significant overprovision as shown in Figure 14. However for play space there would be a direct shortfall (204sqm) within the Outline areas. Overall it is considered that this shortfall would be partly mitigated by the significant overprovision of communal amenity space (1,848sqm additional communal amenity space in the Outline component and 3,384sqm additional in the Detailed component), significant overprovision of play space within the Detailed component (752sqm) – units in the Outline component would also have access to these spaces. This would also be supplemented by 2,254sqm play space within the public realm (around the Urban Forest, Centre Stage, Fountain Square, Belvedere and Play Street) as well as controlled access to the school MUGA (indicative 1,098sqm play space).

	Play Space Required (sqm)	Play Space Proposed (sqm)	Communal Amenity Space Required (sqm)	Communal Amenity Space Proposed (sqm)
Outline Component	3,884	3,680	1,486	3,334

Figure 14: Child play space and communal amenity for Outline component

7.119 Policy SD1 of the Isle of Dogs Neighbourhood Plan states that developments are strongly encouraged to achieve the Home Quality Mark for all residential units and BREEAM Excellent certification for all non-residential units. The proposal does not make reference to the Home Quality Mark. The planning statement explains that all non-residential units have been pre-assessed at BREEAM Very Good. It should be noted that, while the proposal falls short of the policy standard, this is an encouragement, rather than a requirement.

7.120 The above elements are considered to constitute a set of high level principles or controls that demonstrate that the outline phases of the proposed development are capable of achieving an acceptable standard of residential accommodation. It should however be noted that many of the above elements are minimums and the applicant would be expected to demonstrate compliance with the planning policy framework in any event. At reserved matters stage, officers would be seeking to secure high quality residential development.

Air Quality

7.121 The application submission has had regard to the potential impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment. Officers are satisfied that the proposal is acceptable, subject to the proposed embedded mitigation measures and recommended conditions.

Summary

7.122 Overall it is considered that the proposal would provide a sufficiently high quality of residential accommodation.

HERITAGE AND DESIGN

7.123 Development Plan policies call for high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.

7.124 The Detailed component of the proposed development (which includes the ground floor and basement) has been fully worked up and designed. Officers have assessed this element of the proposal accordingly. The Outline component of the development is supported by the parameter plans and Development Specification which identifies maximum building footprints and heights, minimum separation distances and indicative building typologies.

7.125 Policy 3D1 of the Isle of Dogs Neighbourhood Plan expects all applicants for large-scale developments to provide a 3D model that can be used by development management officers to determine applications. A VuCity model was provided by the applicant and has been used to help assess the townscape and heritage implications of the scheme.

7.126 It should also be noted that the applicant undertook extensive pre-application discussions with the Council and has continued to work positively with officers throughout the planning application process. Various minor elements of the scheme have been amended during the planning application process in response to concerns highlighted by officers and the consultation process. Given the nature of the application, most of the amendments relate to the Detailed component of the development; this includes minor changes to the shopfront details, cycle parking within the public realm, a new proposed café within the 'Belvedere' public space and minor variations in massing to lower rise townhouses to allow more affordable family housing.

Building	Height Range (storeys)	AOD Height Range (m)
A	3 – 5	+14.200 to +22.100
B	9	+42.000
C	9	+42.000
D		+17.400
E	15	+58.200
F	15	+60.000
H (Outline)	11 (Indicative)	As described in Parameter Plans +10.750 to +45.850
J (Outline)	23 (Indicative)	As described in Parameter Plans +10.750 to +85.950
K (Outline)	32 (Indicative)	As described in Parameter Plans +15.400 to

		+115.500
L (Outline)	13 (Indicative)	As described in Parameter Plans +10.750 to +52.150

Figure 16: Building height ranges

Building Heights and Impact on Townscape

- 7.127 The scale of the overall scheme marks a notable increase when compared to the existing immediate context. The application site is located within the Millwall Inner Dock Tall Building Zone. The site takes up the majority of the Crossharbour Town Centre Site Allocation and constitutes wholesale redevelopment of the District Town Centre. Furthermore the site is located within the Isle of Dogs and South Poplar Opportunity Area. Development Plan policies support the principle of tall buildings located within Town Centres, Tall Building Zones and Opportunity Areas.
- 7.128 Overall the proposed development ranges from 3 to 32 storeys in height. For the Detailed component, buildings range from 3-5 storey affordable family housing terraces (Building A) to the 15 storey Buildings E and F to the centre of the site on either side of the ‘Central Square.’
- 7.129 For the Outline component, buildings range from; 5 storeys for Building H adjacent to Mudchute Park, stepping up to 11 storeys towards the centre of the site; to 32 storeys for Building K which signposts the main entrance to the District Town Centre on East Ferry Road from Crossharbour DLR station and the wider locality.
- 7.130 Building K would act as a District Landmark (above 3x context height and up to 5x context height) within the District Town Centre as defined by the Tall Buildings Study (TBS) referenced in paragraph 8.71 of the text supporting Local Plan policy D.DH6. The previous 2014 consent included a 23 storey landmark building in a similar location. The TBS states that District Landmarks are highly visible and notably affect the skyline on a district-wide scale.
- 7.131 The TBS notes that District Landmarks should be limited to locations that are of district or borough wide importance such as strategic infrastructure nodes or public institutions. Buildings J and K would, as well as signifying the main access to the Town Centre, wayfind the location of Crossharbour DLR station as well as local bus services.



Figure 17: Bird's eye view of development looking towards Canary Wharf Cluster to the north

- 7.132 Officers support the distribution of height across the site, including the siting of the tallest buildings at the north-west part of the site, away from Mudchute Park and low-rise development at Friars Mead to the east. Buildings at the other edges of the site are considered to relate sensitively to their immediate adjacencies. To the north, the 3-4 storey school building is of similar proportions to Glengall Grove blocks of flats. Island Health is a low-rise non-residential building to the north-west which benefits from separation by surrounding amenity grassland.
- 7.133 Objections received have raised concerns about the impact of the scale and massing of the proposed built form upon Mudchute Park. Officers are satisfied that the proposed development would not have an unacceptable impact upon Mudchute Park from a design perspective. It is felt that the set-back distances of the tallest built elements to the north-west of the site, as well as set-backing and stepping down of Buildings J, H and F from the park would be sufficient along with fragmentation of the built form. The 'Belvedere' landscaped public space would lead from the Mudchute Park connection route and helps to provide separation. The significant soft landscaping within the public realm and on roof terraces of stepped-down buildings facing Mudchute Park further improves the transition. 200 trees are proposed at roof level.
- 7.134 In relation to its local context, the TBS states that development within the Millwall Inner Dock Cluster should be no higher than two-thirds the height of the main Canary Wharf Cluster (245.8m AOD at its centre). Therefore development around Millwall Inner Dock should be no higher than 160m AOD whereas Building K would be 115m AOD. The proposed Town Centre development can be seen in Figure 17 in relation to the park to the south and the Canary Wharf Cluster to the north.

7.135 Other tall buildings consented, built or proposed around the Millwall Inner Dock Tall Building Zone include Baltimore Tower (46 storeys), Westferry Printworks (4-30 storeys), Glengall Quay (26-30 storeys), 2 Millharbour (50 storeys), 7 Limeharbour (6-26 storeys), Skylines Village (upto 48 storeys), The Madison (54 storeys).



Figure 18: Isle of Dogs tall buildings context

7.136 Further to the above, the applicant has sought to demonstrate the acceptability of the proposed scale and massing upon the wider surrounding area. The proposal is supported by a Townscape and Visual Impact and Built Heritage Assessment (TVIBHA) (prepared by Peter Stewart Consultancy) which forms part of the Environmental Statement (Volume 3). This document assesses the likely significant effects of the proposed development on the local townscape character, including during construction. It has regard to an extensive range of townscape views, the locations of which were agreed with officers.

7.137 The TVIBHA also has regard to wider townscape views, including viewpoints around Millwall Inner Dock, from across the river in Maritime Greenwich, from across the river in North Greenwich, from across the river in Southwark, and from London Bridge. The general assessment methodology (existing, proposed, cumulative) is agreed along with conclusions that Views 1-11, 13-15, 18-22 are of low-medium sensitivity, magnitude of proposed change being minor-moderate, significance of proposed change being minor-moderate and overall effect as beneficial.

7.138 The most significant impacts are considered to be on views of local importance (St John's Park View 12, Mudchute Park Views 16, 17, 27, Millwall Outer Dock Views 24, 25, 26) and views from within a statutorily designated heritage asset (Chapel House Conservation Area, View 23).

7.139 In reference to conclusions drawn in the TVIBHA regarding St Johns Park & Millwall Outer Dock views, it is agreed that there are beneficial effects in providing a new visual marker and wayfinder for the District Town Centre within townscape views and it is agreed that evolved architectural design treatment has mitigated negative impacts of bulk and massing and that existing and cumulative developments have already impacted upon views.

7.140 Views of Canary Wharf from Mudchute Park would be impaired by the proposal. Regarding Mudchute Park, Views from within the park (Views 16 (shown in Figure 19), 17, 27) are considered to be of local importance but they are not strategic protected views. The TVIBHA conclusions on the sensitivities of these Views, magnitude of proposed change of these Views and significance of change of these Views are agreed (TVIBHA states these Views; are of medium sensitivity; with proposed magnitude of change to be major; with significance of change to be moderate-major). The TVIBHA assesses effects on these Views to be beneficial. These Views already include tall building development in their backgrounds.

7.141 In relation to the above in terms of the effect on these Views, the Council considers that as the development would be immediately bordering the park, bringing built forms closer, this would adversely affect these Views; however it is considered that the provision of new landmark wayfinders towards the District Centre would outweigh the minor adverse effect of nearer development on these Views. Impacts on the physical qualities of Mudchute Park are discussed in further detail in the Biodiversity section of this report.



Figure 19: TVIBHA View 16 (from Mudchute Park, south-east entrance)

Impact on Heritage Assets

7.142 The site is not located within a conservation area, nor does it contain any listed buildings. The TVIBHA does however have regard to the impact of the proposed development upon a number of designated and non-designated heritage assets within the surrounding area. The TVIBHA generally identifies significant beneficial and neutral effects on heritage assets during operation with negative impacts during construction. Officers have considered this in line with their statutory duty, as required by legislation, and have had special regard to the desirability of preserving the settings of conservation areas and listed buildings.

Conservation Areas

7.143 Regarding the impact of development upon views from Harbinger Road/Marsh Street within the Chapel House Conservation Area (View 23), it is considered that the assessment should indicate that the magnitude of change is moderate, that the view is of medium sensitivity and the significance of change is moderate (TVIBHA conclusions are that magnitude of change would be minor-moderate, sensitivity of View is low-medium and significance of change to be minor-moderate). The view within the conservation area is of unbroken terraces, furthermore the view currently has no vertical development at termination.

7.144 From View 23, it is considered that the visual and architectural qualities of the terraces would be adversely affected by the proposed development (TVIBHA concludes a beneficial effect) though it is clarified within the TVIBHA that a 'modern block of flats frames the right side of the image' which devalues the View slightly. There would also be a beneficial effect of signalling the position of the District Centre. Generally, the proposal would be visible in limited long range views from this conservation area. Overall, it is considered that the proposal would

result in less than substantial harm (at the lower end of the scale) to the setting of the Chapel House Conservation Area.

- 7.145 The proposal would be visible in limited long range views from within the Island Gardens Conservation Area (mostly from around the northern boundary across parkland) and the Coldharbour Conservation Area (mostly from Preston's Road) alongside an existing, surrounding tall buildings context. Overall, it is considered that the proposal would result in less than substantial harm (at the lower end of the scale) to the setting of the Island Gardens Conservation Area and the Coldharbour Conservation Area.

Listed Buildings

- 7.146 Carnegie Library is a Grade II listed building 80m to the north. The proposal would be visible obliquely in conjunction with the library looking towards Glengall Grove on Strattondale Street. It is considered that this would result in less than substantial harm (on the lower end of this scale) to the listed library. In regard to the Grade II listed Isle of Dogs Pumping Station, and Grade II listed Millwall Wharf Warehouses, these heritage assets both front the River Thames and are located some distance away. The proposal would be visible at distance within the background to some views of these heritage assets.
- 7.147 The proposal would also be visible at distance within the background to a number of other listed buildings which are mentioned in the TVIBHA. The surrounding tall building context and beneficial impact of a town centre wayfinder is also taken into consideration. The harm to the settings of these listed buildings is considered to be less than substantial (at the lower end of the scale).

Views

- 7.148 The Grade II* listed Christ Church and George Green's School, both on Manchester Road, are identified as local landmarks of Cubitt Town within the TBS and the setting and views to these buildings should be protected. The proposal would not be visible in conjunction with street views around Christ Church however a small element would pop up above George Green's School in conjunction with other local tall building elements from Saunders Ness Road. The proposed development would not significantly adversely impact on views identified within local conservation area appraisals or local landmarks outlined above.
- 7.149 In regard to impacts on strategic views, the proposed development would be visible in wide-ranging views across London. The submitted TVIBHA assesses the impact of the proposed development on the historic environment in a number of views, including those protected by the Mayor of London as set out in the London View Management Framework (LVMF). The most significant are those from the Maritime Greenwich World Heritage Site, particularly LVMF view 5A.1 from the General Wolfe Statue, and from London Bridge towards Tower Bridge, particularly LVMF 11B.1.



Figure 20: TVIBHA View 1 (from Greenwich General Wolfe Statue (LVMF 5A.1))

7.150 The assessment reveals that the development would be visible in both LVMF views identified above - specifically behind the east dome of the Grade I listed Royal Naval College in LVMF 5A.1 (Figure 20), and between the towers of the Grade I listed Tower Bridge in LVMF 11B.1. In both of these views, a number of existing tall buildings would also be visible, however these are largely clustered around Canary Wharf. The GLA consider that the proposal would result in less than substantial harm to these two strategic views and the Council agrees with this assessment. Historic England raised no objection to these impacts. The proposed development would be visible in conjunction with surrounding tall buildings on the Isle of Dogs and should also be considered along with consented tall building developments nearby.

Summary

7.151 Overall, officers consider that the proposed development would preserve the character and appearance of surrounding conservation areas in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and would also preserve the setting of listed buildings in accordance with Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). Having regard to impacts outlined above, in the context of the NPPF (paras 193-196), it is considered that any harm to heritage assets would be less than substantial harm and significantly outweighed by the wider public benefits of the scheme, including regeneration of the town centre (with community centre, school and public realm), provision of housing (including affordable) and commercial (including affordable) elements, employment, investment and improved transport facilities.

Layout and Design

7.152 The main spatial structure (see Figure 21) proposed for this scheme is a focused public central square linked to an 'Urban Forest' entrance on East Ferry Road to the west and terminated by the anchor hypermarket to the east. The layout includes a covered retail arcade

(‘Crossharbour Arcade’) where pedestrians would most likely pass from Crossharbour DLR station from the north-west. ‘The Artway’ would be a pedestrian route connecting ‘Central Square’ with Glengall Grove to the north. The ‘Grand Stairs’ head south-east from the ‘Central Square’ towards the proposed ‘Belvedere’ public space set before the adjacent Mudchute Park to the south. The general Town Centre arrangement and massing strategy are considered to be appropriate for the site and supported.



Figure 21: Site-wide pedestrian routes

- *Urban Forest (East Ferry Road)*

7.153 The ‘Urban Forest’ (see Figure 21) is an area of landscaped woodland to the west of the main public square with a route through. This has been amended to remove the cluttered effect of cycle parking, which has been relocated around the site. This tree-dominated green space would provide a fitting entrance to the pedestrianised wider site and replaces the existing area of trees in this location.

- *Central Square and The Artway*

7.154 The size of the ‘Central Square’ (around 100m x 35m) is considered to be significant and appropriate for the function and attractiveness of the District Town Centre, providing relief from surrounding built forms. The proposed tree lines flanking to the north and south help to shape the space and provide a contrast with the centralised lawn and fountain features. As well as the anchor hypermarket frontage, the community hub would front the ‘Central Square’ as well as other local commercial units.

7.155 Routes from East Ferry Road, Glengall Grove and Mudchute Park would all lead to this centralised public space. This main public space has been designed to accommodate outdoor

markets, performances and events. Subject to approval, a 'Central Square' events management strategy would be secured by condition in order to ensure that this space is well-used for these types of activities.

7.156 'The Artway' would follow from the existing route down from Glengall Grove, past the school site and northern piazza and towards the 'Central Square.' Subject to approval, a public art strategy would be secured by condition to ensure submission of full details of any art displayed within the public realm.



Figure 22: View through Urban Forest from East Ferry Road looking east



Figure 23: View through Central Square looking west

- *Glengall Grove Square and Crossharbour Arcade*

7.157 Set before the school site, around the route leading from Glengall Grove would be another public square. This would offer relief and ample circulation space around the school site. The 'Crossharbour Arcade' would be a covered route. This area has benefitted from detailed design evolution for shopfronts and landscaping within the amended scheme. Further details regarding the covered roof and the sky light would be secured by condition, subject to approval.

- *Play Street and Piazza*

7.158 There would be a Play Street located to the east of the site. A piazza to the north would begin from East Ferry Road to the west, past the south of the Island Health landscaped amenity grass. This route would then pass the 'Crossharbour Arcade' and 'The Artway' which both link to the Central Square, before reaching the Glengall Grove access and school site. The Play Street would then turn to the south between the 3-5 storey townhouses and tree-lined boundary to Friars Mead before reaching the access to Mudchute Park to the south-east of the site.

7.159 There would be controlled vehicular access required towards the Island Health car park on the northern piazza. Full details of the locations and types of landscaping and play equipment would need to be secured via condition, subject to approval, in order to ensure that these areas would practical, attractive and foster informal play opportunities.



Figure 24: Grand Stairs looking towards Belvedere and Mudchute Park

- *Grand Stairs and Belvedere*

7.160 The main area of the Town Centre where the public can appreciate the 'greenness' and 'openness' of the adjacent Mudchute Park is the proposed 'Belvedere' new public space, which also includes public play space. The scheme has been amended to include a new café to activate and aid enjoyment of the 'Belvedere' along with surrounding trees, soft landscaping and play space. The 'Grand Stairs' and lift provide access from the 'Central Square' towards the 'Belvedere' before Mudchute Park. Extensive landscaping is provided along the 'Grand Stairs' in the form of planters and vertical planting. Detailed design of overall landscaping would be secured via condition subject to approval.

Open Space and Green Grid

7.161 Overall taking into consideration the above proposed public areas, the proposal would provide approximately 19,134sqm (1.91ha) public open space as indicated in Figure 25 below, which is car-free (apart from controlled access for Island Health to the north-west). The proposal has been laid out as per the illustrative Crossharbour Town Centre Site Allocation (Figure 10), providing open spaces, public squares, Green Grid links and pedestrian links in line with Local Plan aspirations. Paragraph 13.21 of policy S.OWS1 states that larger open space (i.e. one hectare and above) will be secured on allocated sites through new development. Unlike some other Site Allocations within the Borough, the Infrastructure Requirements for the Crossharbour Town Centre Site Allocation do not include a minimum amount of open space.



Figure 25: Public open space (amber is public communal space; red is public play space)

7.162 The proposal is considered to provide an improved network of Green Grid links to enhance access to key destination points. Furthermore it is considered that opportunities to create publicly accessible open space with a range of sizes for different types of users have been maximised (also taking into consideration the school MUGA), even though the application site

is not located within an area of public open space deficiency. For the reasons above, the proposal is considered to comply with policy S.OWS1, delivering an improved, accessible, well-connected and sustainable network of open spaces.

- 7.163 The delivery of public open space on the application site is considered to be visible and accessible from the public realm surrounding the site, high quality and inclusive, well connected and way-marked to other open spaces, would contribute on-site sport (and public play) facilities, incorporate substantial soft landscaping and sustainable urban drainage features and enhances biodiversity. Furthermore, the site would not rely on surrounding public open spaces for its communal or play space provision. For the reasons above, the proposal would comply with policy D.OWS3.
- 7.164 Paragraph 13.39 of policy D.OWS3 explains that new publicly accessible open space should be provided for strategic schemes where development is considered to place significant additional demand on existing publicly accessible open space, particularly in identified areas of public open space deficiency. The site is not located in an area of public open space deficiency however it is considered to provide an appropriate quantum of public open space.
- 7.165 Paragraph 13.40 of policy D.OWS3 sets a guideline figure of 1.2ha per 1000 residents for publicly accessible open space provided on sites of strategic schemes. This would result in a requirement for 4.4ha of public open space on this site. The site area is 4.5ha. Based on the proposal being considered to satisfy the aims of policies S.OWS1 and D.OWS3 as well as the public open space aspirations of the illustrative Crossharbour Town Centre Site Allocation, it is considered that the public open space and Green Grid provision would be acceptable.
- 7.166 Further to the above, investment in strategic public open space will generally be met through CIL receipts. Developers may be able to offset the amount of CIL they pay where they deliver an amount of public open space over and above that required to mitigate their site-specific impacts, such as public open space identified by the Local Plan in its Site Allocations. This can be achieved through securing a CIL 'in-kind' agreement with the Council under Regulation 73 – Payment in Kind of the CIL Regulations 2010 (as amended). Paragraph 13.41 of the policy states that where new publicly accessible open space is delivered to a satisfactory standard, this may be considered as payment in kind.

Architecture

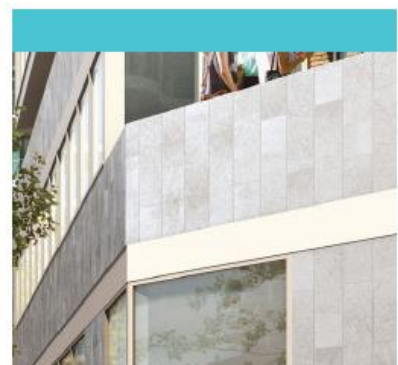
- 7.167 The overall architectural approach is considered to be satisfactory in principle, subject to full details to be secured by condition. General architectural approaches to buildings are shown in Figure 26. Generally there would be 3 building typologies. For Type 1 buildings, the strong masonry (reconstituted stone) bands with projecting 'wave' features or other shapes of balconies provide a clear and strong design concept. The full height windows and doors with frameless glass balustrades work well with their strong horizontal bands.



TYPE 1 – SLATE



TYPE 2 – BRICK



TYPE 3 – STONE

Figure 26: General architectural approaches

7.168 While the proposed materials of slates (Type 1) and bricks (Type 2) may work well with the stone bands, the type and the quality of slates, bricks, coping and stone cladding, are crucial to the architectural character based on this simple and concise concept. London stock bricks (Type 2) are also proposed for a number of buildings. These bricks can be treated and composed in different ways around the site. The types of doors, window frames, window openings (flush or deep recess), railings, and shopfront should be provided with proper, detailed consideration. Deeply recessed window/ door openings are required.

Typology	Description	Locations
Type 1	Smooth and reflective green slate (or similar) rainscreen façade. Slight variation with the vertical tiles encouraged to avoid a flat appearance	Buildings E & F (Detailed), J & K (Outline)
Type 2	London Stock Brick or similar to contrast against the green slate buildings	Buildings A, B, C, E & F (Detailed), H & L (Outline)
Type 3	Building base to match Central Square hard landscape (granite)	Lower levels of the development, consisting mainly of public/commercial areas

Figure 27: Building typologies

7.169 Figure 27 provides an overview of building typologies and locations. As the architectural approach has a very concise concept which is applied consistently through such a significant, large scale development, the quality and the character of the materials is a crucial part of the design. Mock-ups of key elements including the balcony, shopfront and window openings are expected for evaluation in due course. Details have been refined in the amended scheme.

7.170 As set out in policy, it is a requirement for tall buildings to respond positively to their existing environment. It is also a policy requirement for tall buildings to achieve high architectural quality. The details submitted for any reserved matters application need to meet the requirements of the design policies; these details would be assessed in the context of the design principles which shaped the particular character area as part of the overall masterplan.

7.171 The school building has also been assessed and found to be acceptable at this stage, although it is likely that the design of the site would be altered were the Council to take up the school site. Overall officers are satisfied that any concerns emerging from the indicative images presented at this stage can be addressed at the detailed design stage associated with a reserved matters application.

Fire Safety

7.172 Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety, beyond what is covered by Part B of the Building Regulations, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, considering issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.

7.173 The GLA considered the submitted fire statements and requested clarification and amendments, which were subsequently received and reviewed. The GLA concluded that fire statements for the Detailed and Outline components, and details of fire evacuation lifts, should

be secured by condition, subject to approval, in order to ensure that the development fully meets the requirements of policy D12.

- 7.174 The London Fire Brigade has noted that pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation. They concluded that the proposal appears to conform with the requirements of Part B of the Building Regulations in other matters. Such outstanding matters can be dealt with at building control application stage. Officers raise no concerns from a fire safety perspective at the planning stage, subject to the recommended conditions above.

Designing-out Crime

- 7.175 Development Plan policies seek to ensure that new development would result in a safer environment for future residents and visitor to the site and reduce the fear of crime. The application has been reviewed by the Designing-out Crime Officer from the Metropolitan Police. Concerns have been raised about the potential for anti-social behaviour occurring around the proposed southern servicing road which includes an undercroft area. Subject to approval, a condition would be required to deliver a Secure by Design scheme and achieve a Certificate of Compliance from the Metropolitan Police.

Archaeology

- 7.176 The proposed development has been assessed in relation to its potential impact upon any archaeological remains that may exist at the site. The submitted ES generally reports; moderate adverse effects on paleoenvironmental, prehistoric and geoarchaeological assets; minor adverse effects on medieval assets; negligible to minor adverse effects on post-medieval assets.
- 7.177 The submitted below-ground model of the geoarchaeological sequence of the site indicates that a high gravel prominence/island in the marshes, now buried, exists in the south-west of the site. This prominence is identified in the submission and in the GLAAS advice as being a possible focus for human activity. As far back as historical records go, this higher and drier part of the island was settled. Just to the south is the projected location of the Chapel House mediaeval settlement and manor.
- 7.178 Because the higher, drier ground in the once extensive east London marshes had an enduring appeal for human settlement, GLAAS advise that there is potential for earlier activity, predating Chapel House, to be present at the application site. It is understood that waterlogged conditions preserve organic archaeological material and conditions at the site have potential to preserve very important remains that would merit preservation from development harm.
- 7.179 The information supporting the above interpretation of the archaeological sequence is limited to historic geotechnical borehole records that were taken for engineering purposes. The absence of past archaeological investigation makes it hard to draw firm conclusions. The redevelopment of the old London Arena in the early 2000s was an opportunity to look and the archaeological work there found part of the Bronze Age forest that once occupied the Isle of Dogs but did not find much human activity. However this site was lower lying than the Asda site, back in prehistory.
- 7.180 To address Development Plan Policy aims on assessing and managing the significance of archaeological heritage, a programme of specialist geoarchaeological boreholes is first recommended by GLAAS. These are with the aim of refining the buried topographical model so far established and also to examine the retrieved cores to assess the geoarchaeological sequence in detail. This work would not aim to retrieve archaeological remains but would examine the core samples to assess whether the buried deposits are of a date, character,

integrity and extent that mean they could preserve important remains. GLAAS have confirmed that they would require these field works to be carried out prior to decision, subject to committee resolution to approve.

7.181 If the results pointed towards the potential outlined above, then trenching work to understand significance may be advisable. Harm caused by the basement and piling to very significant remains would have to be considered by the Local Planning Authority. Design changes may be appropriate in cases of harm to assets of demonstrable equivalent significance to designated heritage assets – in the case of significant alterations required, the proposal could need to go before committee again. Significance would be determined on specialist advice and with reference to the Historic England Scheduling Criteria guides.

Wind/Microclimate

7.182 The ES submitted with the application is inclusive of a Wind Assessment (prepared by RWDI) (Chapter 15). As part of this, wind tunnel testing has been undertaken to fully assess the impact of the proposed development upon pedestrian comfort and the potential for strong winds which could impact on pedestrian safety.

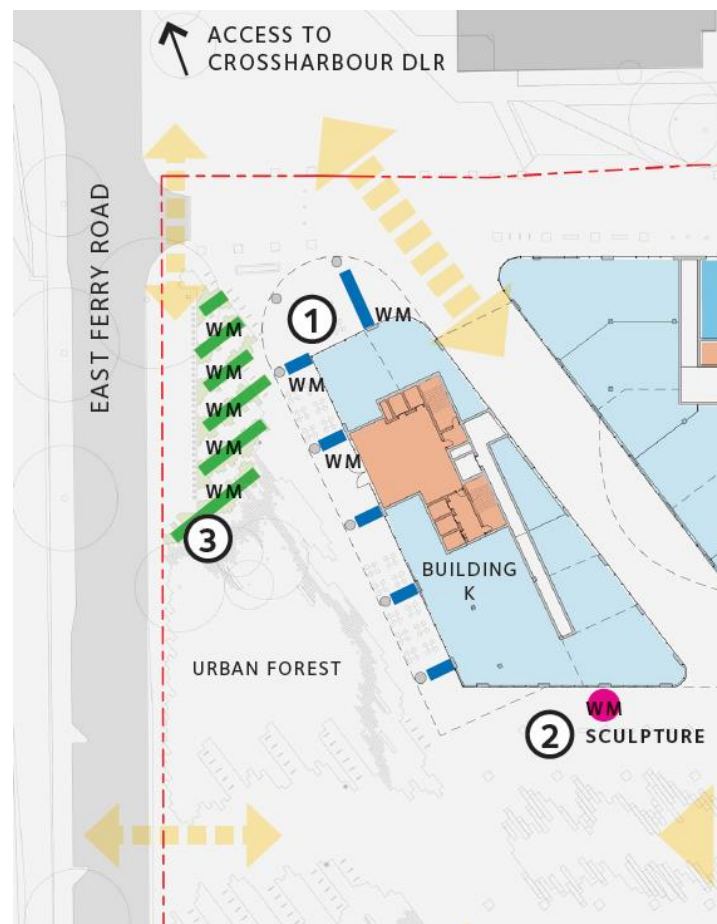


Figure 28: Wind mitigation around Building K (Hedges are green lines; ground level screens as blue lines)

7.183 Wind conditions have been assessed at the pedestrian thoroughfares, entrances, balconies and amenity spaces within the proposed development and surrounding the site. The assessment has been undertaken in line with the Lawson Comfort Criteria. Officers consider this methodology to be appropriate. The submitted ES has reported significant beneficial effects on wind as a result of conditions being calmer than needed for certain areas.

7.184 The Wind Assessment concludes that, with the inclusion of the proposed landscaping and mitigation measures (for example the inclusion of solid balustrades, 50% porous screens and

planters along the north-west of the outline Building K), the potential adverse effects of the proposal on wind conditions would reduce to insignificant and in some instances there could be beneficial effects. The likely effect of the wind microclimate on entrances would range from insignificant to beneficial. All on-site and off-site thoroughfare locations around the development would have wind conditions suitable for strolling or calmer, and effects would range from insignificant to beneficial.

- 7.185 Figure 28 shows the relationship with wind mitigation elements around Building K at the north-west of the site. The colonnade to Building K would provisionally need to be compartmentalised with windscreens which would prevent free flow of pedestrian movement. Subsequently this plan has been amended to push back the hedges to allow an adequate thoroughfare 3-4m width. Enclosed areas between the windscreens would need to be activated so they would not be dead spaces. This could be achieved by seating areas for restaurant/cafes or drinking establishments. Landscaping details for these undercroft areas would need to be secured by condition, prior to occupation of these commercial units, subject to approval. Designs of these full-height wind mitigation screens would need to be secured by condition, subject to approval – these could incorporate public art and/or urban greening elements. Further to the above, it is understood that at reserved matters stage, more specific wind testing will take place which could involve lesser wind mitigation measures being required around the site.
- 7.186 All accessible amenity spaces at podium and roof level, and balconies on detailed elements of the development, would experience insignificant wind microclimate effects. Where balconies would be included as part of the outline proposed, these would be tested as part of the reserved matters applications. Furthermore, with the proposed landscaping and mitigation measures in place, there would be no instances of strong winds at any location on-Site or off-Site around the development. Full details of wind mitigation measures incorporated into the landscaping would be secured by condition, subject to approval. They would also be further refined at reserved matters stages.

AMENITY

- 7.187 Development Plan policies seek to protect and where possible enhance neighbour amenity by safeguarding privacy, avoiding unreasonable levels of overlooking, sense of enclosure, outlook, noise, light, odour, fumes, dust and ensuring acceptable daylight and sunlight conditions.

Outlook, Sense of Enclosure and Privacy

- 7.188 In design terms, it is considered that the proposed development achieves an acceptable relationship with the surrounding existing built environment. It is considered that the scale and massing of the proposed development would not give rise to a visually uncomfortable neighbouring relationship, for example, by way of overbearing impact. Officers are however required to be satisfied that the proposed development, due to its scale or proximity to neighbouring development, would not give rise to an unacceptable loss of daylight and sunlight, privacy or outlook for neighbouring occupiers.



Figure 29: Proposed relationship with neighbouring residential dwellings

7.189 This section considers the potential impacts on neighbouring residential premises of the Detailed component in addition to the potential impacts associated with the maximum parameters proposed in respect of the Outline phases. Below the relationship between the proposed development and the most impacted sets of residential properties will be assessed in relation to outlook, sense of enclosure and privacy.

7.190 Friars Mead is shown in Figure 29 to the east of the proposed development and consists of 2 storey homes with pitched roofs. The direct relationship with Friars Mead is also shown in Figure 30. The proposed 3-5 storey residential buildings located nearest to Friars Mead would be over 24m away. Directly facing windows would be over 35m away. Furthermore, extensive trees and soft landscaping barriers exist between the proposal site and Friars Mead. Policy D.DH8 specifies that a distance of 18m between facing habitable rooms windows should allow an acceptable level of mutual inter-visibility and the scheme exceeds this guideline as explained above. In light of the above, it is considered that the proposed relationship would not result in mutual overlooking or unacceptable losses of outlook, sense of enclosure or privacy.



Figure 30: Relationship between new family houses (Building A) with Friars Mead

7.191 5-35 Glengall Grove is shown in Figure 29 to the north of the school site of the proposed development, and is a 4 storey block of flats with pitched roof. The direct relationship with the proposed school and 5-35 Glengall Grove is also shown in Figure 31. The proposed 3-4 storey school building would be located just over 15m to rear habitable room windows of 5-35 Glengall Grove. There is some soft landscaping and trees in-between the proposal site and 5-35 Glengall Grove but not uniformly. The school building, as a non-residential use, would not contain habitable room windows, however overlooking could still occur. From examining the north elevation of the proposed school building as well as floor plans, it can be seen that the number of windows facing the existing residential properties would be very low. These windows would generally serve circulation spaces and, subject to approval, would be conditioned to be obscure-glazed above 1.7m floor height. In light of the above, it is considered that the proposed relationship would not result in mutual overlooking or unacceptable loss of outlook, sense of enclosure or privacy.

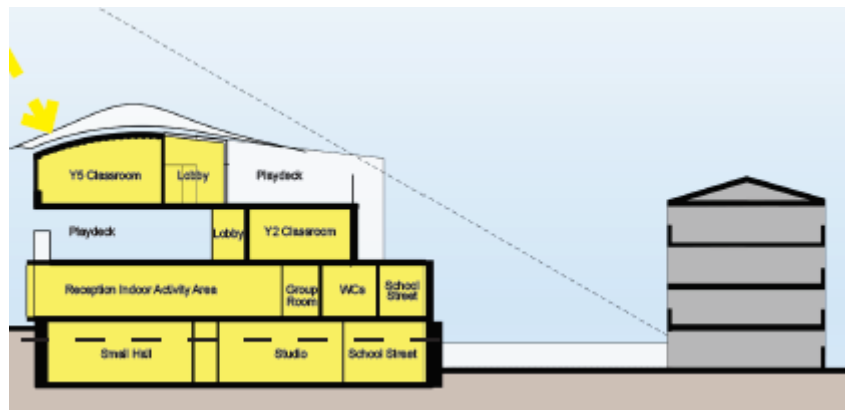


Figure 31: Relationship between school and 5-35 Glengall Grove

7.192 Overall, the proposed development is considered to provide an acceptable relationship in respect of separation distances, outlook, sense of enclosure, privacy and overlooking. Furthermore the separation distances are also considered to be sufficient to safeguard any future redevelopment of neighbouring sites.

Daylight, Sunlight & Overshadowing

Guidance

7.193 The application is supported by a Daylight, Sunlight and Overshadowing Assessment by GIA which forms part of the Environmental Statement (Chapter 16). This is accompanied by a Daylight and Sunlight Supplementary Planning Report by GIA as well as an Overshadowing Assessment (Impact on Friars Mead) by GIA. The Council have appointed an independent consultant (BRE) to review the assessment submitted by the applicant.

7.194 Policy D.DH8 seeks to ensure that development must not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development and must not result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. Supporting text of the policy states that a daylight and sunlight assessment, following the most recent version of the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011) ('BRE handbook') must accompany all major planning applications.

7.195 The BRE handbook provides guidance on daylight and sunlight matters. It is important to note, however, that this document is a guide whose stated aim *'is to help rather than constrain the designer.'* The BRE handbook states that for calculating daylight to neighbouring properties affected by a proposed development, vertical sky component (VSC) and daylight distribution (NSL – no sky line) assessments are to be undertaken.

7.196 VSC is a daylight measure that represents the amount of visible sky that can be seen from the mid-point of a window, from over and around an obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky, and, therefore, represents the amount of daylight available for that particular window; however it does not take into account the number or sizes of windows to a room, room dimensions or the properties of the window itself. The BRE handbook suggests that a window should retain at least 27% VSC or retain at least 80% of the pre-development VSC value to ensure sufficient daylight is still reaching windows. The 27% VSC value is a target applied for all building typologies and urban environments.

7.197 No-sky line (NSL) is a separate daylight measure assessing the distribution of diffuse daylight within a room, otherwise known as daylight distribution (DD). NSL assesses where daylight falls within the room at the working plane (850mm above floor level in houses). Daylight distribution assessment is only recommended by the BRE Report where room layouts are known however they can also be estimated. The NSL simply follows the division between those parts of a room that can receive some direct skylight and those that cannot. Where large parts of the working plane lie beyond the NSL, the internal natural lighting conditions will be poor regardless of the VSC value, and where there is significant movement in the position of the NSL contour following a development, the impact on internal amenity can be significant.

7.198 When comparing the NSL for existing buildings against that proposed following development, BRE guidelines state that if the NSL moves so that the area of the existing room which receives direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit.

7.199 Average daylight factor (ADF) is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. A small room

with a large window will be better illuminated by daylight compared to a large room with a small window, and the ADF measure accounts for this. ADF is most appropriately used to assess daylight levels for proposed residential units

- 7.200 BRE guidelines confirm that the acceptable minimum ADF target value depends on the room use. That is 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Notwithstanding this, it could be considered that, in practice, the principal use of rooms designed as a 'living room/kitchen/dining room' is as a living room. Accordingly, it would be reasonable to apply a target of 1.5% to such rooms.
- 7.201 The BRE handbook states that when calculating sunlight to neighbouring properties affected by a proposed development, annual probable sunlight hours (APSH) is a measure of direct sunlight that a given window may expect over a year period. The BRE handbook recommends that in existing buildings, sunlight should be checked for all habitable rooms and conservatories of dwellings if they have a window facing within 90° of due south. The BRE handbook recommends that the APSH received at a given window in the proposed case should be at least 25% of the annual total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.
- 7.202 In terms of overshadowing BRE guidance suggests that for an amenity area, like a garden, to appear sunlit throughout the year, at least 50% of the garden or amenity area should receive 2 hours of sunlight on 21st March (21st March is the equinox month and is the set day for testing overshadowing in accordance with the BRE criteria). If a new development causes overshadowing of existing open areas that do not meet these criteria, and the area which can receive 2 hours of sun on 21st March reduces by more than 20% of its former value, then the loss of sunlight may be noticeable, representing an adverse impact.
- 7.203 There is no definitive categorisation for impacts that exceed BRE guidelines, however the significance criteria banding within Figure 30 was used when summarising the overall daylight and sunlight effects to the surrounding buildings.

Reduction to daylight (VSC & NSL) and Sunlight (APSH & WPSH)	Effect classification
Negligible effect	0% to 20% reduction
Minor adverse effect	20.1% to 30% reduction
Moderate adverse effect	30.1% to 40% reduction
Major adverse effect	more than 40% reduction

Figure 32: Daylight and sunlight effect classification

Assessment

- 7.204 The properties that have been assessed are listed in Figure 33 below and can also be seen on Figure 27. The significance of daylight effects has been assessed by the applicant's consultant (GIA) within Chapter 16 of the Environmental Statement (ES). Further general analysis is provided within the Daylight and Sunlight: Crossharbour Supplementary Planning Report by GIA, however this measures a 20% VSC impact threshold whereas 27% is the BRE standard. An Overshadowing Assessment by GIA was provided focusing on Glengall Grove, as well as an Overshadowing Assessment by GIA specifically on Friars Mead. Figure 27 provides the Council's consultant's view on significance of daylight effects on neighbouring

properties. The information provided by GIA was reviewed by the Council's consultant who was satisfied with the methodology and conclusions of the assessment.

Properties	Total no. of rooms tested (daylight)	Applicant's consultant's (GIA) statement of significance for daylight effects	Council's consultant's (BRE) statement of significance for daylight effects
9-15 Friars Mead	72	Insignificant	Minor adverse
17-23 Friars Mead	25	Insignificant	Minor adverse
25-31 Friars Mead	40	Minor adverse	Minor adverse
33-39 Friars Mead	31	Moderate adverse	Minor-moderate adverse
41-47 Friars Mead	31	Moderate adverse	Minor-moderate adverse
49-55 Friars Mead	41	Moderate adverse	Minor-moderate adverse
57-71 Friars Mead	38	Insignificant	Minor adverse
8-12 Friars Mead	43	Insignificant	Minor adverse
14-20 Friars Mead	42	Minor adverse	Minor adverse
22-28 Friars Mead	42	Minor adverse	Minor adverse
Finwhale House	120	Minor adverse	Minor adverse
3 Glengall Grove	25	Minor adverse	Minor adverse
5-35 Glengall Grove	356	Moderate adverse	Moderate-major adverse
47-65 Glengall Grove	240	Minor adverse	Minor-moderate adverse
70-86 Glengall Grove	130	Minor adverse	Minor adverse
Skeggs House	344	Minor adverse	Minor adverse
Benedict Court	15	Moderate-major adverse	Major adverse
Cubitt Town Infant and Junior School	216	Minor adverse	Minor adverse

Figure 33: Daylight overall effects on neighbouring buildings

7.205 Officers have had regard to the results of the daylight and sunlight assessments – it is noted that a proportion of the windows tested would experience a material deterioration in the amount of daylight and/or sunlight that they receive. Loss of daylight or sunlight to all dwellings in St James' Mews, Isambard Mews, 60-68 Glengall Grove and Lanark Square

(including Balmoral House, Aegon House and Marina Point) would be within BRE guidelines and classed as negligible.

7.206 The groups of properties that are considered to experience overall significant daylight effects (that is moderate or major adverse) are 33-39 Friars Mead, 41-47 Friars Mead, 49-55 Friars Mead, 5-35 Glengall Grove, 47-65 Glengall Grove and Benedict Court. The assessment below will focus on these properties.

- 33-39 *Friars Mead*

7.207 8 of 31 windows tested would meet BRE guidance for VSC daylight. Of the remaining 23 windows, 11 would see a minor adverse, 4 a moderate adverse and 8 a major adverse impact. With the proposed development in place, 7 of the 11 rooms would meet the BRE guidance for NSL daylight.

7.208 33-39 (2 storey residential building) is the northern-most of the three 2-storey Friars Mead residential buildings that are nearest to the proposed development (direct relationship shown in figure 30). 5 ground floor windows (affecting a conservatory and 2 living rooms) would receive moderate or major VSC daylight impacts. The conservatory would have windows facing other directions (including skylights) which would only be negligibly impacted. The ground floor living room windows impacted would only marginally fail the 27% VSC test and are still considered to receive good levels of VSC daylight. One of the aforementioned ground floor living rooms would also receive a major impact in regard to NSL daylight. 7 bedroom windows at first floor level would receive moderate or major VSC impacts. These first floor windows would receive greater impacts due to the imposition of overhanging eaves. An alternative assessment, measuring impacts without the overhanging eaves has demonstrated that without the self-obstructing elements, results would be improved.

7.209 In regard to sunlight, for the 7 windows tested facing within 90° of due south, the 3 ground windows would be BRE compliant with good levels, but 1 would fail for winter sunlight. The 4 first floor windows would be BRE compliant for winter sunlight but not for annual sunlight – again the overhanging eaves would be a significant self-obstructing factor. In regard to overshadowing of the 6 rear gardens, the proposed development would have a negligible impact. The 5 rear gardens which meet BRE guidance would continue to have over 50% of their space receiving 2 hours sun on the ground on March 21st. When assessing overall retained amenity, it should also be taken into consideration that ground floor rear gardens would appear to significantly exceed private amenity space standards of the London Plan. Furthermore, some of the rear gardens self-obstruct sunlight to amenity areas through the position of rear extensions. These residential units also appear to benefit from dual aspect outlook.

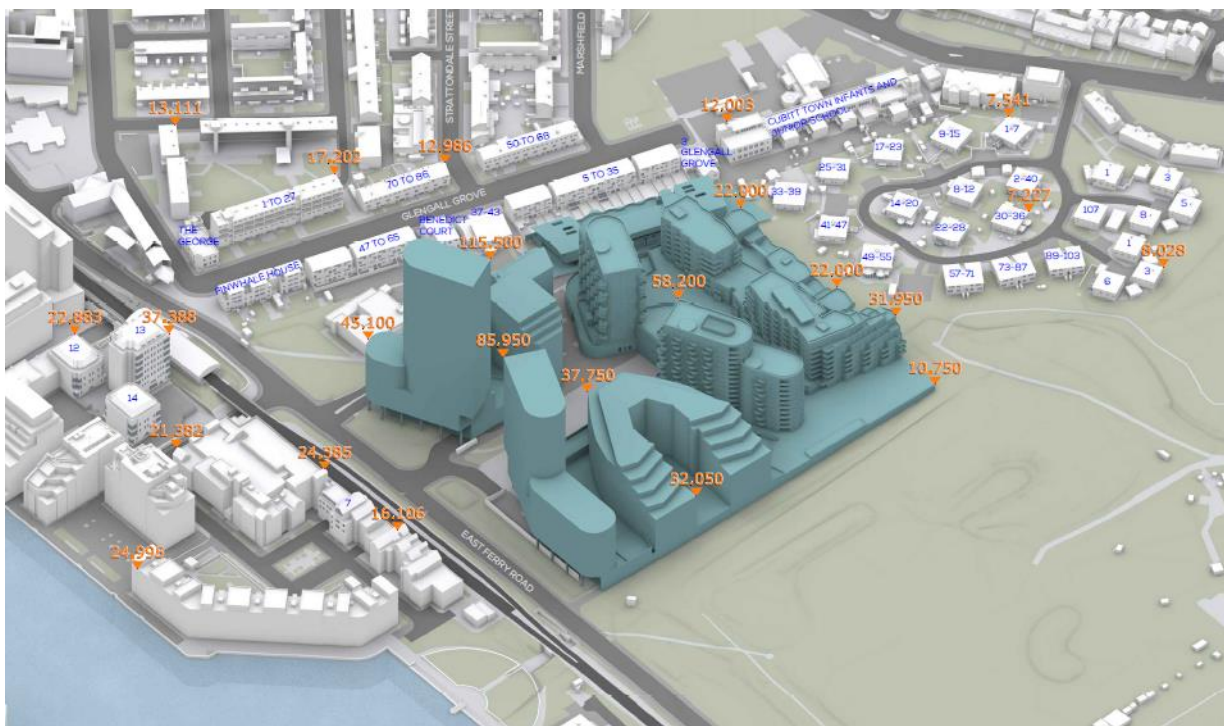


Figure 34: Assessed neighbouring properties

- 41-47 Friars Mead

- 7.210 13 of 31 windows tested would meet BRE guidance for VSC daylight. Of the remaining 18 windows, 3 would see a minor adverse, 8 a moderate adverse and 7 a major adverse impact. With the proposed development in place, 5 of the 10 rooms would meet the BRE guidance for NSL daylight.
- 7.211 41-47 (2 storey residential building) is the central of the three Friars Mead residential buildings that are nearest to the proposed development (direct relationship shown in figure 30). 2 ground floor living rooms would receive moderate or major VSC daylight impacts. However the living room windows impacted would only marginally fail the 27% VSC test and are still considered to receive good levels of VSC daylight. One of the aforementioned ground floor living rooms would also receive a moderate impact in regard to NSL daylight. 11 bedroom windows at first floor level would receive moderate or major VSC impacts. These first floor windows would receive greater impacts due to the imposition of overhanging eaves. An alternative assessment, measuring impacts without the overhanging eaves has demonstrated that without the self-obstructing elements, VSC BRE guidelines would be met.
- 7.212 In regard to sunlight, for the 6 windows tested facing within 90° of due south, the 2 ground windows would be BRE compliant with good levels. 3 of the 4 first floor windows would not be BRE compliant for annual sunlight but all 4 would pass for winter sunlight – again the overhanging eaves would be a significant self-obstructing factor. In regard to overshadowing, the proposed development would have a negligible impact on 3 of the 4 rear gardens which would continue to meet BRE guidance of having over 50% of their space receiving 2 hours sun on the ground on March 21st. With the proposed development in place, 1 of the rear gardens with 51.3% coverage would fall to 43.3% (marginally under the 50% BRE target) but is 0.84 of its former value so meets the BRE criteria and is a negligible impact. When assessing overall retained amenity, it should also be taken into consideration that ground floor rear gardens would appear to significantly exceed private amenity space standards of the London Plan. Furthermore, some of the rear gardens self-obstruct sunlight to amenity areas

through the position of rear extensions. These residential units also appear to benefit from dual aspect outlook.

- *49-55 Friars Mead*

- 7.213 13 of 41 windows tested would meet BRE guidance for VSC daylight. Of the remaining 28 windows, 9 would see a minor adverse, 11 a moderate adverse and 8 a major adverse impact. With the proposed development in place, 7 of the 11 rooms would meet the BRE guidance for NSL daylight.
- 7.214 49-55 (2 storey residential building) is the southern-most of the three Friars Mead residential buildings that are nearest to the proposed development (direct relationship shown in figure 30). Generally ground floor windows with moderate adverse VSC impacts would still retain over 20% VSC as well as retaining BRE compliant NSL daylight. 12 bedroom windows at first floor level would receive moderate or major VSC impacts. These first floor windows would receive greater impacts due to the imposition of overhanging eaves. An alternative assessment, measuring impacts without the overhanging eaves has demonstrated that without the self-obstructing elements, results would be improved.
- 7.215 In regard to sunlight, for the 6 windows tested facing within 90° of due south, the 2 ground windows would be BRE compliant with good levels. 3 of the 4 first floor windows would not be BRE compliant for annual sunlight but all 4 would pass for winter sunlight – again the overhanging eaves would be a significant self-obstructing factor. In regard to overshadowing of the 5 rear gardens, the proposed development would have a negligible impact. All 5 rear gardens which meet BRE guidance would continue to have over 50% of their space receiving 2 hours sun on the ground on March 21st. When assessing overall retained amenity, it should also be taken into consideration that ground floor rear gardens would appear to significantly exceed private amenity space standards of the London Plan. Furthermore, some of the rear gardens self-obstruct sunlight to amenity areas through the position of rear extensions. These residential units also appear to benefit from dual aspect outlook.

- *5-35 Glengall Grove*

- 7.216 99 of 356 windows tested would meet BRE guidance for VSC daylight. Of the remaining 257 windows, 2 would receive a minor adverse, 206 a moderate adverse and 49 a major adverse impact. With the proposed development in place, 26 of the 94 rooms will meet the BRE guidance for NSL daylight.
- 7.217 5-35 Glengall Grove is a 4 storey block of flats directly to the north of the proposed school building (relationship shown in Figure 31). The majority of windows on the ground and first floors would receive a moderate or major adverse VSC impact and would serve rooms with NSL daylight failures. Some groups of these windows would serve rooms which would be BRE compliant for NSL. The majority of windows, which would not be BRE compliant on the second and third floors, would retain VSC in the mid-20% range. Some of the lower floor windows would receive greater impacts due to the imposition of overhanging balconies. An alternative assessment, measuring impacts without the overhanging balconies has demonstrated that without the self-obstructing elements, results would be improved.
- 7.218 In regard to sunlight, all rooms would retain BRE compliance and good levels of annual sunlight and winter sunlight. Ground floor flats benefit from rear gardens which would be overshadowed by the proposed development. Of the 17 rear gardens that all currently meet BRE guidance, 4 would continue to have over 50% of their space receiving 2 hours sun on the ground on March 21st. 2 gardens would experience a moderate adverse impact and 11 would experience major adverse impacts. These impacts are a function of the current low massing of the site in comparison to the new development. When assessing overall retained amenity, it should also be taken into consideration that ground floor rear gardens would appear to

significantly exceed private amenity space standards of the London Plan. Furthermore, some of the rear gardens self-obstruct sunlight to amenity areas through the position of rear extensions and boundary fences.

- 47-65 Glengall Grove

- 7.219 25 of 240 windows tested would meet BRE guidance for VSC daylight. Of the remaining 215 windows, 74 would see a minor adverse, 129 a moderate adverse and 12 a major adverse impact. With the proposed development in place, 15 of the 50 rooms would meet the BRE guidance for NSL daylight.
- 7.220 47-65 Glengall Grove is a 4 storey block of flats directly to the north of the proposed development. The majority of windows on the ground and first floors would receive a moderate or major adverse VSC impact and would serve rooms with NSL daylight failures. Some groups of these windows would serve rooms which would be BRE compliant for NSL. The majority of windows (225 of 240), which would not be BRE compliant on all floors, would retain VSC of 20% VSC or more. Some of the lower floor windows would receive greater impacts due to the imposition of overhanging balconies. All windows that experience a major adverse impact are located on the second floor located under overhanging balconies. An alternative assessment, measuring impacts without the overhanging balconies has demonstrated that without the self-obstructing elements, results would be improved.
- 7.221 In regard to sunlight, all rooms would retain BRE compliant and good levels of annual sunlight and winter sunlight. The Transient Overshadowing Assessment appears to show that rear amenity spaces would comply with BRE guidelines in regard to overshadowing. When assessing overall retained amenity, it should also be taken into consideration that ground floor rear gardens would appear to exceed private amenity space standards of the London Plan. 47-65 Glengall Grove would also benefit from having good separation to proposed built development.

- Benedict Court

- 7.222 0 of 15 windows tested would meet BRE guidance for VSC daylight. Of the 15 windows, 0 would receive a minor adverse, 6 a moderate adverse and 9 a major adverse impact. With the proposed development in place, 0 of the 15 rooms would meet the BRE guidance for NSL daylight.
- 7.223 Benedict Court is a 4 storey block of flats directly to the north of the proposed development. All windows would receive a moderate or major adverse VSC impact and would serve rooms with NSL daylight failures. 2 windows (1 at ground, 1 at first floor) would receive greater impacts due to the imposition of overhanging balconies. An alternative assessment, measuring impacts without the overhanging balconies has demonstrated that without the self-obstructing elements, results would be improved. 10 out of the 15 windows would meet the alternative target value of 20% VSC, and 3 of the remaining 5 would retain over 19% VSC.
- 7.224 In regard to sunlight, all rooms would retain BRE compliant and good levels of annual sunlight. 3 of the 15 rooms would fail BRE compliance for winter sunlight. The Transient Overshadowing Assessment appears to show that rear amenity spaces would comply with BRE guidelines in regard to overshadowing. Benedict House would also benefit from having good separation to proposed built development.

Daylight and Sunlight Conclusion

- 7.225 Officers have had regard to the daylight and sunlight results relating to the properties surrounding the proposed development listed above. Whilst the proposal would give rise to adverse effects to nearby residential windows, officers consider these impacts to be

acceptable in the context of overall retained amenity. Officers have reached this conclusion based on the factors listed below:

- The proposed development sits within an emerging context where changes to amenity (including daylight and sunlight) experienced by neighbouring properties are expected. The existing site is mainly a ground level car park with a low rise hypermarket. The application site is within a Site Allocation, Opportunity Area, Tall Building Zone, and constitutes redevelopment of the District Town Centre. A commensurate scale of development is expected, which would give rise to the impacts outlined above, taking into consideration the existing low rise nature of the site within a dense, urban context and balancing this with the public benefits delivered by the proposal.
- Acceptable separation distances are maintained around the site. The development is generally not considered to significantly adversely impact on outlook, sense of enclosure, overlooking and privacy.
- Retained VSC daylight levels, in many cases where there would be failures, would still be 20% or more; considered to be reasonable, when accounting for the surrounding and emerging urban context.
- Impacts on sunlight are relatively minimal taking into consideration the scale of development.
- It generally appears likely that the residential properties impacted by the proposed development benefit from dual aspect outlook. These residential units are therefore also likely to have other windows which remain unaffected.
- The applicant has demonstrated that balconies at Glengall Grove and eaves at Friars Mead are a significant contributor to compromised daylight and sunlight levels.

7.226 Under the chapter titled 'Achieving appropriate densities' in the NPPF, paragraph 123 (c) states that for housing applications, a flexible approach to applying daylight and sunlight policies or guidance should be applied where they would otherwise inhibit an efficient use of the site (as long as the resulting scheme would provide acceptable living standards,

7.227 To conclude, in the context of Policy D.H8, the proposed development would result in material deterioration to the daylight and sunlight levels at neighbouring properties and therefore, result in a level of impact to neighbouring amenity. Nevertheless, in the context of the factors set out above, officers consider this impact to be acceptable and that the scheme would comply with paragraph 123 of the NPPF.

Overshadowing to Public Amenity Spaces and Mudchute Park

7.228 Officers are satisfied that the proposed development would not give rise to unacceptable impact on sunlight to public amenity spaces. In terms of the overshadowing to Mudchute Park, the proposed development would be located to the north, whereas sun is received over the park from the south. Therefore the proposed development would not overshadow Mudchute Park. In regard to the Island Health amenity grass, it also appears that this public green space would receive 2 hours of sun for over 50% of land to comply with BRE guidance.

Noise and Vibration

7.229 The Council's Environmental Health (Noise) Officer has reviewed the application with regard to noise and vibration. Any comments received have been incorporated into the below assessment. A baseline noise survey has been undertaken by the applicant in order to

determine the existing noise conditions at the application site. The submitted ES generally reports significant adverse effects for demolition and construction noise and vibration.

- 7.230 The main sources of noise incident at the site and surrounding receptors are general road traffic, buses, DLR trains, aircraft from London City Airport and shopping trolley movements. Receptors sensitive to changes in noise and vibration would be surrounding residents, Cubitt Town Infants and Junior School and Mudchute Park.
- 7.231 Potential sources of noise and vibration from the development would be from demolition and construction (addressed in the Construction section of this report), school use, residential uses, commercial uses, external plant, deliveries and servicing, car park noise and road traffic. The Noise Officer has specified conditions, subject to approval, in regard to securing a noise verification report for new residential units, and details of noise from plant. Further to this and in order to ensure the suitability of the proposed commercial uses, the proposed development is expected to comply with the noise limits set out in the Local Plan. It is proposed that mitigation measures (i.e. sound insulation) are incorporated into the proposed design to ensure that the limits are complied with.

Lighting

- 7.232 In order to ensure that the proposed development would not result in an unacceptable impact upon adjoining residents and Mudchute Park, it is recommended that compliance with the ILP guidelines across the whole development are secured by planning condition. In terms of increased light levels resulting from the lighting of residential units within the scheme, officers consider this to be an inevitable consequence of redeveloping the site and raise no objections given the context.
- 7.233 The Biodiversity Officer has raised concerns with uplighting of trees close to Mudchute Park and how this could adversely impact on bats. It is recommended that a planning condition is added, requiring the submission of a Sensitive Lighting Strategy. This would be required to demonstrate that the proposed development would not give rise to unacceptable lighting impacts to Mudchute Park and nearby wildlife. Subject to the recommended conditions, officers consider the proposal to be acceptable in this regard.

Construction Impacts

- 7.234 Officers have had regard to the construction impacts of the proposed development. These impacts have mainly been explored through the EIA process. The submitted ES has reported significant beneficial effects on construction employment and expenditure. It is noted that local residents have raised concerns relating to the impact of the construction phase with regards to dust, odour, noise, light pollution, and increased traffic.
- 7.235 Officers are satisfied that the impacts of the various phases of construction would be controlled and mitigated through various recommended planning conditions, as well as through other (non-planning) regulatory requirements. Notwithstanding the above, after mitigation some significant adverse construction effects would remain such as from noise and vibration, and air quality from construction traffic at some receptors.
- 7.236 The first stage of construction to be carried out would be to remediate the site. This process would be subject to approval by the Environment Agency who would then monitor and verify the satisfactory completion of the works. In addition, the applicant would be required to submit a Remediation Construction Management Plan for approval by the Council. This document would establish acceptable baseline conditions in respect of potential nuisances such as noise, odour and vibration which would be agreed by the Council's Environmental Health team and then detail how these conditions would be managed by the applicant.

- 7.237 Furthermore, the document would set out how the applicant would continue their engagement and maintain communication with the local community and specifically residents living adjacent to the site, through the duration of the works.
- 7.238 Following the completion of the site remediation, the applicant would need to submit a further Construction Management Plan for approval by the Council, which would confirm how the construction process for the various development phases would be controlled and delivered. This Plan would again establish acceptable baseline conditions in respect of potential nuisances but would also include details of how the applicant would manage site conditions in respect of its new residents who would be occupying completed phases alongside those being built out.
- 7.239 In regard to the Isle of Dogs Neighbourhood Plan, Policy CC1 expects the applicant to consult with the local community on any changes to the Construction Management Plan. Policy CC2 expects the applicant to notify neighbouring residents and occupiers if they intend to apply for changes to the standard working hours for construction, or other changes to construction conditions. Policy CC3 expects developments to conform to the standards of the Mayor's Control of Dust and Emissions SPG. These provisions would be secured by condition, subject to approval.
- 7.240 Subject to approval, conditions would be required in order to secure submission of the construction environmental management plan (CEMP) with full details of hours of work, vehicular movements to and from the site, potential of waterbourne freight, contractor parking, as well as the requirement to comply with the Code of Construction Practice. Subject to the above being secured, officers are satisfied that the construction phase would be appropriately managed to protect the amenity of neighbour residents and future residents of the scheme.

Conclusion

- 7.241 Although some adverse amenity impacts have been identified, along with mitigations proposed, it is considered that retained amenity for neighbours would be acceptable overall.

HIGHWAYS AND TRANSPORT

- 7.242 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.

Vehicular and Pedestrian Access

- 7.243 The Detailed application includes all ground level public realm as well as basement level access and car parking. The proposal maintains and strengthens the pedestrian routes from the west and north-west to East Ferry Road and introduces a new route from the south-west. Vehicular access would be removed from the east route. Whereas the existing site is car-dominated, the proposed development would only allow controlled access to the Island Health Centre car park at the north of the site through the northern piazza (details to be secured by condition).
- 7.244 The existing pedestrian route towards Glengall Grove to the north would be enhanced. Pedestrian access towards Mudchute Park to the south-east would be enhanced with a more attractive and legible route. The Site Allocation includes a potential new pedestrian route to the south of the site to Mudchute Park. The position of the proposed 'Belvedere' public space adjacent to Mudchute Park would allow another potential park entrance in this location in the future however the enhanced existing access is considered to be sufficient whilst minimising the physical impacts on the park at this time.

7.245 One new and one enhanced pedestrian route would be created to the east towards Friars Mead. The access to Friars Mead would be via controlled gates designated for the use of neighbouring residents only. The existing vehicular access to the south-west would be maintained and enhanced. Buses would also use this route, along with servicing and click and collect vehicles.

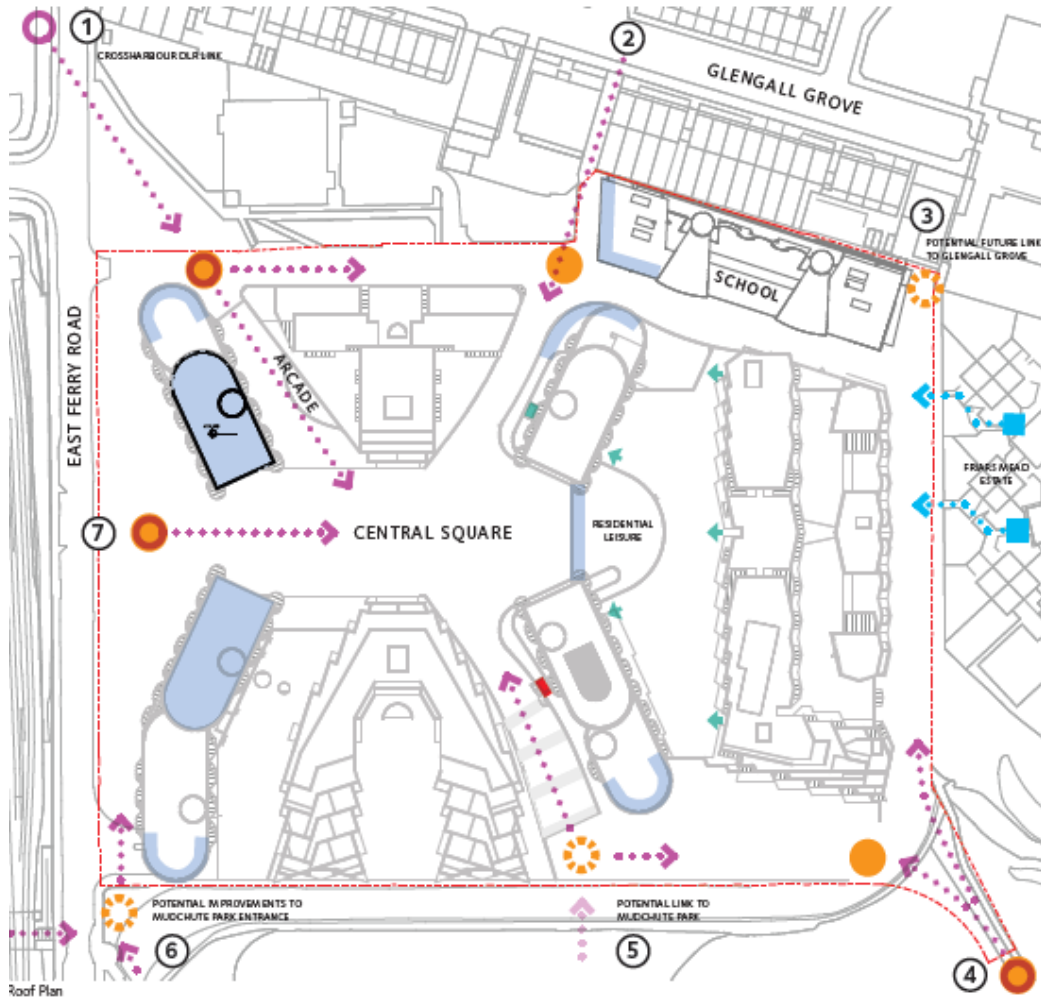


Figure 35: Proposed routes around the site

Docklands Light Railway

7.246 TfL considers that it is likely that most trips to the District Centre via the DLR will be made from Crossharbour station. A programme of works has already been identified to improve this station, relating to overall quality, safety and ease of access and egress. TfL and the applicant have agreed to a financial contribution of £1,000,000 for improvements to Crossharbour DLR station to be secured by S106 legal agreement, subject to approval.

Buses

7.247 Four bus services terminate at the site (D6, D8, 277 and 135). To enable the development of the site as a District Centre, a reconfiguration of the bus interchange is proposed. This involves the creation of on-street facilities on East Ferry Road and a bus layover within the service access area along the site’s southern boundary. On-site bus standing, turning and driver welfare facilities are proposed. This comprises 10 bus stands and two additional bus stands on East Ferry Road.

7.248 Currently bus routes all have high loadings, particularly in the AM peak northbound, and it is expected that bus trips generated from the proposal would increase bus loadings. TfL have confirmed that they are satisfied that the proposed arrangements can operate safely, and do not raise objection to the proposed approach to buses. TfL have requested a financial contribution of £510,000 towards London Buses. Temporary facilities during construction works would also be secured with the above as part of the S106 legal agreement, subject to approval.



Figure 36: Improved public realm on East Ferry Road towards Asda car park access to south of site

Deliveries & Servicing (including Waste)

7.249 The application proposes that all servicing takes place within the development. Servicing will predominantly be kept to the southern vehicular access – this was reconfigured to avoid conflict with the proposed bus facilities. In terms of refuse collection, the application provides a Waste Management Strategy in respect of commercial and residential elements. Subject to approval, a condition would be required to secure site-wide deliveries and servicing and waste management plans for each phase.

Car Parking

7.250 Development Plan Policies promote sustainable modes of transport and seek to limit the number of private vehicle trips. Development proposals are therefore required to eliminate or minimise the quantum of car parking, and associated vehicular trips, dependent upon the specific set of circumstances presented by the application site. As part of this, the Council seeks to ensure that major new development provides car club opportunities and electric vehicle charging points (EVCP).

Residential

7.251 The previous 2014 consent (850 residential units) permitted 151 residential car parking spaces. The current proposal would provide no general car parking for the 1972 maximum

parameter number of residential units, which would comply with London Plan Policy T6 which specifies car free development where sites are well connected by public transport.

- 7.252 London Plan Policy T6.1 requires that 3% of residential units have access to a disabled persons parking bay within the site boundary from the onset of the development, and with the potential for this to increase by an additional 7% as needs require it. 60 disabled persons parking bays have been proposed within the basement which would meet the required 3%. The applicant is required to provide a Car Parking Management Plan showing where the remaining 7%, which would bring the provision up to the required 10%, could be provided in the future if the demand for disabled persons parking is there.
- 7.253 A 'Permit Free' legal agreement would need to be secured by S106 legal agreement, subject to approval. 20% of car parking spaces are to have electric charging points with the remaining 80% to benefit from passive provision. Passive provision ensures that future charging points can easily be installed as demand increases. A Car Parking Management Plan would be required to be secured by condition, subject to approval.

Commercial

- 7.254 The existing hypermarket car park consists of 600 spaces. The previous 2014 consent which included a replacement superstore permitted 603 commercial spaces. The current proposal is for 350 spaces. This is contrary to Local Plan policy D.TR3 which states that for a food supermarket over 550sqm, there should be no car parking unless a transport assessment can demonstrate that walking, cycling, public transport and home delivery cannot cater for demand, that there are not unacceptable impacts on the highway network and a Travel Plan can be secured.
- 7.255 London Plan policy T6 would allow for a maximum of 235 car parking spaces, with flexibility to provide more if the location has been identified by the Council as requiring more parking. In recognition of the Local Plan designation of Crossharbour as a Town Centre, both LBTH Highways and TfL have accepted a departure from policy in this instance and suggested a maximum figure of 300 spaces on initial opening with mitigation measures employed to reduce this number, over a decade, to one which complies with the policy standards at that time.
- 7.256 The initial submission was for 363 spaces and the applicant has reduced to 350 as a compromise. The temporary multi-storey car park, during construction of the Detailed component, would have 349 spaces. The 350 figure proposed by the applicant is based on current demand for a few busiest days of the year and does not take into account the changes in the area in terms of car free / car lite high density development (including the proposed 1972-unit residential development on the site) which does not rely on car-borne trips, nor does it take into account the changing nature of food shopping in terms of home delivery services.
- 7.257 The level of car parking proposed will also not meet LBTH targets set by the Mayor of London for 90% of trips to be made by sustainable modes in the future. The compromise figure (300) suggested by LBTH and TfL would not meet this target either, unless it had associated mitigation measures to bring down the number of car parking spaces over the years. Neither LBTH Highways or TfL support the proposed level of commercial car parking proposed.
- 7.258 In discussions with TfL, LBTH Highways have agreed that should planning permission be granted based on the parking levels proposed then a series of mitigation measures need to be in place in line with below:
- Any planning permission should include a maximum, rather than absolute, number of car parking spaces
 - A review at Reserved Matters stage / pre-commencement condition, with the final number of spaces to be provided at opening year to be agreed at this point, based

on more recent data and agreeing what can be accommodated within the design, e.g. blue badge spaces and parent/child spaces – truly accessible and close to entrances etc. design at this stage should also look at re-purposing space over time

- A commitment to reducing car mode share to 10% by 2041 with monitoring and review at 1, 3, 5, 7 and 10 years
- The S106 legal agreement should include a table setting out how this will be achieved. The strongest lever to achieve mode shift is to remove car parking / disincentivise driving
- If mode share is not achieved, parking spaces will need to be removed
- The S106 legal agreement should also include a principal obligation that the car parking will be charged for
- A car parking design and management plan, to set out how spaces will be managed and regulated, for example duration of stay, enforcement of blue badge/parent-child and EVCPs, to ensure the car parking that is available is used efficiently and by those who genuinely need it.
- Commitment to local delivery and loan of cargo bikes

Summary

7.259 After consultation with TfL and LBTH Highways, it is considered that, although there is an objection to the base level of commercial car parking subject to the agreement of the mitigation measures above, including reducing car mode share and potentially reducing car parking numbers, combined with the other site specific mitigation agreed, and in the context of the wider public benefits of the scheme, the scheme is acceptable in strategic transport terms.

7.260 15% of commercial car parking spaces are to have electric charging points with the remainder benefiting from passive provision where future charging points can easily be installed as demand increases. 17 motorcycle spaces are proposed. 4 Car Club spaces are proposed for East Ferry Road. Car Club membership would be funded for residents for the first 3 years, secured within the S106 legal agreement, subject to approval. A Car Parking Management Plan, including non-residential disabled persons car parking details, would be secured by condition, subject to approval.

Cycle Parking and Facilities

7.261 Development Plan Policies require the proposed development to maximise opportunities to support and encourage sustainable transport modes. This includes the provision of safe and secure cycle storage on site to encourage residents and employees to cycle. It further prescribes the quantum and quality of cycle storage facilities required by new development.

7.262 The proposal includes improvements to the local cycle network through the inclusion of cycle routes through the development. In addition, a total of 3,609 cycle parking spaces are proposed within the development for all land uses, which complies with the London Plan. Provision is proposed to be within a mixture of basement, courtyard and secure communal areas. Furthermore, the provision of Sheffield stand visitor spaces within the public square is welcomed. Full details of the cycle parking would be secured via condition for each phase

7.263 Across East Ferry Road from the site lies a 17-point Cycle Hire docking station. The scheme proposes an expanded Cycle Hire provision to be secured by a financial contribution of £220,000, along with provision of Cycle Hire membership within Travel Plans, which is requested by TfL. TfL have also requested a financial contribution of £500,000 for improved cycling connectivity towards Cycle Superhighway 3 (Barking to Lancaster Gate) which runs to the north of the Isle of Dogs. These sums have been agreed by the applicant and would be secured as such within a S106 legal agreement, subject to approval.

- 7.264 3,231 long stay spaces within the basement and 49 short stay spaces within the public realm would be provided for the residential uses. 178 long stay spaces within the basement and 168 short stay spaces within the public realm would be provided for the commercial uses.
- 7.265 The cycle parking proposed would comprise a mix of Sheffield stands and stacking stands. All short stay stands would be Sheffield stands. Sheffield stands would equate to 5% of the long stay provision – whilst this is the preferred product due to their accessibility, the proposed long stay proportion is considered to be acceptable given the large quantum of cycle parking overall. The development also includes cycle hub facilities for workshops, repairs and sales, which would be secured by S106 legal agreement, subject to approval. Final details of cycle parking layouts would be required to ensure it meets the London Cycle Design Standards (LCDS) and would be secured by condition, subject to approval.

Trip Generation

- 7.266 A trip generation assessment has also been undertaken by the applicant to enable consideration of the potential level of additional trips that would be generated by the proposed development. The removal of the petrol filling station would remove trip generation from this element. TfL and LBTH Highways are satisfied with trip generation calculations following clarifications. The application submission includes draft residential and commercial Travel Plans, setting out proposed measures to encourage sustainable travel. It is recommended that the approval and implementation of final Travel Plans for both the residential and commercial uses within each phase of the development is secured through a S106 legal obligation, subject to approval.

Public Realm

- 7.267 The proposals, including the location of bus stops on East Ferry Road, will generate a considerable increase in pedestrian and cycle demand on East Ferry Road and this site frontage in particular will need to be improved to cater for additional demand and ensure that the development supports the Mayor of London's Healthy Streets objectives in accordance with London Plan policy T2. The proposals for high density residential development and enhanced District Centre will change the character of this section of East Ferry Road considerably, with more competing demands that must be catered for.
- 7.268 The Opportunity Area Planning Framework (OAPF) local connections study identifies the poor relationship between the District Centre and Crossharbour DLR station which this application must address, alongside supporting delivery of a more coherent transport hub, better crossing facilities and high quality public realm and public transport waiting areas.
- 7.269 The submitted Transport Assessment proposes some off-site highways works to be delivered by S278 agreement, including new raised table junctions at the two site accesses, improvements to the pedestrian crossing facility on East Ferry Road as well as extending the shared surfaces of the site to encompass East Ferry Road. The applicant has agreed to provide £250,000 as a financial contribution to these works, to be secured by S106 legal agreement, subject to approval.
- 7.270 TfL requests that this scope of works is expanded to achieve the OAPF objectives and deliver a public realm proportionate to the scale of the development proposed, including supporting the delivery of improvements around Crossharbour DLR station. The scope of works should also have regard to the results of the stage 1 road safety audit.
- 7.271 In addition to the above, an Active Travel Zone assessment of key routes has been undertaken. This identifies a number of areas where relatively small scale improvements could enhance the quality of key walking routes and encourage active travel. The Canal and Rivers Trust has also identified the subway route towards Millwall Inner Dock as a location where improvements are sought. CIL attracted by the development could fund the delivery of these

improvements. Improved wayfinding in and around the site will also play an important role in enhancing the pedestrian environment around the District Centre.

Demolition and Construction Traffic

7.272 The submitted ES has reported a significant adverse effect on road safety at Marsh Wall (minor adverse) during construction. The Construction Environmental Management Plan secured via a planning condition would need to consider the impact on pedestrians, cyclists, and vehicles as well as fully considering the impact on other developments in close proximity. With the close proximity of the River Thames, the potential use of water-borne freight would also need to be considered. Subject to the details being acceptable to TfL, LBTH Highways consider there would not be an unacceptable impact.

Conclusion

7.273 Overall, although there is a policy objection in regard to the proposed commercial car parking element, the approach to highways impacts is considered to be acceptable and would meet the aims of the Local Plan. The proposal includes residential car-free development, significant improvements to local public realm, DLR and bus facilities, removal of the on-site petrol-filling station, and would deliver new and improved pedestrian, cycle and vehicular routes, including the delivery of an attractive pedestrian environment on-site.

ENVIRONMENT

Environmental Impact Assessment

7.274 The planning application constitutes an EIA development. The application was submitted in November 2019 accompanied by an Environmental Statement (ES) produced by Waterman on behalf of ASDA Stores Ltd and Ashbourne Beech Property Ltd and provided assessment of the following topics:

- Socio-economics;
- Transportation and Access;
- Air Quality;
- Noise and Vibration;
- Ground Conditions and Contamination;
- Historic Environment;
- Ecology;
- Water Resources and Flood Risk;
- Wind Microclimate;
- Daylight, Sunlight, Overshadowing and Solar Glare;
- Greenhouse Gases;
- Townscape, Visual and Built Heritage Assessment.

7.275 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).

7.276 The application has been supported by an ES (November 2019), an ES Interim Review Report Response (May 2020), further bat surveys (August to September 2020), an ES Final Review Report Response (August 2020), an ES Addendum (January 2021), and an Final ES Final Review Report Response 003 (March 2021). The May, August and March responses included a revised Non-Technical Summary (NTS).

7.277 The subsequent ES submissions were considered to be 'further information' under Regulation 25 and were processed as required under the EIA Regulations.

- 7.278 The Council's EIA Officer has confirmed that the submitted ES, including the subsequent ES submissions as set out above, meets the requirements of the EIA Regulations, supported by an ES Review undertaken by the Councils retained EIA consultants, subject to the archaeology issue being resolved prior to decision.
- 7.279 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the likely significant effects of the proposed development, which forms the basis of the assessment presented in this report. Cumulative impacts of built development have also been taken into consideration as part of the EIA and have been reported as beneficial, aside from a minor adverse impact on Mudchute Park.
- 7.280 Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations. The environmental information includes the ES, including any supplementary information and any representations made by consultation bodies and by any other person about the environmental effects of the proposed development.

Energy & Environmental Sustainability

- 7.281 Development Plan Policies seek to ensure that new development achieves an overall reduction in carbon dioxide emissions. In terms of carbon reduction targets, LBTH policy maintains that new residential development should be zero carbon and non-residential developments should achieve a 45% carbon reduction target beyond Part L 2013 of the Building Regulations.
- 7.282 Policy further requires the use of sustainable design assessment tools to ensure that new development has maximised use of climate change mitigation measures. The current interpretation of this policy is to require non-residential development to achieve BREEAM Excellent. The Local Plan further requires new non-residential development, greater than 500sqm, to meet at least BREEAM 'Excellent' rating.
- 7.283 The submitted ES reports significant adverse effects from greenhouse gas emissions. The Council's Sustainability Officer and the GLA's Energy team have reviewed the submitted Energy Statement and Sustainability Statement, both prepared by Hoare Lea. Their comments are incorporated into the assessment below.
- 7.284 The scheme has significantly evolved to include a commitment to link to the local district energy network (Barkantine). This approach is supported and considered to be the optimal strategy for delivering low carbon heat to the scheme. The connection of the development to the Barkantine heat network is subject to number of complexities and dependencies, and there is a need for detailed collaborative work between the developer and Barkantine. To secure the ongoing collaborative work, subject to approval, a condition requiring the feasibility of the connection to be established in detail, prior to commencement on-site, would need to be secured.
- 7.285 If connection to the Barkantine is not available for Phase 1 then this phase would be served by boilers which would be removed when the Barkantine connection is able to be made. If for any reason the Barkantine connection is not deliverable then a low carbon Air Source Heat Pump system would be utilised, subject to deliverability and feasibility. Only if the Barkantine and Air Source Heat Pumps were somehow not feasible or deliverable than the scheme could resort to Combined Heat and Power (CHP). The applicant has committed to the above hierarchy which would be secured by S106 legal agreement, subject to approval.
- 7.286 Local Plan policy D.ES7 requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions up to 100%, to be off-set through a cash in lieu contribution. Policy SI2 of the London Plan requires major development to be net zero-carbon.

This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

- 7.287 The carbon offset contribution (to be secured by S106 legal agreement subject to approval) is to be based on all residual emissions which are noted in the energy strategy as:
- Site Baseline – 2,224 tonnes CO₂ per annum
 - Be Lean – 1,890 tonnes CO₂ per annum
 - Be Clean – 1,274 tonnes CO₂ per annum
 - Be Green – 1,212 tonnes CO₂ per annum (residual emissions)
- 7.288 This would result in a carbon offsetting contribution of £2,181,600 to offset the remaining 1,212 tonnes CO₂ and achieve net zero carbon. This calculation has been based on the old carbon price of £60 per tonne for a 30 year period. If the carbon price is required to be in line with the emerging GLA policy of £95 per tonne then the contribution would be £3,454,200.
- 7.289 It is proposed that if the scheme is recommended for consent then the energy strategy and carbon offsetting contribution should be secured with appropriate flexibility to reflect:
- The ongoing discussions between developer and Barkantine
 - Any further evolution of the energy strategy
 - The carbon intensity of fuel and cost of carbon
- 7.290 In general, the principles of the energy strategy, minimising energy demand and connecting to the Barkantine network are supported and the Council are keen to see developers make full use of the heat network in a future decarbonised state (utilising waste heat).
- 7.291 Subject to approval, conditions would be required to secure; submission of as-built calculations to demonstrate delivery of anticipated carbon savings and monitoring requirements of the GLA 'Be Seen' policy; maximisation of renewable energy generating technologies on-site.

Sustainability

- 7.292 It is noted that as set out within the proposed development, all non-residential units would achieve BREEAM Excellent rating. This is in accordance with requirements of policy D.ES7 and should be secured for the final certificates to be submitted.

Air Quality

- 7.293 The application has had regard to the potential impact of the proposed development on air quality at nearby residential properties and the impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.
- 7.294 The submitted ES has reported potentially significant adverse air quality effects on receptors on the A1206 north of the Marsh Wall roundabout (for instance, the properties backing onto Horatio Place). These impacts would need to be mitigated via an appropriately worded condition to oblige the applicant to work with LBTH to ensure that such potential significant air quality effects from construction traffic are mitigated as far as reasonably practicable, subject to approval.
- 7.295 The ES includes an adequate air quality baseline, an "Air Quality (Dust) Risk-Assessment (AQDRA)" and a satisfactory 'Air Quality Neutral' (which provides the relevant Building Emission Benchmarks (BEBs) for both NO₂ and PM₁₀. It calculates the site's NO_x and PM₁₀ emissions from buildings, thus comparing them with the BEB(s). Furthermore, the 'Air Quality Neutral' provides the relevant transport emission benchmarks (TEBs) for both NO_x and PM₁₀,

and it calculates the sites NO_x and PM₁₀ emissions from transport, thus comparing them with the TEBs. Both the BEBs and the TEBs are met, for both NO_x and PM₁₀, and the proposed development is air quality neutral.

- 7.296 Subject to approval, conditions are required to secure; construction and demolition dust management plan; air quality standards for CHP and boilers; kitchen extraction standards for commercial uses; construction plant and machinery emissions; PM10 dust monitoring. An informative is also recommended about the importance of reviewing the location and height of the CHP and boiler plant stack to ensure they would be at least 1m higher than the tallest part of relevant buildings.

Biodiversity

- 7.297 Development Plan Policies require development proposals to make positive contributions to biodiversity in terms of its protection, enhancement and management. The application is supported by a Site Ecology survey which was submitted as part of the Environmental Statement. The submitted ES reports significant adverse impacts as a result of habitat loss from the development and sewer diversion, also visitor pressure from Mudchute Park, and significant beneficial effects on Jersey Cudweed.
- 7.298 The application site is largely adjacent to, but also includes parts of Mudchute Park and Farm, one of two statutory Local Nature Reserves (LNR) in the borough and a Site of Metropolitan Importance for Nature Conservation. The proposals would have significant adverse impacts on the Local Nature Reserve, both through direct damage for sewer realignment in the construction phase, and a new entrance from the development, also in the longer term from increased visitor pressure with so many new residents immediately adjacent to the site. Mitigation measures are required to ensure that the Local Nature Reserve is sufficiently restored and enhanced following development works.
- 7.299 The sewer realignment would lead to the destruction of 566sqm of habitat, mostly woodland, within the LNR. The ES states that the damaged area will be reinstated with like-for-like habitats. Furthermore the increase in residents and users of the redeveloped District Town Centre could have significant impacts on Mudchute Park in the form of more visitors. The need to accommodate greater recreational use will inevitably affect habitats and wildlife. Predation of amphibians and small mammals by pets, particularly cats, from the new development is also likely to be an issue, albeit less serious than the increased visitor pressure.
- 7.300 In order to mitigate the adverse impacts, the following is required to be secured by condition, subject to approval: a widespread programme of habitat restoration, concentrating on flower-rich grassland on the steep banks of the site, where visitor pressure will be least; a monitoring scheme, to assess changes in habitats and populations of key species groups such as birds, amphibians, mammals and selected invertebrate groups; a detailed survey of the areas of Mudchute to be damaged by the sewer and new entrance should be undertaken, followed by a detailed reinstatement plan; submission of a detailed 10-year Landscape and Ecological Management Plan (LEMP) setting out how the landscape proposals will be resourced, implemented and monitored, and to report on progress of achieving key biodiversity and wildlife conservation objectives.
- 7.301 LBTH Biodiversity in consultation with the Mudchute Association have provided costings of additional impacts on Mudchute Park as a result of the proposed development. They have specified the necessity for £76,120 upfront costs of impacts to be met through equipment required for park maintenance for additional impacts. They have also specified £124,050 as an ongoing annual sum which would fund 1 x Nature Conservation Officer post and 2 x Park Ranger posts as well as other items such as training, apprenticeships, volunteer expenses, visitor information and education.

- 7.302 Officers have assessed the proposed financial contributions and consider that the sums are necessary to make the development acceptable in planning terms, related to the development, and fairly and reasonably related in scale and kind to the development. Officers consider that the ongoing annual sums proposed would be justified for a period of 10 years and after that period the impacts will eventually be absorbed by existing budgets funded through the Council's normal income streams; those income streams being partly funded by the future residents of the proposed development (such as through Council Tax and Business Rates) which will eventually become the generic make-up of the area. This is in accordance with policy D.ES3 which states that appropriate compensation will be sought where benefits of proposals clearly outweigh biodiversity impacts. These financial contributions would need to be secured by S106 legal agreement, subject to approval.
- 7.303 The protected Jersey cudweed has been found on the site. The mitigation proposed in the ES, to collect seed and/or substrate from areas that cudweed has been found, and introduce this to biodiverse roofs on the development, is appropriate and would be secured by condition, subject to approval. Apart from Jersey cudweed, the application site outside the LNR is of little biodiversity value. There are limited areas of vegetation, but it is considered that the proposed landscaping would more than compensate for the loss of these.
- 7.304 Policy D.ES3 requires developments to provide net enhancement of biodiversity that contributes to the Local Biodiversity Action Plan (LBAP). The landscape plans indicate a number of features which will contribute to LBAP objectives. The planting plans indicate green roofs across most of the new buildings.
- 7.305 The Council's Biodiversity Officer has raised concerns about the potential for uplighting trees which would discourage bats from foraging. The Lighting Strategy would be conditioned, subject to approval, to ensure that uplighting is restricted as necessary.
- 7.306 Other biodiversity enhancements that would be contribute to LBAP targets include; vertical planting; bat boxes and nest boxes for birds such as swift, house sparrow, house martin and black redstart, incorporated into suitable locations in the new buildings. Features for invertebrates, such as solitary bee boxes and loggeries, could be included in appropriate places in the landscaping. Further to the above, a biodiversity enhancement strategy for the site would need to be secured by condition, subject to approval to; indicate the total areas of biodiverse roofs (limiting sedum composition) and numbers of other features for biodiversity such as bird and bat boxes to be delivered across the site, with minimum quanta for each phase. Detailed biodiversity delivery plans for each phase should then be agreed prior to commencing that phase of the development.
- 7.307 Overall, although adverse biodiversity impacts have been identified, the mitigation and enhancements to be secured by the proposed development are considered to be acceptable, subject to the submission of further details as outlined above. The proposed development would provide an Urban Greening Factor score of 0.4 to comply with policy G5 of the London Plan in regard to the quantum and quality of green coverage of the site which would also deliver a net gain of biodiversity.
- 7.308 In regard to the designation of Mudchute Park as Metropolitan Open Land (MOL) (which is afforded the same level of protection as the Green Belt in the London Plan), policy S.OWS1 states that the open character of such areas is to be maintained and protected. Mudchute Park would not be physically encroached upon by the proposed development, although development is proposed to be in the background of the park. The proposal therefore would not diminish the open character within the park. Policy G3 of the London Plan states that MOL should be protected from inappropriate development, and that boroughs should work with partners to enhance the quality and ranges of uses of MOL. Para 8.3.4 of policy G3 further states that proposals to enhance public access, inclusive design, habitat creation and

landscaping to MOLs will be encouraged. The proposal is considered to meet the above aims and, therefore, comply with policy G3.

Arboriculture

- 7.309 Development Plan policies support the protection and increasing provision of trees. The Council's Arboriculture Officer initially raised concerns in regard to; potential significant adverse impact on mature tree numbers and overall canopy cover in the area; clarification required on trees to be removed; tree species proposed.
- 7.310 Overall 84 existing trees and shrubs around the site would be removed, 20 existing trees would be retained, 280 new trees would be planted at ground level and 200 new trees would be planted at roof level. Following clarifications and amendments provided, it is considered that the proposal would be acceptable, with full details of locations and types of trees to be secured by condition, subject to approval.

Flood Risk & Drainage

- 7.311 Development Plan Policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage systems (SuDs). The submitted ES reports a significant beneficial effect on surface water flooding as a result of proposed sustainable drainage measures. The site is located within Flood Zone 3a and is protected to a high standard by the Thames tidal flood defences, such as the Thames Barrier. There are risks associated with a breach of defences and therefore it is recommended that the finished floor levels are to be above the TE2100 breach level to improve the sites overall flood resilience. As residential accommodation is proposed on the ground level, there would be an increase in the overall vulnerability of the site. Thus, it is important to ensure that a resilient means of safe access/egress, evacuation routes and residential alerts are in place to protect residents. There are also surface water flooding risks associated within the wider catchment area.
- 7.312 The drainage proforma submitted with the application setting out a proposal to only limit the surface water outflow to a peak discharge rate of 274.5l/s for all storm events, was not accepted by Thames Water, the Environment Agency or the Lead Local Flood Authority (LLFA). To address these comments, the applicant amended the design to incorporate greenfield run-off rates.
- 7.313 Residual Risk Safe and appropriate flow routes in the event of the blockage and exceedance of the drainage system or any pump failure must be evaluated. This must show no property flooding or any increase in flood risk, either offsite or to third parties. A maintenance regime for SuDs was submitted with the application. It is important to confirm details of the adoption, monitoring and continued maintenance of the agreed drainage and SuDs features – this would be required to be secured by condition, subject to approval.
- 7.314 The applicant has not satisfactorily complied with the SuDS hierarchy with regard to rainwater harvesting and storing rainwater for later reuse. The applicant has not provided a robust explanation for discounting this option as large below ground storage tanks are proposed to be constructed. The Tower Hamlets Integrated Water Management Plan (IWMP) for Isle of Dogs and South Poplar emphasises the need to reduce mains water demand, in line with the Thames Water consultation response, beyond the proposed water efficiency measures. A review is required to be secured by condition, subject to approval, in order to ensure potential integration of weather-based discharge controls to hold water within the attenuation tanks. Water could be held during dry weather periods for non-potable supply such as, but not limited to, irrigation and WC flushing in the primary school and commercial areas, while discharging remaining stored rainwater to sewer in advance of rainfall periods. The GLA have also requested that tree pits, rainwater harvesting and rain gardens are required to be incorporated

in the final drainage strategy to be conditioned – the submitted Drainage Impact Assessment stated that these features could be suitable for the development.

7.315 A detailed surface water drainage scheme would be secured by condition, subject to approval, based on the agreed 'Outline Strategy'. The drainage strategy shall;

- Include a restriction in surface water run off to greenfield as outlined in this report and Walsh's response to TW
- Include tree pits and rain gardens
- The peak discharge rates for all storm events (1in1, 1in30, 1in100, 1in100+40%), together with any associated control structures and their position on site
- Safe management of critical storm water storage up to the 1:100year event plus 40%
- An assessment towards the SuDs hierarchy and how each approach could be included within the site. Thus, ensuring the IWMP is adhered to in relation to rainwater harvesting and weather-based controls reducing mains water demand for the site
- Details of agreed adoption, monitoring and continued maintenance of drainage and SuDs features post development.

7.316 The proposed Drainage Strategy is considered to be acceptable, subject to the above and surface water drainage being appropriately managed during the construction phase, when there is potential risk of contaminants entering the surrounding waterway. In relation to this, the Canals and Rivers Trust recommend that drain material is selected to prevent the ingress of contaminants and that the inclusion of the points raised within the Outline Drainage Strategy in relation to the discharge of surface water during the construction phase is included in the Construction Environmental Management Plan (CEMP). Officers are satisfied that the CEMP would mitigate potential impacts in this regard.

7.317 Thames Water have however raised concerns relating to the capacity of the sewer with regard to the discharge of foul water from the proposed development. It is therefore recommended that a condition, requiring the applicant to undertake upgrade works in consultation with Thames Water, is attached should planning permission be granted.

Land Contamination

7.318 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals are considered to be acceptable. Any contamination that is identified can be addressed within the condition discharge process and will ensure that the land is made safe prior to any construction or demolition work takes place.

INFRASTRUCTURE IMPACT

7.319 Based on the accommodation schedule, the proposed development has a density of 1,055 habitable rooms per hectare. The threshold identified in Isle of Dogs Neighbourhood Plan Policy D1 is 1100 hr/ha to trigger the requirement for an Infrastructure Impact Assessment. Therefore the proposed scheme does not meet the minimum threshold to require an Infrastructure Impact Assessment.

7.320 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £38.3m (after deducting likely social housing relief and subject to indexation) and Mayor of London CIL of approximately £9.6m (after deducting likely social housing relief and subject to indexation). These figures are indicative only and have been estimated using the most up to date available information provided by the developer on floorspace and current indexation values. This estimate is also subject to a full in-depth assessment following the grant of planning permission as required by the CIL Regulations.

7.321 The CIL Regulations 2010 (as amended) allow the Council to accept full or part payment of a CIL liability 'in-kind' by way of a transfer of land to the Council. The Council may also enter into written agreements (subject to the criteria in Regulation 73A) to receive 'in-kind' infrastructure payments before the chargeable development is commenced. The infrastructure to be provided must be related to the provision of the types of projects listed in the Council's Regulation 123 list. The infrastructure provided would be of a strategic context, defined as infrastructure that is designed to serve more than those residents or workers within one particular development (i.e. not only directly related to impacts of the proposed development) by contributing to infrastructure improvements across the wider Borough, such as:

- Community facilities
- Electricity supplies to all Council managed markets
- Employment and training facilities
- Energy and sustainability (including waste) infrastructure
- Flood defences
- Health and social care facilities
- Infrastructure dedicated to public safety (for example, wider CCTV coverage)
- Leisure facilities such as sports facilities, libraries and Idea Stores
- Open space, parks and tree planting
- Public art provision
- Public education facilities
- Roads and other transport facilities

7.322 The proposed development includes the provision of a community hub and land for a school. The developer can agree with the Council (if it so chooses) to make an 'in-kind' payment towards the Tower Hamlets CIL liability by entering into a CIL 'in-kind' agreement with the Council following the grant of planning permission and delivering these infrastructure elements. The value of the 'in-kind' payment towards the estimated £38.3m THCIL liability will be the value of the land upon which the school is to be delivered plus the value of delivering the space for the community hub.

7.323 Alongside CIL, Development Plan Policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure. These financial and non-financial planning obligations are expected to be secured by S106 legal agreement. The requested planning obligations have been assessed by officers to be necessary to make the development acceptable in planning

terms, directly related to the development, and fairly and reasonably related in scale and kind to the development

- 7.324 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- a. £815,576.15 towards construction phase employment skills training
 - b. £99,951.15 towards end-user phase employment skills training
 - c. £3,454,200 toward carbon emission off-setting
 - d. £1,000,000 towards Crossharbour DLR station upgrades
 - e. £510,000 towards local bus network improvements
 - f. £500,000 towards improving cycling connectivity between the site and Cycle Superhighway 3
 - g. £250,000 towards public realm improvements on the East Ferry Road frontage
 - h. £220,000 towards new Cycle Hire Docking facilities
 - i. £76,120 + £124,050 (each year for 10 years) towards biodiversity impacts on Mudchute Park
 - j. Monitoring fee for financial contribution of 5% of the first £100,000 of contribution, 3% of the part of the contribution between £100,000 - £1 million, 1% of the part of the contribution over £1 million – 1%. Monitoring fee for non-financial contributions of £1,000 per 100 units or 10,000 sqm - £1,000

Local Finance Considerations

- 7.325 Assuming that the annual housing target of 3,931 units is delivered, the Council would be liable for a New Homes Bonus payment. Due to the threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus that the proposed development would deliver

Human Rights & Equalities

- 7.326 The proposal does not have and significant human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.
- 7.327 The proposed development provides a series of benefits in this regard, including the provision of affordable housing units, wheelchair accessible housing units, associated disabled persons car parking, a community hub, primary school, reprovision of the Asda hypermarket, the creation of jobs and the provision of publicly accessible open space.
- 7.328 Officers are satisfied that the proposed development would not result in adverse impacts upon equality or social cohesion.

CONCLUSION

- 7.329 Officers have assessed the proposed development against the relevant Development Plan Policies, having regard to the consultation responses received and other material considerations. In drawing conclusions, officers have given full consideration to the Environmental Statement and are satisfied that the significant effects that would have been considered likely to occur during both construction and operations would be adequately

mitigated by the proposed measures. On this basis, officers are further satisfied that the proposed development would not give rise to an unacceptable environmental impact.

7.330 Taking all into account, the proposed development is considered to be acceptable and it is recommended that planning permission is granted, subject to the planning conditions and obligations set out in this report. In the event that the 'tilted balance' is considered to be engaged in regard to NPPF (11(d), footnote 7)) and the 'presumption in favour of sustainable development,' the NPPF states that in these circumstances the planning policies most important for determining the plan are deemed to be out of date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. Officers are already content that the application would be acceptable in regard to planning policies. Members would need to take the potential implications of the 'tilted balance' into consideration when determining this application.

8. RECOMMENDATION

8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- k. £815,576.15 towards construction phase employment skills training
- l. £99,951.15 towards end-user phase employment skills training
- m. £3,454,200 toward carbon emission off-setting
- n. £1,000,000 towards Crossharbour DLR station upgrades
- o. £510,000 towards local bus network improvements
- p. £500,000 towards improving cycling connectivity between the site and Cycle Superhighway 3
- q. £250,000 towards public realm improvements on the East Ferry Road frontage
- r. £220,000 towards new Cycle Hire Docking facilities
- s. £76,120 + £124,050 (each year for 10 years) towards biodiversity impacts on Mudchute Park
- t. Monitoring fee for financial contribution of 5% of the first £100,000 of contribution, 3% of the part of the contribution between £100,000 - £1 million, 1% of the part of the contribution over £1 million – 1%. Monitoring fee for non-financial contributions of £1,000 per 100 units or 10,000 sqm - £1,000

8.3 Non-financial obligations:

- a. Affordable housing across the development (25% by habitable room)
 - 65% affordable rented (by habitable room) (50% London Affordable Rent / 50% Tower Hamlets Living Rent)
 - 35% intermediate (by habitable room) (38% London Shared Ownership / 62% London Living Rent)
 - Early Stage Review

- Mid Stage Reviews
- Late Stage Review
- Full details and implementation of London Affordable Rent / Tower Hamlets Living Rent 'wheelchair user' dwellings (to M4 (3)(b) standard)
- Affordable housing across Phase 1 of the development at 31% (by habitable room) comprising 30% affordable rented (100% London Affordable Rent) / 70% intermediate (40% London Shared Ownership / 60% London Living Rent)

b. Economic incentives

- Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 129 x construction phase apprenticeships
 - 1 x end-user phase apprenticeship

c. Transport matters:

- Permit free development (residential)
- Commercial car parking mitigation
- Highways improvement works (S278 legal agreement)
- Cycle Hire and Car Club
- Residential, Commercial and School Travel Plans
- Bus interchange facilities (temporary and permanent)
- Bike hub to promote cycling through provision of access to workshops, repairs and sales

d. Energy strategy for connection to Barkantine District Heating Network

e. School site safeguarded land

f. Community centre site safeguarded unit

g. Design certification

h. Affordable flexible commercial space strategy (30% of flexible commercial floorspace to be offered at 30% discount of local market rents to small, local businesses in perpetuity)

i. Public realm access and management including community events strategy and compliance with Public London Charter

j. Mudchute Park sewer works land reinstatement

k. Playspace and recreation facilities proposed within the school to be available to the community out of school hours

l. Provision of free drinking water within the public realm

m. Compliance with Considerate Constructors Scheme

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

Planning Conditions

- 8.6 The conditions apply to each phase of the proposed development, insofar as they are relevant to that phase.

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
4. Removal of PD rights for erection of fences following completion
5. Lighting strategy levels in line with ILP guidelines to include consideration of bats
6. No surface water infiltration into ground
7. Environment Statement mitigation measures
8. No more than 40% of flexible commercial floor space to be café/restaurant and drinking establishment (A3/A4) uses
9. Minimum 10% of flexible commercial floor space to be office (B1) use
10. Piling method statement
11. Noise insulation verification for new residential units
12. Energy and sustainability verification
13. Barkantine heat network connection feasibility
14. Zero carbon futureproofing
15. Noise standards from mechanical plant and equipment
16. Energy and efficiency standards
17. Air quality emission standards for boilers & CHP
18. Play space and communal amenity space available prior to occupation for relevant Buildings
19. Commercial unit amalgamation size restriction
20. Non-road mobile machinery
21. Construction cranes
22. London View Management Framework maximum heights
23. Tree protection
24. No additional plant, water tanks, air units on roof not on plans
25. No additional pipes on building faces
26. Majority (75%) active ground floor frontages
27. No roller shutters
28. TV reception
29. Biodiversity habitat monitoring
30. Surface and groundwater conditions

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording:

31. Submission of Reserved Matters (prior to commencement of each of the Outlines phases (2 and 3) of the development): **Scale, Layout, Appearance, Landscaping**
32. Scheme phasing plan
33. Open space / public realm phasing plan
34. Sustainable urban drainage strategy (including rainwater harvesting, rain gardens and tree pits)
35. Foul water drainage capacity including development and infrastructure phasing plan and completion of wastewater network upgrades
36. Surface water drainage capacity including development and infrastructure phasing plan and completion of wastewater network upgrades
37. Water infrastructure network upgrades including development and infrastructure phasing plan
38. CIL phasing plan
39. Construction Environmental Management Plan and Construction Logistics Plan (including construction methodology re. cranes in consultation with London City Airport)
40. Dust Management Plan and PM10 monitoring
41. Land Contamination Remediation Scheme, including (subject to post completion verification)
42. Written Scheme of Investigation (WSI) (Archaeology)
43. Mudchute Park survey including habitat reinstatement and restoration plan and biodiversity strategy
44. Fire statement for each phase
45. Fire evacuation lifts for each phase
46. Jersey Cudweed survey and method statement
47. Landscape habitat management plan
48. Bat, bird and invertebrate surveys and associated strategies.
49. Potable water and wastewater network upgrades
50. Air quality – mechanical ventilation

Pre-superstructure works

51. Details of external facing materials and architectural detailing.
52. Details of signage
53. Details of aeriels – removal of PD rights
54. Inclusive communal and play space details
55. Alternative use for community centre
56. Alternative use for school
57. Basement impact assessment – geoarchaeology borehole work and modelling
58. Details of hard and soft landscaping of all public realm and open spaces (including details relating to play equipment, street furniture, wind mitigation measures, sensitive light strategy, air pollution reducing plants, communal gardening, 0.4 Urban Greening Factor)
59. Public art strategy
60. Landscape ecological management plan

61. Street lighting on buildings feasibility
62. Additional security measures for cores serving more than 8 dwellings
63. Biodiverse roofs on all non-amenity space flat roofs (including detailed scheme for associated aggressive bird management strategy)
64. Overheating strategy
65. Details of flue emissions
66. Details of cycle parking
67. Car Parking Management Plan (including details of residential and non-residential disabled persons car parking spaces, safe access routes and ECVPs)
68. Density Management Plan
69. Public toilets location strategy
70. Wayfinding and signage strategy
71. Deliveries, servicing and waste management plan
72. Operational noise impact assessment and mitigation (plant and machinery etc)
73. Bird Strike Risk Assessment (in consultation with London City Airport)
74. Foundation Works Risk Assessment
75. Secured by design details
76. Cleaning gantry details
77. Proposed tree planting

Prior to occupation

78. Mudchute Park access to be completed
79. Obscure glazed windows
80. Privacy screening
81. Smart meters
82. Details of Island Health car access
83. Car Club Plan
84. Public realm events management strategy
85. Commercial kitchens extraction

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.

APPENDIX 1

Drawings

Drawing number/Version	Title of Drawing
	Existing
1987-00-DR-0005-P04	Existing Site Plan (1:1250 @ A1)
1987-00-DR-0006-P04	Topographical Survey (1:500 @ A1)
1987-00-DR-0015-P04	Existing Elevations -Buildings on Site (1:500 @ A1)
	Sitewide Plans (All 1:500 @ A1)
1987-01-DR-0095-P12	Sitewide GA Plan - Basement Level
1987-01-DR-0096-P17	Sitewide GA Plan - Ground Floor Level
1987-01-DR-0098-P12	Sitewide GA Plan - Belvedere Level
1987-01-DR-0100-P10	Sitewide GA Plan - Residential Garden Level
1987-01-DR-0101-P07	Sitewide GA Plan - Level 01
1987-01-DR-0102-P07	Sitewide GA Plan - Level 02
1987-01-DR-0103-P06	Sitewide GA Plan - Level 03
1987-01-DR-0104-P06	Sitewide GA Plan - Level 04
1987-01-DR-0105-P06	Sitewide GA Plan - Level 05
1987-01-DR-0106-P06	Sitewide GA Plan - Level 06
1987-01-DR-0107-P06	Sitewide GA Plan - Level 07
1987-01-DR-0108-P07	Sitewide GA Plan - Level 08
1987-01-DR-0109-P07	Sitewide GA Plan - Level 09
1987-01-DR-0110-P07	Sitewide GA Plan - Level 10
1987-01-DR-0111-P07	Sitewide GA Plan - Level 11
1987-01-DR-0112-P07	Sitewide GA Plan - Level 12
1987-01-DR-0113-P07	Sitewide GA Plan - Level 13 Area 1 Roof Plan
1987-01-DR-0121-P06	Sitewide GA Plan - Area 2 Roof Plan (Buildings H and J)
1987-01-DR-0130-P08	Sitewide GA Plan - Area 3 Roof Plan (Buildings K and L)
	Sitewide Sections (All 1:500 @ A1)

1987-01-DR-0401-P05	Site Wide Section East-West - Central Axis Looking South
1987-01-DR-0402-P06	Site Wide Section East-West - Service Road
1987-01-DR-0403-P06	Site Wide Section East-West - Buildings South of Square
1987-01-DR-0404-P06	Site Wide Section West-East - Buildings North of Square
1987-01-DR-0405-P06	Site Wide Section North-South - East Ferry Road Colonnade
1987-01-DR-0406-P06	Site Wide Section North-South - Central Axis Looking East
1987-01-DR-0407-P05	Site Wide Section North-South - Building D and Supermarket looking East
1987-01-DR-0408-P05	Site Wide Section North-South - Supermarket looking West
1987-01-DR-0409-P06	Site Wide North-West to South-East - Arcade to Grand Stairs
1987-01-DR-0410-P04	Site Wide Section North-South -Central Axis Looking East
	Sitewide Elevations (All 1:500 @ A1)
1987-01-DR-0601-P06	Site Wide Elevation - East Ferry Road
1987-01-DR-0602-P05	Site Wide Elevation - Friars Mead
1987-01-DR-0603-P06	Site Wide Elevation - North
1987-01-DR-0604-P05	Site Wide Elevation - South
	Sitewide Parameter and Outline Plans (All 1:500 @ A1)
1987-02-DR-0198-P06	Parameter Plan - Belvedere Level
1987-02-DR-0200-P08	Parameter Plan - Residential Garden Level to Level 04
1987-02-DR-0205-P02	Parameter Plan - Level 05
1987-02-DR-0206-P05	Parameter Plan - Level 06
1987-02-DR-0207-P06	Parameter Plan - Level 07
1987-02-DR-0208-P05	Parameter Plan - Level 08
1987-02-DR-0209-P05	Parameter Plan - Level 09

1987-02-DR-0210-P05	Parameter Plan - Level 10
1987-02-DR-0211-P07	Parameter Plan - Level 11
1987-02-DR-0220-P02	Parameter Plan - Level 12 to Level 21
1987-02-DR-0230-P02	Parameter Plan - Level 22 to Level 30
1987-03-DR-0298-P03	Outline Application Extent Plan - Belvedere Level
1987-03-DR-0300-P04	Outline Application Extent Plan - Residential Garden Level
1987-03-DR-0305-P03	Outline Application Extent Plan - Level 05
1987-03-DR-0306-P04	Outline Application Extent Plan - Level 06
1987-03-DR-0307-P04	Outline Application Extent Plan - Level 07
1987-03-DR-0308-P03	Outline Application Extent Plan - Level 08
1987-03-DR-0309-P04	Outline Application Extent Plan - Level 09
1987-03-DR-0311-P02	Outline Application Extent Plan - Block L Roof Plan
1987-03-DR-0312-P03	Outline Application Extent Plan - Block J Roof Plan
1987-03-DR-0328-P03	Outline Application Extent Plan - Block K Roof
1987-03-DR-0333-P03	Outline Application Extent Plan - Roof Level
	Sitewide Outline Sections (All 1:500 @ A1)
1987-03-DR-0341-P04	Outline Application Extent Section - East West Central Axis Looking South
1987-03-DR-034 -P04	Outline Application Extent Section - East West Service Road
1987-03-DR-0343-P04	Outline Application Extent Section - East West Buildings South of Square
1987-03-DR-0344-P04	Outline Application Extent Section - West East Buildings North of Square
1987-03-DR-0345-P04	Outline Application Extent Section - North South East Ferry Road Colonnade
1987-03-DR-0346-P04	Outline Application Extent Section - Central Axis looking East
1987-03-DR-0347-P04	Outline Application Extent Section - Building D and Supermarket looking East
1987-03-DR-0348-P04	Outline Application Extent Section - North South Supermarket looking West
1987-03-DR-0349-P05	Outline Application Extent Section - North West to South East Arcade to Grand Stairs

	Sitewide Outline Elevations (All 1:500 @ A1)
1987-03-DR-0361-P04	Outline Application Extent Elevation - East Ferry Road
1987-03-DR-0362-P04	Outline Application Extent Elevation - Friars Mead
1987-03-DR-0363-P04	Outline Application Extent Elevation - North
1987-03-DR-0364-P04	Outline Application Extent Elevation - Mudchute Park
Phase 1 (Detailed)	Building A (All 1:100 @ A1)
1987-11-DR-0096-P11	Building A - Ground Floor Level and Basement Refuse Stores
1987-11-DR-0097-P11	Building A - First Floor / Upper Ground Level
1987-11-DR-0098-P12	Building A - Second Floor / Belvedere Level
1987-11-DR-0100-P10	Building A - Third Floor / Residential Garden Level
1987-11-DR-0101-P08	Building A - Fourth Floor - Level 01
1987-11-DR-0601-P09	Building A - Elevations & Cross Sections
1987-11-DR-0602-P02	Building A - Sections
1987-11-DR-1401-P05	Building A - Detail Section & Elevation
1987-11-SA-1001-P09	Building A Schedule of Accommodation
	Building B Plans (All 1:100 @ A1)
1987-12-DR-0099-B1-P08	Building B1 - Belvedere Level
1987-12-DR-0100-B1-P07	Building B1 - Residential Garden Level
1987-12-DR-0100-B2-P08	Building B2 - Residential Garden Level
1987-12-DR-0101-B1-P07	Building B1 - Level 01
1987-12-DR-0101-B2-P07	Building B2 - Level 01
1987-12-DR-0102-B1-P08	Building B1 - Level 02
1987-12-DR-0102-B2-P07	Building B2 - Level 02
1987-12-DR-0103-B1-P08	Building B1 - Level 03
1987-12-DR-0103-B2-P09	Building B2 - Level 03
1987-12-DR-0104-B1-P08	Building B1 - Level 04
1987-12-DR-0104-B2-P07	Building B2 - Level 04

1987-12-DR-0105-B1-P08	Building B1 - Level 05
1987-12-DR-0105-B2-P07	Building B2 - Level 05
1987-12-DR-0106-B1-P07	Building B1 - Level 06
1987-12-DR-0106-B2-P07	Building B2 - Level 06
	Building C Plans (All 1:100 @ A1)
1987-13-DR-0099-C1-P04	Building C1 - Belvedere Level
1987-13-DR-0100-C1-P07	Building C1 - Residential Garden Level
1987-13-DR-0100-C2-P07	Building C2 - Residential Garden Level
1987-13-DR-0101-C1-P07	Building C1 - Level 01
1987-13-DR-0101-C2-P07	Building C2 - Level 01
1987-13-DR-0102-C1-P07	Building C1 - Level 02
1987-13-DR-0102-C2-P08	Building C2 - Level 02
1987-13-DR-0103-C1-P08	Building C1 - Level 03
1987-13-DR-0104-C1-P07	Building C1 - Level 04
1987-13-DR-0105-C1-P07	Building C1 - Level 05
1987-13-DR-0106-C1-P07	Building C1 - Level 06
	Buildings B&C Sections and Elevations (1:200 @ A1)
1987-12-DR-0401-P07	Buildings B&C - Sections A, B
1987-12-DR-0601-P08	Buildings B&C - North & East Elevations
1987-12-DR-0602-P08	Buildings B&C – South & West Elevations
1987-12-DR-1401-P05	Buildings B&C - Detail Section & Elevation
1987-12-SA-1001-P09	Buildings B&C - Accommodation Schedule
	Building E (All 1:100 @ A1)
1987-15-DR-0096-P06	Building E - Ground Floor Level
1987-15-DR-0099-P08	Building E - Belvedere Level
1987-15-DR-0100-P09	Building E - Residential Garden Level
1987-15-DR-0101-P09	Building E - Level 01
1987-15-DR-0102-P09	Building E - Level 02

1987-15-DR-0103-P09	Building E - Level 03
1987-15-DR-0104-P09	Building E - Level 04
1987-15-DR-0105-P09	Building E - Level 05
1987-15-DR-0106-P09	Building E - Level 06
1987-15-DR-0107-P09	Building E - Level 07
1987-15-DR-0108-P09	Building E - Level 08
1987-15-DR-0109-P09	Building E - Level 09
1987-15-DR-0110-P09	Building E - Level 10
1987-15-DR-0111-P10	Building E - Level 11
1987-15-DR-0112-P09	Building E - Level 12
1987-15-DR-0113-P07	Building E - Level 13
	Sections and Elevations (All 1:200 @ A1)
1987-15-DR-0401-P08	Building E - GA Sections A, B & C
1987-15-DR-0601-P10	Building E - North and West Elevation
1987-15-DR-0602-P10	Building E - South and East Elevation
1987-15-DR-1401-P05	Building E - Typical Set-back Section & Elevation
1987-15-DR-1402-P05	Building E - Detail Section & Elevation
1987-15-DR-1403-P05	Building E - Residential Entrance Section & Elevation
1987-15-SA-1001-P11	Building E - Accommodation Schedule
	Building F (All 1:100 @ A1)
1987-16-DR-0099-P04	Building F - Belvedere Level
1987-16-DR-0100-P07	Building F - Residential Garden Level
1987-16-DR-0101-P08	Building F - Level 01
1987-16-DR-0102-P08	Building F - Level 02
1987-16-DR-0103-P08	Building F - Level 03
1987-16-DR-0104-P08	Building F - Level 04
1987-16-DR-0105-P08	Building F - Level 05
1987-16-DR-0106-P08	Building F - Level 06
1987-16-DR-0107-P08	Building F - Level 07

1987-16-DR-0108-P08	Building F - Level 08
1987-16-DR-0109-P08	Building F - Level 09
1987-16-DR-0110-P08	Building F - Level 10
1987-16-DR-0111-P08	Building F - Level 11
1987-16-DR-0112-P08	Building F - Level 12
1987-16-DR-0113-P06	Building F - Level 13
	Sections and Elevations (All 1:200 @ A1)
1987-16-DR-0401-P07	Building F - GA Sections
1987-16-DR-0601-P08	Building F - North and West Elevation
1987-16-DR-0602-P09	Building F - South and East Elevation
1987-16-SA-1001-P06	Building F - Accommodation Schedule
(Outline)	Building H
1987-21-DR-1401-P05	Building H - Detail Section & Elevation (1:25 @ A1)
1987-21-DR-1404-P03	Building H - Detail Idea Store Elevation (1:100 @ A1)
(Outline)	Building J
1987-22-DR-1401-P06	Building J - Colonnade Section & Elevation (1:50 @ A1)
	Details
1987-00-DR-1601-P03	Detailed Arcade Cross and Long Elevations (1:1000 @ A1)
1987-00-DR-1602-P03	Detailed ASDA Elevations (1:1000 @ A1)
	Building D
MW1811_20_104D	Site D Primary School Elevations -1/2
MW1811_00_100	Primary School Ground Floor Plan
MW1811_00_10	Primary School First Floor Plan
MW1811_00_LG	Primary School Lower Ground Floor Plan
MW1811_00_LG	Primary School Site Roof Plan
MW1811_00_102	Primary School Second Floor Plan
MW1811_20_202 Rev-	Cross Section through Centre of School

MW1811_20_203 Rev-	Cross Section through Western End of School
MW1811_20_201 RevA	Cross Section through Eastern End of School
	Landscape
MSP-0000-0000	Cover Sheet (NTS @ A1)
MSP-0018-L001	Illustrative Plan (NTS @ A1)
	Existing
MSP-0018-L002	Existing Site Plan (1:600 @ A1)
MSP-0018-L030	Tree Protection Plan (1:500 @ A1)
	Sitewide Plans (1:500 @ A1 and 1:200 @ A1)
MSP-0018-L100	General Arrangement Plan_Ground Plan
MSP-0018-L110	General Arrangement Plan Enlargement Ground Plan 1/6
MSP-0018-L111	General Arrangement Plan Enlargement Ground Plan 2/6
MSP-0018-L112	General Arrangement Plan Enlargement Ground Plan 3/6
MSP-0018-L113	General Arrangement Plan Enlargement Ground Plan 4/6
MSP-0018-L114	General Arrangement Plan Enlargement Ground Plan 5/6
MSP-0018-L115	General Arrangement Plan Enlargement Ground Plan 6/6
MSP-0018-L120	General Arrangement Plan_Roof Plan
MSP-0018-L121	General Arrangement Plan Enlargement Roof Plan 1/2
MSP-0018-L122	General Arrangement Plan Enlargement Roof Plan 2/2
MSP-0018-L200	Levels and Drainage Plan_Ground Plan
MSP-0018-L210	Levels and Drainage Strategy Plan Enlargement_Ground Plan 1/6
MSP-0018-L211	Levels and Drainage Strategy Plan Enlargement_Ground Plan 2/6
MSP-0018-L212	Levels and Drainage Strategy Plan Enlargement_Ground Plan 3/6
MSP-0018-L213	Levels and Drainage Strategy Plan Enlargement_Ground Plan 4/6
MSP-0018-L214	Levels and Drainage Strategy Plan

	Enlargement_Ground Plan 5/6
MSP-0018-L215	Levels and Drainage Strategy Plan Enlargement_Ground Plan 6/6
MSP-0018-L220	Levels and Drainage Strategy Plan_Roof Plan
MSP-0018-L221	Levels and Drainage Strategy Plan Enlargement_Roof Plan 1/2
MSP-0018-L222	Levels and Drainage Strategy Plan Enlargement_Roof Plan 2/2
MSP-0018-L300	Materials Plan_Ground Plan
MSP-0018-L310	Materials Plan Enlargement_Ground Plan 1/6
MSP-0018-L311	Materials Plan Enlargement_Ground Plan 2/6
MSP-0018-L312	Materials Plan Enlargement_Ground Plan 3/6
MSP-0018-L313	Materials Plan Enlargement_Ground Plan 4/6
MSP-0018-L314	Materials Plan Enlargement_Ground Plan 5/6
MSP-0018-L315	Materials Plan Enlargement_Ground Plan 6/6
MSP-0018-L320	Materials Plan_Roof Plan
MSP-0018-L321	Materials Plan Enlargement_Roof Plan 1/2
MSP-0018-L322	Materials Plan Enlargement_Roof Plan 2/2
MSP-0018-L350	Materials Schedule
MSP-0018-L351	Materials Schedule
MSP-0018-L500	Lighting Strategy Plan_Ground Plan
MSP-0018-L510	Lighting Strategy Plan_Ground Plan 1/6
MSP-0018-L511	Lighting Strategy Plan_Ground Plan 2/6
MSP-0018-L512	Lighting Strategy Plan_Ground Plan 3/6
MSP-0018-L513	Lighting Strategy Plan_Ground Plan 4/6
MSP-0018-L514	Lighting Strategy Plan_Ground Plan 5/6
MSP-0018-L515	Lighting Strategy Plan_Ground Plan 6/6
MSP-0018-L520	Lighting Strategy Plan_Roof Plan
MSP-0018-L521	Lighting Strategy Plan_Roof Plan 1/2
MSP-0018-L522	Lighting Strategy Plan_Roof Plan 2/2
MSP-0018-L550	Lighting Schedule
MSP-0018-L900	Planting Plan_Ground Floor
MSP-0018-L910	Planting Plan Ground Floor Enlargement 1/6

MSP-0018-L911	Planting Plan Ground Floor Enlargement 2/6
MSP-0018-L912	Planting Plan Ground Floor Enlargement 3/6
MSP-0018-L913	Planting Plan Ground Floor Enlargement 4/6
MSP-0018-L914	Planting Plan Ground Floor Enlargement 5/6
MSP-0018-L915	Planting Plan Ground Floor Enlargement 6/6
MSP-0018-L920	Planting Plan_Roof Plan
MSP-0018-L921	Planting Plan_Roof Plan 1/2
MSP-0018-L922	Planting Plan_Roof Plan 2/2
MSP-0018-L930	Planting Details 1
MSP-0018-L931	Planting Details 2
MSP-0018-L932	Planting Details 3
MSP-0018-L933	Planting Details 4
	Sections (All 1:100 @ A1)
MSP-0018-L600	Site Section A
MSP-0018-L601	Site Section B
MSP-0018-L602	Site Section C 1/2
MSP-0018-L603	Site Section C 2/2
MSP-0018-L604	Site Section D 1/3
MSP-0018-L605	Site Section D 2/3
MSP-0018-L606	Site Section D 3/3
	Details (All Scale As Shown @ A1)
MSP-0018-L700	Details-Kerbs and Edges
MSP-0018-L701	Details-Paving 1
MSP-0018-L702	Details-Paving 2
MSP-0018-L703	Details-Paving 3
MSP-0018-L704	Details-Podium Paving and Edge 1
MSP-0018-L705	Details-Podium Paving and Edge 2
MSP-0018-L706	Details-Podium Paving and Edge 3
MSP-0018-L707	Details-Play Equipment Fixing
MSP-0018-L710	Details-Site Furnishing 1
MSP-0018-L711	Details-Central Stage
MSP-0018-L712	Details-Site Furnishing 2

MSP-0018-L713	Details-Site Furnishing 4
MSP-0018-L720	Details-Site Walls - Eastern Boundary
MSP-0018-L721	Details-Site Walls - Southern Boundary
MSP-0018-L722	Details-Private garden boundary
MSP-0018-L760	Details-Water Features
	Schedules
MSP-0018-L950	Planting Schedule 1/5
MSP-0018-L951	Planting Schedule 2/5
MSP-0018-L952	Planting Schedule 3/5
MSP-0018-L953	Planting Schedule 4/5
MSP-0018-L954	Planting Schedule 5/5
	Documents
MSP-0000-0000	Landscape Design and Access Statement Addendum G
1987-00-BR-0050 rev D02	Crossharbour Sequencing
1987-00-DC-0001 rev P14	Design Code / Development Specification
1987-00-IW-0001 rev P04	Scheme Delivery and Interim Works
1987-00-PP-0001 rev P12	Parameter Plan Report
1987-00-SC-0105 rev D14	Schedule of Accommodation with Maximum Child Yield based on Parameter Massing
1987-00-SC-0106 rev D15	Schedule of Accommodation with Maximum Unit Numbers based on Parameter Massing
1987-01-DAS-0002 rev P01	Design and Access Statement Addendum (CZWG)
1987-01-DAS-0001 rev P10	Design and Access Statement (CZWG)
1987-00-BR-0056-D02	Indicative Phasing Plan (CZWG)
August 2019	Design and Access Statement School Site (McGuirkWatson)
October 2019	Planning Statement (DP9)
January 2021	Planning Statement Addendum (DP9)
October 2019	Retail and Town Centre Strategy Report (DP9)

02.2	Energy Statement (Hoare Lea)
01	Sustainability Statement (Hoare Lea)
DOC-2323320-5A-EJ-20210223- Memo-Rev 01.docx	Energy Strategy Memo (Hoare Lea)
7 th May 2021	GLA Energy Spreadsheet (Hoare Lea)
7 th May 2021	Indicative Heat Network Connection Plan (Hoare Lea)
P05 17 th February 2021	Drainage Assessment (Walsh)
V06 April 2021	Site Wide Fire Statement (Zeta)
005 May 2021	Waste Management Strategy (WMS)
P01.4	Transport Assessment (Royal Haskoning)
P01.8	Transport Assessment Addendum (Royal Haskoning)
P01.4	Delivery and servicing Plan (Royal Haskoning)
P01.4	Framework Residential and Workplace travel plans (Royal Haskoning)
P01.4	Framework School Travel Plan (Royal Haskoning)
P01.4	Outline CLP
October 2019	Health Impact Assessment (Indigo)
Rev 02	Structural Assessment (Walsh)
23/9/19	Financial Viability Appraisal (Bespoke)
27/8/19	Supplemental Daylight/Sunlight Report (GIA)
4/9/19	Internal Daylight Assessment Report (GIA)
7/5/21	Daylight/Sunlight Clarification Note (GIA)
8/8/19	Overshadowing Report (GIA)
October 2019	Statement of Community Involvement (Snapdragon)
October 2019	Environmental Statement
Volume 1 Main Text	Chapter 1: Introduction
	Chapter 2: EIA Methodology
	Chapter 3: Existing Land Uses and Activities
	Chapter 4: Alternatives and Design Evolution
	Chapter 5: The Proposed Development

	Chapter 6: Development Programme, Demolition and Construction
	Chapter 7: Socio-Economics
	Chapter 8: Transportation and Access
	Chapter 9: Air Quality
	Chapter 10: Noise and Vibration
	Chapter 11: Ground Conditions and Contamination
	Chapter 12: Historic Environment
	Chapter 13: Ecology
	Chapter 14: Water Resources and Flood Risk
	Chapter 15: Wind Microclimate
	Chapter 16: Daylight, Sunlight and Overshadowing
	Chapter 17: Greenhouse Gases
	Chapter 18: Cumulative Effects
Volume 2: Figures	
Volume 3: Townscape, Visual and Built Heritage Assessment	
Volume 4: Technical Appendices	Appendix 1.1 Competent Experts' Qualifications and Experience
	Appendix 2.1 EIA Scoping Report
	Appendix 2.2 EIA Scoping Opinion
	Appendix 2.3 Responses to EIA Scoping Opinion
	Appendix 7.1 Population Yield Calculation
	Appendix 9.1 Air Quality Baseline Monitoring
	Appendix 9.2 Air Quality Modelling Study
	Appendix 9.3 Air Quality Neutral Assessment
	Appendix 10.1 Acoustic Terminology
	Appendix 10.2 Baseline Noise Monitoring
	Appendix 10.3 Demolition and Construction Noise Assessment
	Appendix 10.4 Road Traffic Noise Assessment
	Appendix 11.1 Preliminary Environmental Risk Assessment

	Appendix 12.1 Historic Environment Desk Based Assessment
	Appendix 13.1 Preliminary Ecological Appraisal
	Appendix 13.2 Arboricultural Survey and Impact Assessment
	Appendix 14.1 Flood Risk Assessment
	Appendix 15.1 Pedestrian Level Wind Microclimate Assessment
	Appendix 16.1 Drawings of Existing Site and the Development
	Appendix 16.2 Daylight and sunlight results to the surrounding sensitive receptors
	Appendix 16.3 Transient Overshadowing Results
	Appendix 16.4 Sun Hours on Ground Results
	Appendix 17.1 GHG Policy and Guidance
	Appendix 17.2 Extract from London Atmospheric Emissions Inventory
	Appendix 17.3 Extract from CIBSE Guide F - Energy Efficiency in Buildings
	Appendix 18.1 Proposed Cumulative Schemes
	Non-Technical Summary
WIE14437-100-8.3.2 (May 2020)	Response to Interim Review Report including Townscape, Visual Impact and Built Heritage Assessment Supplement (May 2020)
	Appendix A Replacement Figure 18.1: Cumulative Schemes
	Appendix B Replacement Appendix 18.1: List of Cumulative Schemes
	Appendix C Extract from Operational Waste Strategy
	Appendix D Replacement Non-Technical Summary
	Appendix E Ventilation and Flue Plans
	Appendix F 57dB(A) Contour Figure
	Appendix G Replacement Historic Environment Desk based Assessment
	Appendix H Replacement Historic Environment ES Chapter

	Appendix I Proposed Roof Plan
	Appendix J Water Resources and Flood Risk Criteria
	Appendix K Walsh Thames Water Response
	Appendix L Wind microclimate - Updated Usage Plots
	Appendix M Target wind profiles and measured profiles
	Appendix N Built Heritage Assessment Supplement
	Appendix O Revised Accurate Visual Representations
WIE14437-100-9.4.1 (August 2020)	Response to Final Review Report 001
	Appendix A Replacement Non Technical Summary
	Appendix B Assessment of Public Transport
	Appendix C Air Quality Modelling
	Appendix D Updated Preliminary Environmental Risk Assessment
	Appendix E Geoarchaeological Assessment
	Appendix F Correspondence from John Swindells, a Mudchute Trustee
	Appendix G SuDS Proforma
	Appendix H Solar Glare Assessment
WIE14437-100-R.1.1.4.BN (September 2020)	Bat Activity Survey Briefing Note
WIE14437-100-11.2.1 (December 2020)	ES Addendum and Response to Final Review Report 002
	Appendix A Geoarchaeology Technical Note
	Appendix B Population Yield Calculations
	Appendix C Replacement Air Quality Neutral Assessment
	Appendix D Revised Road Traffic Noise Conditions
WIE14437-100-11.2.2 (March 2021)	Response to Final Review Report 003
	Appendix A Additional Scheme Information
	Appendix B Replacement Non Technical Summary
	Appendix C Details of Other Cumulative Schemes

	Raised by Temple
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APPENDIX 2

Site photos



Appendix 2.1: View from the north-west looking towards the site on East Ferry Road



Appendix 2.2: View from the north-west looking towards the site adjacent to Island Health



Appendix 2.3: View of Asda store from the north



Appendix 2.4: View of Asda store entrance



Appendix 2.5: View to the north from Asda car park



Appendix 2.6: View towards Mudchute Park from Asda car park



Appendix 2.7: View towards Friars Mead from Asda car park



Appendix 2.8: View from East Ferry Road towards Asda store



Appendix 2.9: View from Mudchute Park 1



Appendix 2.10: View from Mudchute Park 2

APPENDIX 3

Selection of plans and images



Appendix 3.1: Building A (affordable rented units) adjacent to Play Street



Appendix 3.2: Residential communal amenity spaces (amber) and play spaces (red)



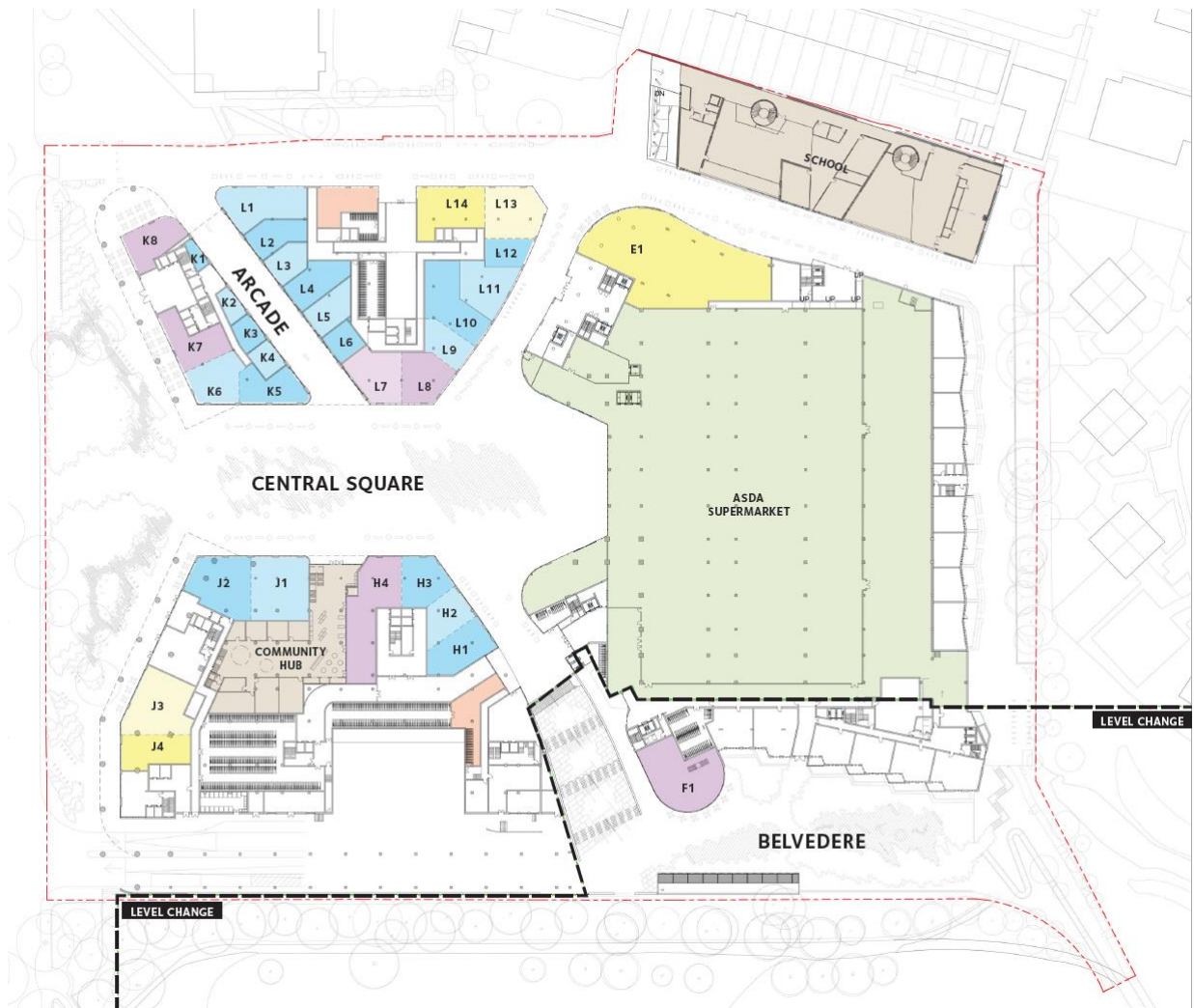
Appendix 3.3: Proposed view from over Millwall Inner Dock



Appendix 3.4: Proposed view from of Building K from Crossharbour DLR Station



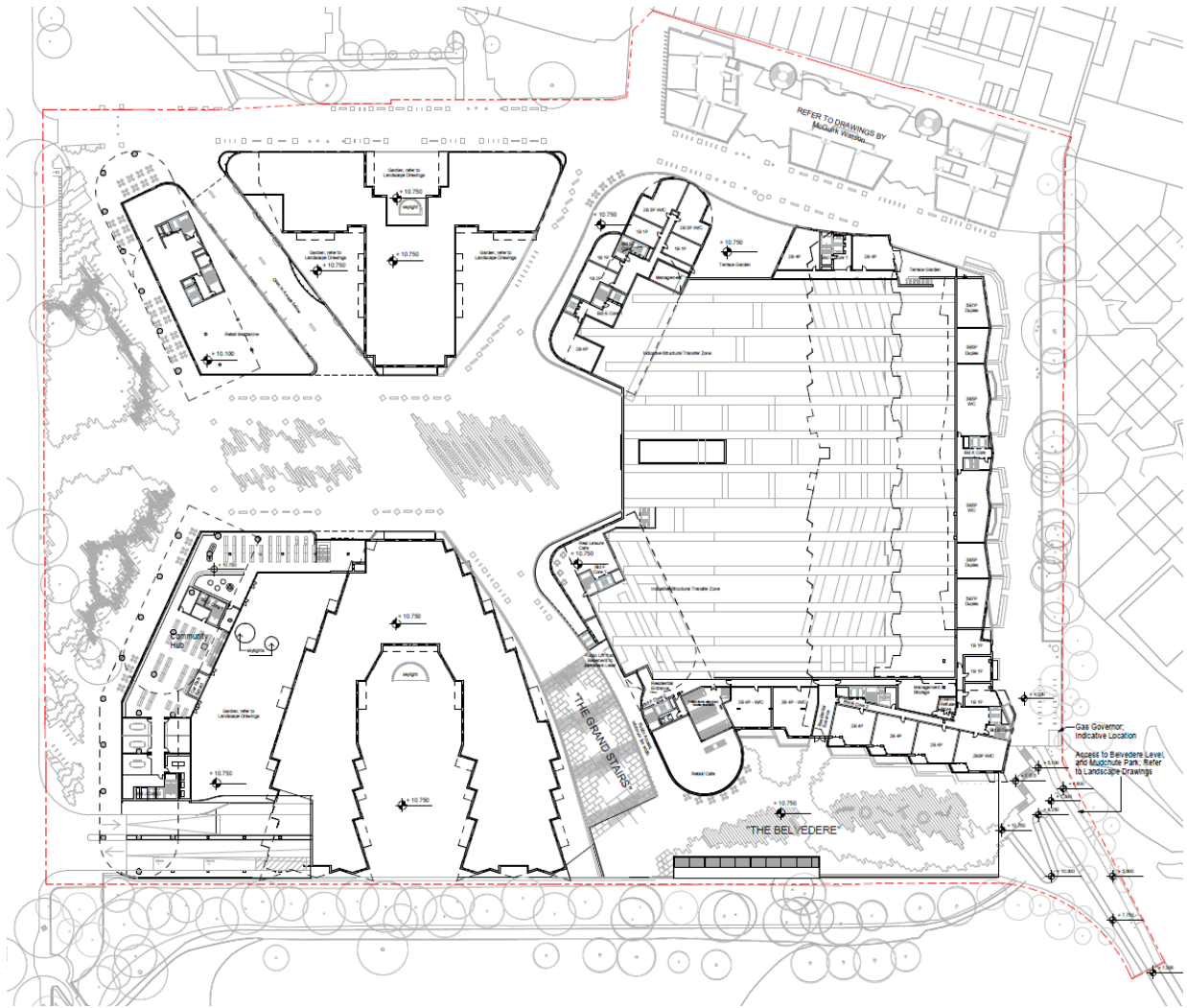
Appendix 3.5: Landscape Masterplan



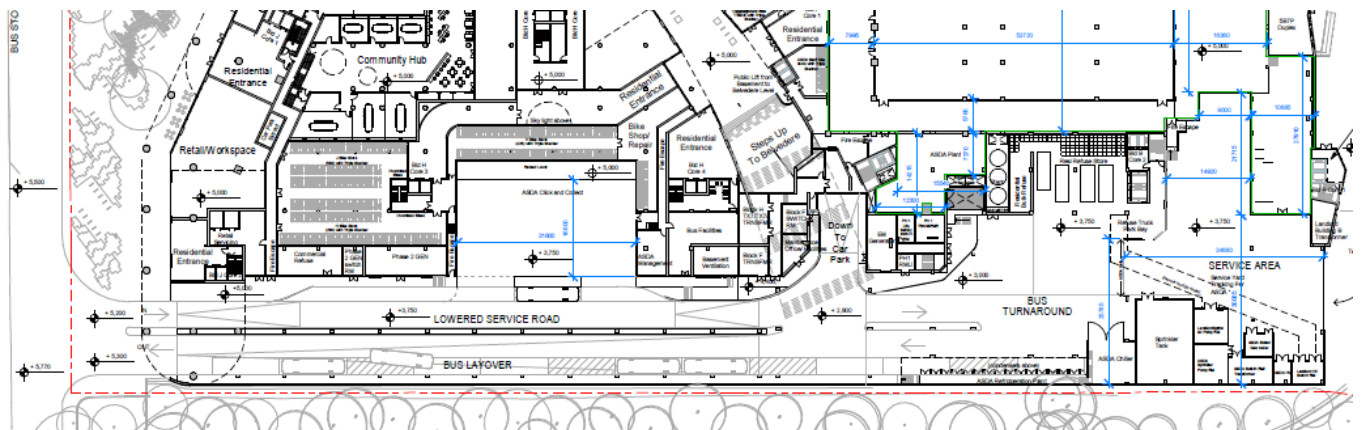
Appendix 3.6: Indicative proposed uses (Blue – retail, purple – restaurant/café, yellow – office, orange – bike hub, green – Asda, beige – community uses)



Appendix 3.7: View from Mudchute Park



Appendix 3.10: Proposed site-wide ground / 'Belvedere' level



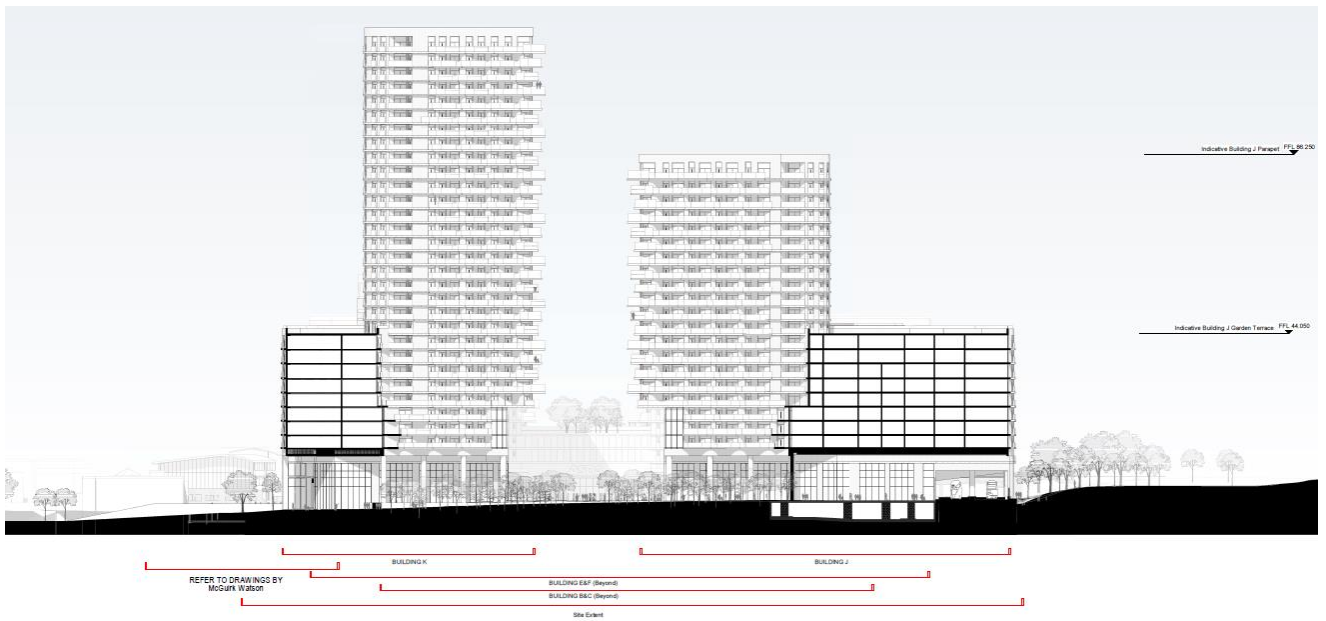
Appendix 3.11: Proposed southern servicing road / bus turnaround and layover



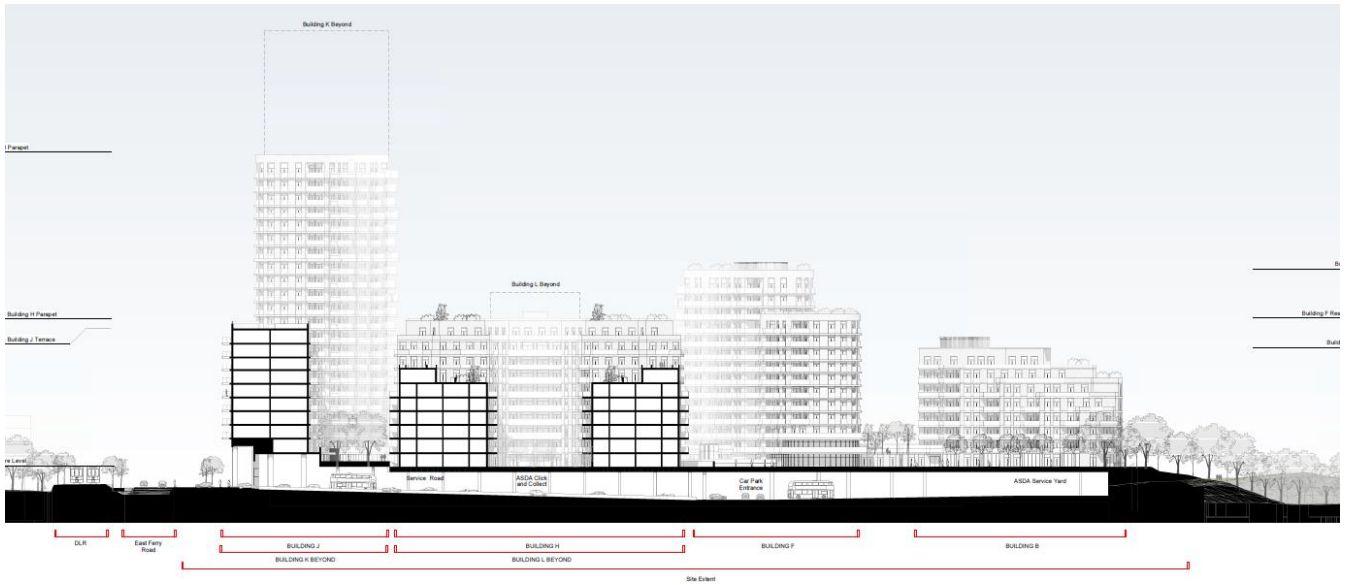
Appendix 3.12: Proposed typical upper level floor plans for Detailed component



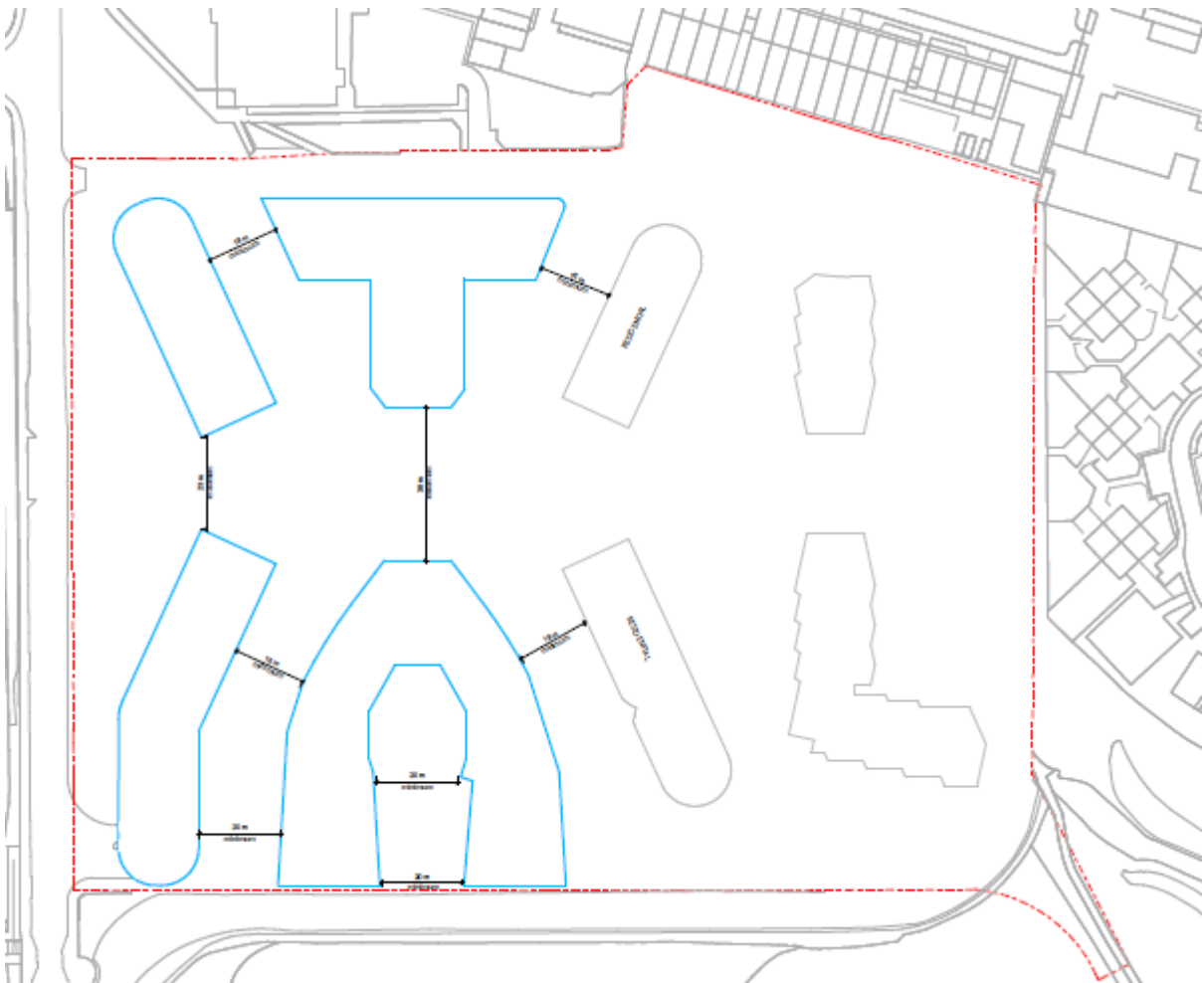
Appendix 3.13: Proposed 'Crossharbour Arcade' section plan



Appendix 3.14: Proposed site-wide western section plan



Appendix 3.15: Proposed site-wide southern section plan



Appendix 3.16: Minimum separation distances for Outline component