

Meeting of the

# STRATEGIC DEVELOPMENT COMMITTEE

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Thursday, 19 February 2009 at 7.30 p.m.

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## A G E N D A

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### VENUE

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove  
Crescent, London, E14 2BG

<b>Members:</b>	<b>Deputies (if any):</b>
<b>Chair: Councillor Shafiqul Haque</b> <b>Vice-Chair: Councillor Ahmed Adam Omer</b>	
<b>Councillor Shahed Ali</b>	Councillor Rupert Eckhardt, (Designated Deputy representing Councillor Tim Archer)
<b>Councillor M. Shahid Ali</b>	Councillor Marc Francis, (Designated Deputy representing Councillor Shafiqul Haque, Md. Shahid Ali, Alibor Choudhury, Ahmed Omer and Joshua Peck)
<b>Councillor Tim Archer</b>	Councillor Peter Golds, (Designated Deputy representing Councillor Tim Archer)
<b>Councillor Alibor Choudhury</b>	Councillor Fazlul Haque, (Designated Deputy representing Councillor Shafiqul Haque, Md. Shahid Ali, Alibor Choudhury, Ahmed Omer and Joshua Peck)
<b>Councillor Stephanie Eaton</b>	Councillor Azizur Rahman Khan, (Designated Deputy representing Councillor Stephanie Eaton)
<b>Councillor Joshua Peck</b>	Councillor Abdul Matin, (Designated
<b>Councillor Dulal Uddin</b>	

Deputy representing Councillor Stephanie Eaton)  
Councillor Abjol Miah, (Designated Deputy representing Councillor Dulal Uddin)  
Councillor Harun Miah, (Designated Deputy representing Councillor Dulal Uddin)  
Councillor Abdul Munim, (Designated Deputy representing Councillor Dulal Uddin)  
Councillor Tim O'Flaherty, (Designated Deputy representing Councillor Stephanie Eaton)

**[Note: The quorum for this body is 3 Members].**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Louise Fleming, Democratic Services, Tel: 020 7364 4878, E-mail: [louise.fleming@towerhamlets.gov.uk](mailto:louise.fleming@towerhamlets.gov.uk)

**LONDON BOROUGH OF TOWER HAMLETS**  
**STRATEGIC DEVELOPMENT COMMITTEE**

**Thursday, 19 February 2009**

**7.30 p.m.**

**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. DECLARATIONS OF INTEREST**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

**3. UNRESTRICTED MINUTES**

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Strategic Development Committee held on 4<sup>th</sup> December 2008.

<b>PAGE NUMBER</b>	<b>WARD(S) AFFECTED</b>
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<b>3 - 6</b>	
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**4. RECOMMENDATIONS**

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 Development and Renewal 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 Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

## **5. PROCEDURE FOR HEARING OBJECTIONS**

To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee. **7 - 8**

## **6. DEFERRED ITEMS 9 - 10**

## **7. PLANNING APPLICATIONS FOR DECISION 11 - 12**

**7 .1 The Bede Estate, Bow Common Lane 13 - 46 Bow West**

**7 .2 Site south of Westferry Circus and west of Westferry Road, London 47 - 84 Millwall**

**7 .3 443-451 Westferry Road, E14 85 - 126 Millwall**

**7 .4 The City Pride Public House, 15 Westferry Road, E14 127 - 170 Millwall**

## **8. OTHER PLANNING MATTERS 171 - 172**

### **8 .1 Update Report: The Bishop's Square S106 Planning Obligations Programme**

Report to follow.

### **8 .2 S106 Agreement - St Georges Estate**

Report to follow.

# Agenda Item 2

## DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

### Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

**What constitutes a prejudicial interest?** - Please refer to paragraph 6 of the adopted Code of Conduct.

**Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-**

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
  
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**

**HELD AT 7.30 P.M. ON THURSDAY, 4 DECEMBER 2008**

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Shafiqul Haque (Chair)

Councillor Shahed Ali  
Councillor M. Shahid Ali  
Councillor Stephanie Eaton  
Councillor Ahmed Adam Omer (Vice-Chair)

Councillor Marc Francis (deputising for Councillor Alibor Choudhury)

**Other Councillors Present:**

Councillor Lutfur Rahman

**Officers Present:**

Megan Crowe – (Legal Services Team Leader, Planning)  
Stephen Irvine – (Development Control Manager, Planning)  
Michael Kiely – (Service Head, Development Decisions)  
Devon Rollo – Planning Officer

Alan Ingram – (Democratic Services)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Alibor Choudhury (for whom Councillor Marc Francis deputised), Councillor Joshua Peck and Councillor Dulal Uddin.

**2. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Type of Interest</b>	<b>Reason</b>
Ahmed Adam Omer	Item 7.1 – Site at North Dock Isle of Dogs Crossrail	Personal	He had been lobbied in respect of both the items of business.

	Station, Upper Bank Street, London Item 7.2 – Site at Caspian Works and Lewis House, Violet Road		
Marc Francis	Item 7.1 – Site at North Dock Isle of Dogs Crossrail Station, Upper Bank Street, London	Personal	He had received representations opposing the application.
Mohammed Shahid Ali	Item 7.1 – Site at North Dock Isle of Dogs Crossrail Station, Upper Bank Street, London Item 7.2 – Site at Caspian Works and Lewis House, Violet Road	Personal	He was a resident of the Ward within which the application lay.  He had received representations relating to the application.
Shafiqul Haque	Item 7.1 – Site at North Dock Isle of Dogs Crossrail Station, Upper Bank Street, London Item 7.2 – Site at Caspian Works and Lewis House, Violet Road	Personal	He had received representations in connection with both items.

**3. UNRESTRICTED MINUTES**

The minutes of the meeting held on 9 October 2008 were agreed and approved as a correct record.

**4. RECOMMENDATIONS**

The Committee RESOLVED 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 Development and Renewal 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 Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

## **5. PROCEDURE FOR HEARING OBJECTIONS**

The Committee noted the procedure.

## **6. DEFERRED ITEMS**

Mr Michael Kiely, Service Head, Development Control and Building Control, indicated that a further report regarding the site at 2 Trafalgar Way, London, (PA/08/01321) would be submitted to the next meeting of the Committee.

## **7. PLANNING APPLICATIONS FOR DECISION**

### **7.1 Site at North Dock Isle of Dogs Crossrail Station, Upper Bank Street, London**

While presenting the report, Mr S. Irvine, Development Control Manager Planning, made the point that Members should take due account of the objection raised by English Heritage concerning the Grade 1 listed quay walls and buttresses of West India Dock, although these were mainly obscured from sight by false dock walls that had been erected over the years.

After consideration of the Officer's report and extensive questions from Members, the Committee RESOLVED on a vote of 5 for, with 1 abstention, that planning permission for the erection of a building sitting over Isle of Dogs Crossrail Station comprising of retail floorspace, community use floorspace and a publicly accessible park, as well as elements of the Isle of Dogs Crossrail Station which fall outside the vertical limits of deviation as defined by The Crossrail Act 2008, be GRANTED for the reasons set out in the Committee report, subject to the inclusion of the additional informative recommended by the Environment Agency pertaining to minimum floor levels, as set out in the Addendum report.

**NOTE:** At 8.35 p.m. Councillor Stephanie Eaton left the meeting.

### **7.2 Site At Caspian Works and Lewis House, Violet Road**

After consideration of the Officer's report the Committee RESOLVED on a unanimous vote that planning permission for the redevelopment of the site to provide buildings for mixed use purposes, including residential units, uses with associated basement and ground level car parking, cycle parking, roof terraces, children's play area, landscaping, access and servicing, be GRANTED for the reasons set out in the Committee report, subject to the proviso that the Service Head, Development Decisions look into the possibility of providing temporary parking permits for residents of the affordable housing units during the short period that off-street parking will not be available and, if not possible to secure, the decision is cleared with the Chair before being issued.

The meeting ended at 8.45 p.m.

Chair, Councillor Shafiqul Haque  
Strategic Development Committee

# Agenda Item 5

## DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

### PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

#### Provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 6.1 Where a planning application is reported on the "Planning Applications for Decision" part of the agenda, individuals and organisations which have expressed views on the application will be notified by letter that the application will be considered by Committee at least three clear days prior to the meeting. The letter will explain these provisions regarding public speaking.
- 6.2 When a planning application is reported to Committee for determination the provision for the applicant/supporters of the application and objectors to address the Committee on any planning issues raised by the application, will be in accordance with the public speaking procedure adopted by the relevant committee from time to time (see below).
- 6.3 All requests to address a committee must be made in writing or by email to the committee clerk by 4pm on the Friday prior to the day of the meeting. This communication must provide the name and contact details of the intended speaker. Requests to address a committee will not be accepted prior to the publication of the agenda.
- 6.4 After 4pm on the Friday prior to the day of the meeting the Committee clerk will advise the applicant of the number of objectors wishing to speak.
- 6.5 The order of public speaking shall be as stated in Rule 5.3, which is as follows:
  - An objector who has registered to speak
  - The applicant/agent or supporter
  - Non-committee member(s) may address the Committee for up to 3 minutes
- 6.6 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.7 Following the completion of a speaker's address to the committee, that speaker shall take no further part in the proceedings of the meeting unless directed by the Chair of the Committee.
- 6.8 Following the completion of all the speakers' addresses to the Committee, at the discretion of and through the chair, committee members may ask questions of a speaker on points of clarification only.
- 6.9 In the interests of natural justice or in exceptional circumstances, at the discretion of the chair, the procedures in Rule 5.3 and in this Rule may be varied. The reasons for any such variation shall be recorded in the minutes.
- 6.10 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

#### Public speaking procedure adopted by this Committee:

- For each planning application up to two objectors can address the Committee for up to three minutes each. The applicant or his/her supporter can address the Committee for an equivalent time to that allocated for objectors (ie 3 or 6 minutes).
- For objectors, the allocation of slots will be on a first come, first served basis.
- For the applicant, the clerk will advise after 4pm on the Friday prior to the meeting whether his/her slot is 3 or 6 minutes long. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- Where a planning application has been recommended for approval by officers and the applicant or his/her supporter has requested to speak but there are no objectors or non-committee members registered to speak, the chair will ask the Committee if any member wishes to speak against the recommendation. If no member indicates that they wish to speak against the recommendation, then the applicant or their supporter(s) will not be expected to address the Committee.

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# Agenda Item 6

<b>Committee:</b> Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2008	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 6
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Deferred Items	
<b>Originating Officer:</b> Michael Kiely		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> See reports attached for each item	

## 1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred. The following information and advice applies to them.

## 2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
9 <sup>th</sup> October	PA/08/01321	Site at 2 Trafalgar Way, London	Redevelopment of the site to provide a residential-led, mixed use scheme comprising 355 residential units, 48 serviced apartments, re-provision of a drive-through restaurant (Class A5), retail or financial and professional service units (Class A1/A2), crèche, gymnasium, associated amenity space and car parking.	Committee indicated that it was minded to go against officer's recommendation and that decision could be contrary to the development plan. A supplementary report is therefore necessary

## 3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 There are no deferred items for consideration at this time.
- 3.2 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

## 4. PUBLIC SPEAKING

- 4.1 As public speaking has already occurred when the Committee first consider these deferred items, the Council's constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and presented in the "Planning Applications for Decision" part of the agenda. This is generally where substantial

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**LOCAL GOVERNMENT ACT 2000 (Section 97)**  
**LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6**

Brief Description of background papers:  
Application, plans, saved UDP, Interim Planning Guidance and London Plan

Tick if copy supplied for register:

✓

Name and telephone no. of holder:

Eileen McGrath (020) 7364 5321

new material is being reported to Committee and the recommendation is significantly altered.

**5. RECOMMENDATION**

- 5.1 The Committee to note the position relating to deferred items and to take any decisions recommended in the attached reports.

# Agenda Item 7

<b>Committee:</b> Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Planning Applications for Decision	
<b>Originating Officer:</b> Michael Kiely		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> See reports attached for each item	

## 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 are 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.

## 3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
  - the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
  - the adopted London Plan 2004 (as amended by Early Alterations December 2006)
- 3.2 Other material policy documents include the Council's Community Plan, Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

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**LOCAL GOVERNMENT ACT 2000 (Section 97)**  
**LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7**

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, 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.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects 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.
- 3.6 Whilst the adopted UDP 1998 (AS SAVED) is the statutory development plan for the borough (along with the London Plan), it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework. As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 3.7 The reports take account not only of the policies in the statutory UDP 1998 but also the emerging plan and its more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 22 of the General Development Procedure Order 1995, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

#### **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 Agenda Item 5.

#### **5. RECOMMENDATION**

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



# Agenda Item 7.1

<b>Committee:</b> Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b> 7.1
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Town Planning Application
<b>Case Officer:</b> Rachel McConnell	<b>Ref No:</b> PA/08/02093
	<b>Ward:</b> Bow West

## 1. APPLICATION DETAILS

**Location:** The Bede Estate, Bow Common Lane, London  
**Existing Use:** Housing estate  
**Proposal:** Refurbishment of the existing dwellings on the Bede Estate. Demolition of ten bed-sit units in Pickard House. Demolition of office accommodation on Wager Street. The erection of 24 buildings providing 236 residential units (22 x studio, 77 x 1 bed, 92 x 2 bed, 40 x 3 bed, 2 x 5 bed and 3 x 6 bed) to a maximum height of 8 storeys, a new community centre of 273sq.m and 219sq.m of new retail and storage floorspace and introduction of an estate wide landscaping scheme.

**Drawing Nos/Documents:** Drawing Numbers: 5217-1010, 5217-1106, 5217/AA-1200A, 5217/AA-1201A, 5217/AA-1202A, 5217/AA-1203A, 5217/BB-1200A, 5217/BB-1201A, 5217/BB-1202A, 5217/BB-1203A, 5217/BB-1204A, 5217/BB-1205A, 5217/CC-1200A, 5217/CC-1201A, 5217/CC-1202A, 5217/CC-1203A, 5217/DD-1200A, 5217/DD-1200D, 5217/DD-1201A, 5217/DD-1202A, 5217/DD-1203A, 5217/DD-1204A, 5217/DD-1205A, 5217/EE-1200A, 5217/EE-1201A, 5217/EE-1202A, 5217/EE-1203A, 5217/FF-1200A, 5217/FF-1021A, 5217/FF-1202A, 5217/FF-1203A, 5217/GG-1200A, 5217/GG-1201A, 5217/GG-1202A, 5217/GG-1203A, 5217/GG-1204A, 5217/GG-1205A, 5217/HH-1200A, 5217/HH-1201A, 5217/HH-1202A, 5217/HH-1203A, 5217/JJ-1200A, 5217/JJ-1201A, 5217/JJ-1202A, 5217/JJ-1203A, 5217/KK-1200A, 5217/KK-1201A, 5217/KK-1202A, 5217/KK-1203A, 5217/KK-1204A, 5217/KK-1205A, 5217/KK-1206A, 5217/KK-1207A, 5217/LL-1200A, 5217/LL-1201A, 5217/LL-1202A, 5217/LL-1203A, 5217/LL-1204A, 5217/LL-1205A, 5217/MM-1200A, 5217/MM-1201A, 5217/MM-1202A, 5217/MM-1203A, 5217/NN-1200A, 5217/NN-1201A, 5217/NN-122A, 5217/NN-1203A, 5217/NN-1204A, 5217/NN-1205A, 5217/NN-1206A, 5217/NN-1207A, 5217/NN-1208A, 5217/NN-1209A, 5217/PP-1200A, 5217/PP-1201A, 5217/PP-1202A, 5217/PP-1203A, 5217/QQ-1200A, 5217/QQ-1200A, 5217/QQ-1200A, 5217/QQ-1201A, 5217/QQ-1202A, 5217/QQ-1203A, 5217/RR-1200A, 5217/RR-1201A, 5217/RR-1202A, 5217/RR-1203A, 5217/SS-1200A, 5217/SS-1201A, 5217/SS-1202A, 5217/SS-1203A, 5217/TT-1200A, 5217/TT-1201A, 5217/TT-1202A, 5217/TT-1203A, 5217/TT-1204A, 5217/TT-1205A, 5217/TT-1206A, 5217/TT-1207A, 5217/TT-1208A, 5217/TT-1209A, 5217/UU-1200A, 5217/UU-1201A, 5217/UU-1202A, 5217/UU-1203A, 5217/WW-1200A, 5217/WW-1201A, 5217/WW-1202A, 5217/XX-1200A, 5217/XX-1201A, 5217/XX-1202A, 5217/YY-1200A, 5217/YY-1201A, 5217/YY-1202A, 5217/ZZ-1200A, 5217/ZZ-1201A, 5217/ZZ-1202A, 5217/AA-1600, 5217/AA-1601, 5217/BB-1600, 5217/CC-1600, 5217/DD-1600, 5217/DD-1601, 5217/DD-1602, 5217/EE-1600, 5217/FF-1600, 5217/GG-1600, 5217/GG-1601, 5217/HH-1600, 5217/JJ-1600A, 5217/KK-1600, 5217/KK-1600, 5217/KK-1601, 5217/KK-1602A, 5217/LL-1600, 5217/LL-1601, 5217/LL-

1602, 5217/MM-1600, 5217/MM-1601, 5217/MM-1602, 5217/NN-1600, 5217/NN-1601, 5217/NN-1602, 5217/NN-1603, 5217/NN-1604, 5217/PP-1600, 5217/QQ-1600, 5217/RR-1600, 5217/RR-1061, 5217/SS-1600, 5217/SS-1601, 5217/SS-1602, 5217/TT-1600, 5217/TT-1601, 5217/TT-1602, 5217/TT-1603, 5217/TT-1604, 5217/TT-1605, 5217/TT-1610, 5217/TT-1611, 5217/YY-1600, 5217/YY-1601, 5217/WW-1600, 5217/XX-1600, 5217/XX-1601, 5217/YY-1600, 5217/YY-1601, 5217/ZZ-1600, Street Elevations Fig. 44-53

Supporting Documents:

- Planning and regeneration Statement and Statement of Community Involvement (Leaside Regeneration Ltd – Sept 2008)
- Design and Access Statement (ECD Architects – June 2008)
- Landscape Strategy (East End Homes – January 2009)
- Flood Risk Assessment (AMEC Earth and Environmental UK – June 2008)
- Arboricultural Impact Assessment (DF Clark Bionomique Ltd – 23 March 2008)
- Air Quality Assessment (Eviros – October 2008)
- Ground Conditions Report (Herts & Essex Site Investigations Report No. 8388)
- Transport Assessment (Bellamy Roberts – September 2008 and Addendum January 2009)
- Archaeological Assessment (Sutton Archaeological Assessment – October 2007)
- Energy Strategy (Whitecode Design Associates – June 2008 and Addendum January 2009)
- Report on daylighting and Sunlighting ( Claford Seaden- reference K/07/0644/C7/0004PSD/hmt/G7 and K/07/0644 PSD/G28)
- Noise Assessment (Enviros – May 2008 and Supplementary Assessment)

<b>Applicant:</b>	East End Homes Ltd.
<b>Ownership:</b>	Various
<b>Historic Building:</b>	n/a
<b>Conservation Area:</b>	Adjacent to Ropery Street conservation area

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal will facilitate estate wide improvements and bring existing homes up to Decent Homes Plus standard to ensure that they are in a good state of repair. This is in accordance with the Mayor's Housing Supplementary Planning Guidance (November 2005) and Policy HSG5 in the Council's Interim Planning Guidance (2007): Core Strategy and Development Control which support the principle of estate regeneration proposals.
- The proposal would result in an estate with a density of 366 habitable rooms per hectare, which is comfortably within limits set out in the London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004).

The proposal development is considered to be sensitive to the context of the surrounding area, by reason of its site coverage, massing, scale and height. The development is therefore in accordance with Policy 3A.3 London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004) which seeks to ensure that the maximum intensity of use is compatible with local context.

- The proposal provides an acceptable amount of affordable housing (36%) and mix of units overall. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure that new developments offer a range of housing choices.
- The quantity and quality of housing amenity space, communal space and open space is acceptable and accords with PPS3, policies 3A.6, 3D.13 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan 1998 and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to improve amenity and liveability for residents.
- The height, scale and design of the proposed buildings are acceptable and in line with policy criteria set out in 4B.1 of the London Plan, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to ensure buildings are of a high quality design and suitably located.
- Transport matters, including parking, access and servicing are acceptable and in line with policies DEV1 and T16 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to ensure developments can be supported within the existing transport infrastructure.
- The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the compliance with relevant BRE Guidance and the urban context of the development. As such, it accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure development does not have an adverse impact on neighbouring amenity.
- It is considered that, on balance the benefits of the scheme which will facilitate the upgrade of the estate, outweigh the shortfall in additional renewable energy provision. The proposal will make energy savings across the Bede Estate as a whole which is in accordance with the principles of Policy 4A.3 in the London Plan and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007), which seek to reduce carbon emissions.
- Planning contributions have been secured towards education and health care, in line with Government Circular 05/2005, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to secure contributions

towards infrastructure and services required to facilitate proposed development.

### 3. RECOMMENDATION

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

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

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

#### Financial Contributions

- a) Provide a contribution of **£300,038** towards the provision of future health and social care facilities.
- b) Provide a contribution of **£357,918** towards the provision of primary school places.

(Total S.106 contribution = **£657,956**)

#### Non-financial Contributions

- c) Affordable Housing (36%)
- d) Car Free Development for all new units
- e) Employment Initiatives to use reasonable endeavours to employ local people during the construction and end user phases of the development.
- f) Green Travel Plan to encourage sustainable travel to and from the development by residents.
- g) Clause requiring £10,680,000 (residual value after Stamp Duty Land Tax – SDLT) to be spent on the upgrade of the Bede Estate to bring existing units up to Decent Homes Plus Standard as outlined in section 8.5.

h) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

#### **Conditions**

1. Time Limit
2. Contaminated land survey
3. Samples / pallet board of all external facing materials
4. Full details of landscaping specifying the use of native species
5. Community Centre (Class D1) provided prior to occupation of 50% of units
6. Retail units restricted to Use Class A1
7. Construction Management Plan
8. Service Plan Management Plan
9. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
10. Control of development works (restricted hours of use for hammer driven piling or impact breaking)
11. All residential accommodation to completed to lifetimes homes standards
12. At least 10% of homes wheelchair accessible
13. Design and method statement for foundations to accommodate proposed

- location of Crossrail
14. Noise mitigation in accordance specifications provided in Noise Report (glazing specification of 10/12/6.4 (pvb) mm and trickle ventilators to ensure noise levels in habitable rooms in accordance with BS:8233:1999)
  15. Energy Implementation Strategy for existing units and new build
  16. Sustainable Homes Assessment - minimum Code 3
  17. Water source control measures implemented in accordance with submitted Flood Risk Assessment
  18. Scheme to dispose of foul and surface water
  19. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

#### **Informatives**

1. Contact Thames Water
  2. Contact Building Control
  3. Any other informative(s) considered necessary by the Corporate Director Development & Renewal
- 3.4 That, if within 1 month from the date of any direction by the Mayor the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1 To facilitate the regeneration of the estate, the application proposes the demolition of ten bed-sit units in Pickard House, demolition of office accommodation on Wager Street, the erection of 24 buildings providing 236 residential units (22 x studio, 77 x 1 bed, 92 x 2 bed, 40 x 3 bed, 2 x 5 bed and 3 x 6 bed) to a maximum height of 8 storeys, a new community centre of 273sq.m and 219sq.m of new retail and storage floorspace. Full details of the proposed buildings is provided within the Design and Amenity section of the report (Section 8.23)
- 4.2 The application proposes the refurbishment of the existing dwellings on the Bede Estate and introduction of an estate wide landscaping scheme including the following:
- Refurbishment of existing blocks to Decent Homes Plus Standard;
  - Improvements to existing stairwells by the removal of more than a third of stairwells and either new or refurbished stairwells proposed with improved visibility, secured doors, entry points and inter-com entry systems;
  - Provide play facilities across the estate;
  - New signage and lighting;
  - Refurbishment of existing underground car park;
  - Improved pedestrian routes throughout the estate;
  - Provide bicycle parking provision;
  - Community centre suitable for a variety of uses; and
  - Estate-wide landscaping
- 4.3 Following initial comments received to the application, revisions were made in January 2009 including:
- Changes to car parking, in particular in relation to the availability and demarcation of the disabled car parking spaces;
  - Increased cycle provision in the underground car park;
  - Amendments to access at Portia Way;

- Ball Court reintroduced adjacent to Burdett Road, south of block 06 (105-139 Wager Street) and west of block 05 (141-187 Wager Street).
- Alterations to playspace provision; and
- Amendments to boundary treatment along Burdett Road.

### **Site and Surroundings**

- 4.4 The Bede Estate occupies an area of 5.3 hectares. The site is triangular in shape and is bounded by two roads and a railway line. Its northern boundary is formed by Bow Common Lane, its south-western boundary is Burdett Road and its south-eastern boundary is formed by the Fenchurch to Southend railway line. The north-western corner of the site fronts onto Eric Street, linking Bow Common Lane with Burdett Road. The application site is not located in a Conservation Area. The Ropery Street conservation area is located to the north of the site.
- 4.5 The land use within the site is predominantly residential with the exception of the East End Homes housing office on Wager Street and the parade of small shops located in the north-west corner of the site. The estate was built in the late 1960s/early 1970s. The generally uniform buildings are 4 storeys in height, with the exception of Lewey House, a 22 storey tower on the eastern side of the estate (located outside of the application site).
- 4.6 Vehicular access to the estate is through Portia Way, Wager Street and Joseph Street. The estate currently provides 282 car parking bays and 15 garages. There are 171 existing car parking permit holders. In addition, there are 46 bays on Joseph Street which is an adopted road and the responsibility of the Council to issue residents permits. There is also an existing underground car park accommodating approximately 105 spaces. The car park is currently not in use due to previous anti-social behaviour.

## **5. POLICY FRAMEWORK**

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

### **Unitary Development Plan 1998 (as saved September 2007)**

- 5.2 Proposals: East West Crossrail
- |           |      |   |
|-----------|------|---|
| Policies: | ST1  | Deliver and Implementation of Policy            |
|           | ST12 | Cultural and Leisure Facilities                 |
|           | ST15 | Encourage a Wide Range of Activities            |
|           | ST23 | Quality of Housing Provision                    |
|           | ST25 | Provision of Social and Physical Infrastructure |
|           | ST26 | Improve Public Transport                        |
|           | ST28 | Restrain Private Car                            |
|           | ST30 | Safety and Movement of Road Users               |
|           | ST34 | Provision of Quality Shopping                   |
|           | ST37 | Improve of Local Environment                    |
|           | ST41 | Provision of Adequate Space for Local Business  |
|           | ST43 | Use of High Quality Art                         |
|           | ST49 | Provision of Social and Community Facilities    |
|           | ST51 | Public Utilities                                |
|           | DEV1 | Design Requirements                             |
|           | DEV2 | Environmental Requirements                      |
|           | DEV3 | Mixed Use Development                           |
|           | DEV4 | Planning Obligations                            |
|           | DEV9 | Minor Works                                     |

DEV12	Landscaping
DEV15	Retention/Replacement of Mature Trees
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
EMP1	Employment Uses
EMP6	Employing Local People
EMP8	Small Businesses
HSG4	Loss of Housing
HSG7	Dwelling Mix
HSG13	Internal Standards for Residential Development
HSG15	Preserving Residential Character
HSG16	Amenity Space
T8	New Road
T10	Traffic Management
T16	Impact on Traffic
T18	Pedestrians
T21	Pedestrians
OS7	Loss of Open Space
OS9	Children's Play Space
OS13	Youth Provision
SCF11	Meeting Places

**Interim Planning Guidance for the purposes of Development Control**

5.3	Proposals:	Crossrail
	Core Strategies:	IMP1 Planning Obligations
		CP1 Creating Sustainable Communities
		CP3 Sustainable Environment
		CP4 Good Design
		CP5 Supporting Infrastructure
		CP19 New Housing Provision
		CP20 Sustainable Residential Density
		CP21 Dwelling and Mix Type
		CP22 Affordable Housing
		CP23 Efficient Use and Retention of Existing Housing
		CP24 Special Needs and Specialist Housing
		CP25 Housing Amenity Space
		CP27 High Quality Social and Community Facilities to Support Growth
		CP29 Improving Education and Skills
		CP30 Improving the Quality and Quantity of Open Spaces
		CP31 Biodiversity
		CP38 Energy Efficiency and Production of Renewable Energy
		CP39 Waste Management Plan
		CP40 Sustainable Transport Network
		CP41 Integrating Transport with Development
		CP42 Streets for People
		CP43 Better Public Transport
		CP46 Accessible and Inclusive Environments
		CP47 Community Safety
	Policies:	DEV1 Amenity
		DEV2 Character and Design
		DEV3 Accessibility and Inclusive Design
		DEV4 Safety and Security
		DEV5 Sustainable Design

DEV6	Energy Efficiency and Renewable Energy
DEV7	Water Quality and Conservation
DEV8	Sustainable Drainage
DEV9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Quality and Air Pollution
DEV12	Management of Demolition and Construction
DEV13	Landscaping and Tree Preservation
DEV15	Waste and Recyclable Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capability of Utility Infrastructure
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing Provisions
HSG4	Varying the Ratio of Social Rented to Intermediate Housing
HSG5	Estate Regeneration Schemes
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating the Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN2	Open Space
PS1	Noise
PS2	Residential Water Refuse and Recycling Provision
PS3	Parking
PS4	Density Matrix
PS5	Lifetime Homes

#### **Supplementary Planning Guidance/Documents**

- 5.4 Residential Space  
 Designing Out Crime  
 Landscape Requirements

#### **Spatial Development Strategy for Greater London (London Plan)**

- 5.5 2A.1 Sustainability Criteria  
 2A.2 Spatial Strategy for Development  
 2A.6 Areas for Intensification  
 2A.7 Areas for Regeneration  
 3A.1 Increasing London's Supply of Housing  
 3A.2 Borough Housing Targets  
 3A.3 Maximising the Potential of Sites  
 3A.5 Housing Choice  
 3A.6 Quality of New Housing Provision  
 3A.7 Large Residential Developments  
 3A.8 Definition of affordable Housing  
 3A.9 Affordable Housing Targets  
 3A.10 Negotiating Affordable Housing  
 3A.11 Affordable Housing Thresholds  
 3A.13 Special needs and Specialist Housing  
 3A.15 Loss of Housing and Affordable Housing



3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and Enhancement of London's Infrastructure
3A.19	The Voluntary and Community Sector
3A.20	Health Objectives
3A.23	Health Impacts
3A.24	Education Facilities
3B.3	Mixed Use Development
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.14	Enhanced Bus Priority
3C.16	Road Scheme Proposals
3C.20	Improving Conditions for Buses
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3C.3	Maintaining and Improving Retail Facilities
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.11	Open Space Provision
3D.12	Open Space Strategies
3D.13	Play and Informal Recreation Strategies
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy; Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4A.12	Flooding
4A.13	Flood Risk Management
4A.16	Water Supplies and Resources
4A.18	Water Sewerage and Infrastructure
4A.19	Improving Air Quality
4A.20	Reducing Noise
4B.1	Design Principles for a Compact City
4B.3	Enhancing the Quality of the Public Realm
4B.4	London's Buildings: Retrofitting
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.9	Tall Buildings
4B.10	Large Scale Buildings

**Government Planning Policy Guidance/Statements**

5.6	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPS22	Renewable Energy
	PPS23	Planning and Pollution Control
	PPG13	Transport
	PPG17	Planning for Open Space, Sport and Recreation
	PPG24	Planning and Noise

5.7 **Community Plan** The following Community Plan objectives relate to the application:  
A better place for living safely

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

## 6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

### **LBTH Cultural Services**

- 6.3
- Support the Bede Estate Regeneration Programme.
  - Increased density of the estate and the increased population will increase demand on community, cultural and leisure facilities.

#### Open space

Request a mitigating contribution of £284,418

#### Leisure facilities

The proposed development will increase demand on leisure facilities. Request leisure contribution of £252,311.

#### Library/Idea Store Facilities

Request a contribution of £64,584 towards the provision of library facilities.

#### Officer Comment

Contributions have been secured towards health care and education. Given the financial constraints of the scheme, any additional contributions sought will have a direct impact on the funding available for the renewal of the estate. As such, additional contributions towards open space, leisure provision and library facilities have not been sought. It should be noted that a community facility is being provided as part of the proposal. This can be considered as mitigation for the increase in population.

NB. The open space contribution was calculated prior to amendments to the scheme when figures indicated that there would be a loss of open space. The scheme has been amended and shows that there will be an increase in the provision of public and private open space across the estate from 12,628 sq m to 12,824 sq m.

### **LBTH Crime Prevention Officer**

- 6.4 Taken into account concerns raised at pre- application stage. Some remaining concerns regarding bin stores and play spaces providing areas for youths to congregate.

#### Officer Comment

The public amenity areas in the estate have been carefully designed to ensure that there is a high level of natural surveillance. In addition many existing enclosed dark spaces are being redeveloped to provide improved security.

### **LBTH Energy Efficiency**

- 6.5 New build residential elements of the development are infill plots ranging from 1 to 32 residential units - CHP or communal heating is not suitable. Applicant is proposing individual gas condensing boilers.

Policies require all new developments to reduce 20% of the sites carbon dioxide emissions from onsite renewable energy technologies. However, as this is a regeneration scheme, it could be understood that the 20% requirement cannot be met due to financial constraints. As such, the applicant must demonstrate that onsite renewable energy technology is being

maximised within the financial and technical constraints. The scheme will be required to incorporate some renewable energy technology, the details of technical and financial constraints must be provided. The details of the renewable energy feasibility and the technology to be incorporated in to the dwellings must be provided. This is to be provided prior to construction.

Where an existing dwelling is being refurbished (i.e. upgrading of kitchen and bathrooms), water efficiency measures must be included, the applicant will need to seek a water consumption standard of 105 litres per person per day. All new build dwellings will need to achieve a water consumption standard of 105 litres per person per day. The details of the water conservation measures are required. This is to be provided prior to construction.

Recommend the application to be approved with appropriate conditions. Further information required for existing and proposed stock to demonstrate overall energy reductions.

No sustainability statement has been provided. The Council wants to ensure development minimises impacts on the environment by complying with the highest standards in current 'Best Practice' guidelines for sustainable design and construction. New developments should demonstrate achievement of recognised benchmark standards of excellence for Code for Sustainable Homes. A Code for Sustainable Homes assessment is required for the new build element of the residential development.

#### Officer Comment

Full consideration of energy efficiency proposed is discussed in Paragraphs 8.106-8.110. Details of the financial constraints of the scheme have been submitted and are considered in the analysis section of the report.

### **LBTH Environmental Health**

#### 6.6 Contamination

- Satisfied that an appropriate contamination risk assessment has been carried out and in agreement that an intrusive site investigation should be carried out to characterise the contaminant status of the above site.

#### Daylight/Sunlight

- Report submitted is acceptable.

#### Noise and Vibration

- Noise assessment submitted is satisfactory.
- Require an assessment of noise from proposed Crossrail.

#### Officer Comment

- A condition will be imposed to ensure a contamination investigation is carried out in accordance with the above recommendation.
- Full consideration of daylight/sunlight is provided in Design and Amenity Section (8.23)
- An appropriate condition will be imposed in accordance with recommendations by Crossrail to protect the amenity of future occupiers from noise and vibration from the proposed Crossrail development.

### **LBTH Education**

- 6.7 The proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 29 additional primary school places @ £12,342 = £357,918. This funding will be pooled with other resources to support the programme for the borough of providing additional places to meet need.

Officer Comment

A contribution towards education will be secured.

**Crossrail (Statutory Consultee)**

- 6.8 Request condition regarding foundations to safeguard the Crossrail development.

Officer Comment

A condition will be imposed to safeguard the Crossrail development.

**Environment Agency**

- 6.9 No objection subject to conditions requiring:
- Water source control measures implemented in accordance with submitted Flood Risk Assessment;
  - Scheme to dispose of foul and surface water.

Officer Comment

Requested conditions to be imposed.

**Greater London Authority (Statutory Consultee)**

- 6.10 Estate Renewal and Affordable Housing - Proposed mix of private and affordable housing could be acceptable. However, they require a financial assessment to demonstrate that affordable housing outputs have been maximised. Exclusion of Lewely House means it is not possible to fully assess the density implications of the development. Request further information as to why Lewely House has been excluded and set out density implications of this approach. Provide financial assessment to demonstrate that affordable housing levels will be maximised.

Urban Design - Urban design approach acceptable from a strategic perspective.

Inclusive Design - All new housing to Lifetime Homes standards and 10% would be wheelchair accessible. Proposal does not demonstrate how Blue Badge Parking will be provided and managed. Provide information on Blue Badge provision and management.

Open Space and Landscaping - Exclusion of Lewely House makes it difficult to fully assess the landscaping proposals. Provide additional information why Lewely House had been excluded from the application site and set out landscaping implications of this approach.

Children's Play Space - Scheme does not demonstrate compliance with policy. Submit child yield assessments based on Mayors child yield methodology.

Climate Change Mitigation and Adaptation - Scheme has failed to demonstrate compliance with the Mayor's climate change mitigation and adaptation policies.

Mix of Uses - Mix of units acceptable. Provide further information about the scale and management of the proposed facility.

Car parking and Transport - Insufficient information provided regarding servicing and delivery, construction logistics and sustainable transport. The level of car parking needs to be reviewed so that the total provision including spaces in the underground car park is in line with the London Plan. The development should include secure and accessible cycle parking which meets the Mayors cycle parking standards.

Officer Comment

Issues raised by the GLA are considered in the Material Planning Considerations (Section 8) of the report.

**Natural England (Statutory Consultee)**

- 6.11
- Support the creation of a green route between Tower Hamlets Cemetery Park and Mile End Park.
  - Opportunities to incorporate feature beneficial to wildlife such as green roofs and more 'wild' open spaces.

#### Officer Comment

The cost to provide green roofs would have a direct impact on the funding available for the renewal of the estate. The application proposes to improve and increase the green spaces within the estate and as such it is not considered that additional features for wildlife can be justified.

#### **Olympic Delivery Authority (Statutory Consultee)**

6.12 No objection

#### **Thames Water**

- 6.13
- No objection with regard to sewerage infrastructure.
  - Existing water supply has insufficient capacity to meet demand. Require impact study for water infrastructure.

#### Officer Comment

An informative will be imposed advising the applicant to contact Thames Water.

#### **TfL (Statutory Consultee)**

6.14 Car Parking

- Do not support the proposals to re-open the basement car park – require justification for parking provision.
- Disabled car parking provision should be raised from the current ratio of 23 disabled car parking spaces to 10% of the reduced amount of spaces and enforced as such.
- Supports the decision not to issue car parking permits to the new residents.
- Setting up a car club should be investigated and, if appropriate for the site, should be included within a travel plan

#### Cycle Parking

- Notes the increase in cycle parking provision from 261 to 311 spaces. It is understood that this provides a 1.2:1 ratio for the new build residential units,
- Figure only represents 53% of the total number of refurbished/new build residential units for the Bede Estate.
- Basement car park could be used as a means to provide a total of 587 residential cycle parking spaces; a ratio of 1 space for each residential unit.
- Welcomes the intent to provide visitor and workplace cycle parking for the community centre/retail at surface level at a level recommended within TfL's Cycle Parking Standards (2006).

#### Access Arrangements

- Would like the applicant to ensure that the design of Portia Way discourages rat-run conditions between Bow Common Lane and the A1205 Burdett Road and for this to be conditioned.
- The design of the new junction for Portia Way/Burdett Road with tightened kerb radii is accepted.
- Would like the on-street parking on the east side of Burdett Road along the frontage of the estate removed to widen the footway.

#### Bus Stops

- Some local bus stops may require alterations to help them comply with TfL's accessibility guidelines. TfL requests the applicant to contribute a capped sum of £50,000 towards upgrading the bus stops, kerbs, red surfacing, crossings and traffic calming features after construction has taken place.

#### Travel Plan

- Supply a full residential travel plan with it conditioned.

#### Construction Logistics Plan and Delivery and Servicing Plan

- Note that tracked path/turning circle analysis has shown that servicing vehicles will be able to access the new Bede Estate.

- Should look into the possibility of a concierge service for the new Bede Estate to help reduce the number of failed deliveries by post which could be included in the DSP.
- CLP and DSP should be submitted and conditioned.

#### Officer Comment

- Issues relating to car parking and cycle parking are considered in the Parking & Highways Section (8.96) of this report.
- Contributions have been secured towards health care and education. Given the financial constraints of the scheme any additional contributions sought will have a direct impact on the funding available for the renewal of the estate. As such, additional contributions towards upgrading bus stops has not been sought.
- Given the financial constraint of the scheme, it is not considered that the widening of the footway can be prioritised. A site visit has confirmed that this footway is not particularly narrow and provides adequate space for people to pass.
- A Green Travel Plan is to be required in the S.106.
- A Construction and Service Plan will be required by condition.

## **7. LOCAL REPRESENTATION**

- 7.1 A total of 1095 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 15      Objecting: 14      Supporting: 1  
 No of petitions received: 1 objecting containing 139 signatories

- 7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

#### Design and Amenity

- Overdevelopment/overcrowding;
- Flawed calculating density in relation to PTAL;
- Out of character;
- Planning consent should be limited to buildings of 4 storeys;
- Poor design;
- Loss of light to existing buildings as a result of proposed blocks (in particular from proposed blocks KK,NN,TT,ZZ);
- Daylight/sunlight report inadequate – only sample of properties considered and makes assumptions;
- Loss of sunlight against Code of Sustainable Homes – will increase energy use;
- Overlooking;
- New homes adjacent to railway – health and safety risk;

#### Access and parking

- Access to Burdett Parking for shops reduced and complicated – deter passing trade;
- Existing paths/routes closed;
- Block HH restricts access to bins, car-parking and Burdett Road;
- Prevent existing vehicular drop off to 7 Portia Way;
- New development car free – can't be controlled;
- Concern about emergency and delivery access;
- 

#### Open space & community facilities

- Retail units may be duplicated
- Impact on quality of life, provision of services – particularly schools and open spaces;
- Control of anti-social behaviour;
- Loss of ball court;
- All open space proposed is playgrounds – need some quiet spaces;
- Overall loss 186 sq m open space and proposed density unacceptable;
- Blocks MM, NN, UU and WW built on open space;
- Noise from use of reintroduced ball games area;

Overall Impacts

- No benefit to the estate;
- Concern if properties don't sell to fund works;
- Noise, dust and inconvenience during works;
- Management arrangements for new development;
- Decent Homes programme completed for Bede estate;
- Location of bin stores- easily not accessible;
- East End Homes offices less accessible as will not be on estate;
- Disruption during building works – no indication of time scale;
- Will provide additional homes which are needed.

7.3 The following issues were raised in representations, but they are not material to the determination of the application:

- De-value property (OFFICER COMMENT: In itself, this is not a matter that can be taken into consideration)

7.4 The following procedural issues were raised in representations, and are addressed below:

- No previous consultation (OFFICER COMMENT: During the pre-application stage a community forum was held for local residents to attend to gauge views on the proposed estate renewal. This was chaired by LBTH Planning department)
- LB Tower Hamlets presented the application in a poor way and no drawings of a 3D nature (OFFICER COMMENT: The application has been submitted to the Council for consideration. The documents are of acceptable quality to assess the implication of the scheme)
- No notices posted on East End Homes notice boards throughout the estate (OFFICER COMMENT: Site notices were displayed around the estate in addition to letters being sent to residents and advertisements in East End Life)

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of Estate Regeneration
2. Land Use
3. Housing
  - Density
  - Affordable Housing
  - Housing Mix
  - Standard of Accommodation
  - Design & Amenity
4. Open Space
  - Provision of Open Space
  - Child Play Space
  - Private Amenity Space

- 5. Parking and Highways
- 6. Sustainability
  - Biodiversity
  - Air Quality

### Principle of Estate Regeneration

- 8.2 The Government is committed to creating the opportunity for decent homes for all. The regeneration and renewal of neighbourhoods is supported by the Mayor's Housing Supplementary Planning Guidance (November 2005). In Tower Hamlets, the Council is seeking that all homes are brought up to Decent Homes Plus standard to ensure that homes are in a good state of repair.
- 8.3 The Decent Homes Standard is defined by the DCLG as a home which is 'warm, weatherproof and has reasonably modern facilities.' The Decent Homes Plus Standard goes beyond the previous requirements and includes works such as improved security, lift replacement and thermal comfort works.
- 8.4 As part of the Tower Hamlets Housing Choice Programme Bede estate was transferred to East End Homes in 2004. In order for East End Homes to facilitate the regeneration of the Bede Estate and bring the existing homes up to Decent Homes Plus standard, a comprehensive redevelopment is proposed with an increased housing density on site. The increase in density is required in order to generate sufficient value from market development to support the refurbishment, replacement and increased provision of affordable housing and to achieve a mixed and balanced community.
- 8.5 The application proposes the erection of 24 buildings providing 236 new residential units to facilitate the following estate-wide improvements:

Works	Cost (£)
New Kitchens and bathrooms	2,147,540
Central heating repairs / improvements	881,000
Roof repairs	712,000
Thermal insulation improvement	1,396,000
Window repairs / replacement	952,440
Structural Repairs	1,196,100
Repair/Renew Entrance Doors	164,800
Balcony upgrading	382,700
Improvements to electrical and water services	401,000
Refurbish underground garages & podium deck	528,300
Refuse Improvements	398,000
Play equipment	106,000
Environmental Works including Security/Lighting, Landscaping, Car Parking, Paving	2,140,000
New communal stairs and entrances including access control	2,310,000
<b>Total</b>	<b>13,715,880</b>

- 8.6 Overall, the principles and objectives set out in regional and local policies for estate regeneration proposals are achieved for the Bede Estate through a comprehensive redevelopment scheme. The proposal maximises the development potential of the site whilst upgrading the existing housing and communal areas. The planning issues are considered in detail below.

### Land Use

- 8.7 The existing land use of the site is predominantly residential. There are no specific land use designations in the adopted UDP or IPG. The provision of additional housing in this location is supported to facilitate the regeneration of the estate providing other policy objectives are



met. The application proposes residential development, community facilities and retail provision. Issues related to Housing are addressed in the next section (Section 8.12).

- 8.8 London Plan Policy 3A.18 requires that in areas of major development and regeneration, adequate facilities should be provided for social infrastructure and community facilities. Policy SCF1 in the IPG requires that consideration is given to the need for social and community facilities within redevelopment proposals. The policy requires that consideration is given to the likely catchment of the facility, accessibility and needs of the area.
- 8.9 There is currently no community centre on the estate. The application proposes a new community centre (273 sq.m) which has a frontage onto Joseph Street. This is a fairly central location in the estate and will provide a community facility for the residents. It is considered that the size and location of community centre is appropriate and will provide a facility that currently is not provided.
- 8.10 The application proposes retail and storage floorspace (219 sqm) on the northern corner of the site fronting Bow Common Lane and Portia Way. This will provide an active frontage onto these roads and will expand the existing retail provision in the estate to serve the local community.
- 8.11 It is considered that the mix of uses proposed accords with the criteria set out in Policy CP1 in the IPG which seeks to create sustainable communities by providing a range of uses in the local environment. The provision of additional local shops and a community centre will provide residents with these facilities within walking distance. Whilst there are no employment sites proposed, the Bede Estate is located in an area with good access to public transport. As such, it is considered to be a sustainable location for residential development.

### **Housing**

- 8.12 The application proposes the erection of 24 new buildings throughout the Bede estate providing 236 residential units. The IPG sets out the Council's objective to ensure that all residents in Tower Hamlets have access to decent homes in decent neighbourhoods, as part of an overall commitment to tackle social exclusion. It is necessary to ensure that the proposed housing does not have an adverse impact on the amenity of residents who live in the Bede estate as the overall objective of the proposal is to improve the living conditions on the estate.

### Density

- 8.13 The London Plan (Consolidated with alterations since 2004) provides a density, location and parking matrix that links density to public transport availability that is defined by a Public Transport Accessibility Level (PTAL) (Table 3A.2 of the London Plan). The site is located in an area with a PTAL of 5. For 'Urban' sites with a PTAL range between 4 to 6, the London Plan states that the appropriate density for residential use should be within the range 200-700 habitable rooms to the hectare. The proposal would result in a scheme with a density of 366 habitable rooms per hectare, which is within the limits stated in the London Plan. As such, it is considered that the proposal achieves an appropriate intensity of use, is compatible with the local context, design principles and public transport capacity.
- 8.14 The existing 22 storey tower on the eastern side of the estate (Lewey House) has not been included with the application site as this building is under separate ownership and not subject to the proposed upgrades. However, it is clear that due to its location on the periphery of the estate, it is physically integrated as it shares common amenity spaces and access to pedestrian routes. Taking this building into account, the overall density would be 398 habitable rooms per hectare which is still comfortably within the range set out in the London Plan.

Affordable Housing

- 8.15 Policy 3A.9 of the London Plan states that boroughs should seek the maximum reasonable amount of affordable housing, taking into account the Mayor’s strategic target that 50% of all new housing in London should be affordable and Borough’s own affordable housing targets. Interim Planning Guidance Policy CP22 seeks to achieve 50% affordable housing provision from all sources across the Borough with a minimum of 35% affordable housing provision on sites capable of providing 10 or more dwellings.
- 8.16 Policy HSG3 in the IPG seeks to ensure a maximum provision of affordable housing in new schemes. Specifically, with regard to estate regeneration schemes, policy HSG5 in the IPG states that the Council may consider varying its requirements towards additional affordable housing where it can be sufficiently demonstrated that the provision of market housing on the estate regeneration site is necessary in order to cross subsidise the works being undertaken.
- 8.17 The proposed new build provides 36.1% affordable housing which is in accordance with the policy objectives. Policy HSG5 does allow consideration to be given to a reduction in affordable housing provision. However, this is not being sought to subsidise the works to upgrade the existing dwellings to Decent Homes Plus standard.
- 8.18 The proposed scheme provides a ratio of social rented to intermediate housing of 80:20 which is in accordance with Policy HSG4 in the Interim Planning Guidance.

Housing Mix

- 8.19 On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a “substantial proportion” of family dwellings of between 3 and 6 bedrooms. Policy HSG2 in the IPG specifies an appropriate mix of units should be provided to reflect local need and provide balanced and sustainable communities. Family accommodation is again identified as a priority, reflecting the findings of the Borough’s Housing Needs Survey, as well as the draft East London SRDF.
- 8.20 The table below demonstrates that a range of unit sizes are being provided. The provision of 3 and 4 bedroom units in the social rented sector is below the target levels set out in policy HSG2 in the IPG. However, the Bede Estate currently comprises 52% 3 bedroom units. Of these, 47% are within the social rented sector. As such, when viewing the estate as a whole, there is already a large proportion of family sized units. In this context, it is considered that providing a greater number of smaller units will help to create a mixed and balanced community. Moreover, an increase in family sized accommodation would significantly reduce the percentage of affordable housing provided by this development (to below 35%) and reduce the money available for Decent Homes Plus refurbishment works and s.106 contributions.
- 8.21 It should be noted that 5 and 6 bedroom units are proposed in the social rented sector above the targets set out in the IPG for which a specific need has been identified.

	Affordable Housing	Market Housing
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Unit Size	Total Units	Social Rented			Intermediate			Private Sale		
		Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	22	0	0	0	0	0	25	22	13.8	25
1 bed	72	19	31.7	20	4	25	25	54	33.8	25
2 bed	92	25	41.7	35	8	50	25	59	36.8	25
3 bed	40	11	18.3	30	4	25	25	25	15.6	25
4 bed	0	0	0	10	0			0		
5 bed	2	2	3.3	5	0			0		
6 bed	3	3	5.0		0			0		
Total	236	60	100	100	16	100	100	160	100	100

Standard of Accommodation

- 8.22 Policy HSG9 in the Interim Planning Guidance seeks that all new development is designed to Lifetime Homes standards, including at least 10% of all housing being wheelchair accessible or easily adaptable for residents who are wheelchair users. This is in line with the Mayor's policy approach to assist in improving housing choice for elderly and disabled people.
- 8.23 All proposed units are to be built to Lifetime Homes standards and 10% of the units are to be accessible or easily adaptable for wheelchair users which accords with local and national policy. The unit sizes are in accordance with Policy HSG13 in the UDP which requires all new developments to have an adequate provision of internal residential space.

Design & Amenity

- 8.24 Policy 4B.1 sets out overarching design principles for London and states that the Mayor will seek to ensure that new developments maximise site potential, enhance the public realm, provide a mix of uses, are accessible, legible, sustainable, safe, inspiring and respect London's natural and built heritage.
- 8.25 Policy CP4 of the IPG specifies that the bulk, height, and density of development must consider the surrounding building plots, scale of the street, building lines, roof lines, street patterns and the streetscape. The development must also respond in a sustainable manner to the availability of public transport, community facilities and environmental quality. Policy DEV1 of the UDP outlines general design and environmental requirements that developments must comply with. The policy requires proposals should be sensitive to the development capabilities of the site and not to cause overdevelopment or poor space standards.
- 8.26 Tall buildings are buildings or structures generally exceeding 30m in height or which are significantly higher than the surrounding buildings (usually 2 or more storeys higher). The total height of some of the blocks (7-8 storeys) would equate to a difference of more than 2 floors, which qualifies them as a tall buildings. Policy DEV27 in the IPG sets out criteria for assessing tall buildings, in particular assessing the sensitivity of the design to the context of the site.
- 8.27 Unitary Development Plan policies DEV1 and DEV2 and policy DEV4 of the IPG seek to ensure that safety and security within development and the surrounding public realm are optimised through good design and the promotion of inclusive environments. Policy DEV4 in the IPG seeks to ensure safety and security of development by incorporating principles such as ensuring building entrances are located and designed to be visible, designing development to face the street with active frontages and by creating opportunities for natural surveillance of the public realm.
- 8.28 The overall design approach adopted respond to the constraints of each individual site boundaries and provides a cohesive approach the renewal of the estate. The proposed

buildings range from 4 to 8 storeys which is considered to respect the scale of the existing buildings on the site. The tallest block is located adjacent to the south-western boundary of the site and will announce the entrance to the estate from Burdett Road.

- 8.29 The existing blocks are arranged in an orthogonal grid. The proposal follows the existing grid lines. However, it seeks to infill many of the awkward spaces which are currently open but have little or no amenity value. It is considered that the overall design approach is appropriate and accords with policy requirements. The buildings have been designed to improve natural surveillance and remove enclosed spaces which give rise to safety concerns. It is considered that the proposed buildings improve the overall appearance of the estate and will create a greater feeling of safety. As such, whilst the proposal does increase the density on the estate, it does so without compromising the overall objective to create a better living environment.
- 8.30 In terms of amenity, Policy DEV2 in the UDP 1998 and Policy DEV1 of the Interim Planning Guidance seeks to ensure that development where possible, protects and enhances the amenity of existing and future residents as well as the amenity of the public realm.
- 8.32 In accordance with BRE Guidance, a Daylighting and Sunlighting report was submitted with the application. The report calculates the Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Sunlighting for adjoining properties.
- 8.32 The VSC quantifies the amount of skylight falling on a vertical wall or window. For a room with non-continuous obstructions there is the potential for good daylighting provided that the VSC, at the window position 2m above ground, is not less than the value for a continuous obstruction of altitude 25 degrees. This is equal to a VSC of 27%.
- 8.33 The VSC calculation can be related to the ADF which, in addition to the amount of skylight falling on a vertical wall or window, considers the interior daylighting of the building. The calculation takes into account the thickness of the glazing, size of the window, reflectance and total area of room surfaces.
- 8.34 Sun lighting has been measured using sunlight availability indicators or sunpath indicators. The British Standard recommends that at least 25% of annual probable sunlight hours be available at the reference point, including at least 5% of annual probable sunlight hours in the winter months.
- 8.35 The calculations have been based on a sample of rooms in the blocks that are likely to be most affected by the proposal. The report demonstrates that there are some instances where the VSC which quantifies the amount of skylight falling on a vertical wall or window is below the levels set out in the BRE guidance. However, the calculations demonstrate that the affected rooms would still have sufficient ADF. Given the urban context of the site, it is considered that the resultant levels of daylight can be accepted.
- 8.36 The Daylight and Sunlight Report concludes that the impact on sunlight availability is quite severe given that the existing blocks currently do not receive the guidance levels to the elevations. The application must be viewed in the urban context. As such, it is considered that refusal could not be sustained on the loss of sunlight, particularly given that the current levels are low.
- 8.37 The Council's Environmental Health Section has reviewed the Daylight and Sunlighting Report and considers that the report satisfactorily demonstrates that there will be no significant impact with regard to daylight/sunlight on existing residents.
- 8.38 The application proposes 24 new buildings across the Bede estate. The main issues relating

to each of the proposed buildings will be considered in turn:

**Block AA** – 4 storey building located on the corner of Eric Street and Bow Common Lane

- 8.39 The proposed building infills the corner between two existing 4 storey residential blocks which front Eric Street and Bow Common Lane respectively. The proposed block projects forward of the existing building fronting Bow Common Lane, taking account of the tapered boundary of the site. The proposed block is located on an existing parking area. Parking is retained along Portia Way and will ensure that the existing units are located near to accessible parking. In addition, a disable parking space is provided adjacent to the proposed Block AA.
- 8.40 The proposal provides combined access to the existing blocks from Bow Common Lane and separate access to the proposed building from Eric Street. In terms of scale and design, the building is considered appropriate and it respects the character of the area.
- 8.41 It is not considered that the building will have a significant impact on amenity of adjoining residents. The proposed building will not provide direct views into the existing adjoining blocks. With regard to daylight/sunlight, the submitted report demonstrates that levels will accord with the standards set out in the BRE guidance. Whilst the figures show that there will be a high level of loss of daylight to the properties to the north fronting Bow Common Lane, this is because there is currently no obstruction to the habitable room windows and as such any building would result in a significant reduction.

**Block BB** – 6 storey building located on the corner of Eric Street and Burdett Road

- 8.42 The proposed building is located on an open area of land between two existing 4 storey blocks which are set at oblique angles to one another. The stairwell to the block to the east will be removed with the access provided from Portia Way. The proposed building will be accessed from Eric Street.
- 8.43 It is considered that the scale and design of the proposed building is acceptable. Whilst it is acknowledged that the proposed building is 2 storeys higher than the adjoining buildings, it is considered that, being a corner plot, such a rise in height is acceptable.
- 8.44 With regard to the amenity of the adjoining residents, the proposed building projects 1.7m forwards of the south elevation of the residential block located to the east. It is not considered that this modest projection would have an adverse impact on the amenity of existing residents. The proposed building does not obstruct any existing habitable room windows

**Block CC** – 4 storey infill building on Portia Way

- 8.45 The proposed block infills a space enclosed on 3 sides by existing 4 storey buildings. The ground floor of the proposal provides bicycle storage and the entrance to the adjoining blocks. Residential accommodation is proposed on the upper levels. The block is a similar height to the adjoining buildings and considered appropriate. The infilling of this area is supported as it will remove a dark enclosed space which has no natural surveillance.
- 8.46 In terms of amenity, the proposal will not cause significant harm to adjoining occupiers. The proposed balconies project forward of the front elevation. However, it is considered that they will not result in unacceptable degree of overlooking and loss of privacy to adjoining occupiers, given that they will be adjacent to the high level walkways of the adjoining block.

**Block DD** – 6 storey building located on corner of Portia Way and Burdett Road

- 8.47 The proposed building is attached to the end of an existing 4 storey residential block. It would occupy an existing hardstanding and parking area. There is private amenity space located to the front of the building to provide defensible space between the proposed ground floor residential units and the footpath along Burdett Road. It is considered that, given the location of the proposed building on the end of an existing block, it is appropriate in this location to increase the height to 6 storeys.
- 8.48 In terms of amenity, this site is at the end of an existing residential block and is not considered to have a significant impact on the amenity of residents.

**Block EE** – 4 storey building located on the corner of Portia Way and Bow Common Lane

- 8.49 The proposed block is located on a grass area adjoining Bow Common Lane. It is proposed to provide retail units on the ground floor with residential units above. It is considered that this is an appropriate location for retail units located adjacent to the existing shopping parade. The units will provide a more active frontage along Bow Common Lane and will assist in announcing the location of the existing shopping parade.
- 8.50 In terms of the amenity of existing residents, given the orientation of the existing residential block to the south of the site, the proposal will not result in loss of sunlighting to the rear gardens which back onto Portia Way. As with Block AA, the submitted daylight/sunlight report highlights that there will be significant losses of sunlight to the properties on the north side of Bow Common Lane. As this is an open space at present, it is inevitable that any development will reduce the current levels of daylight. However, the levels do not fall below those in the BRE guidance.

**Block FF** – 4 storey infill building on Portia Way

- 8.51 The proposed block infills the space enclosed on 3 sides by existing 4 storey buildings and is similar to the proposed building CC located on the opposite side of Portia Way. The area is enclosed on three sides by the existing blocks. The ground floor of the proposal provides bicycle storage and the entrance to the adjoining blocks. Residential accommodation is proposed on the upper levels. The block is a similar height to the adjoining buildings and considered appropriate. The infilling of this area is supported, as it will remove a dark enclosed space which has no natural surveillance.
- 8.52 In terms of amenity, the proposal will not cause significant harm to adjoining occupiers. The proposed balconies project forward of the front elevation. However, it is considered that they will not result in unacceptable degree of overlooking and loss of privacy to adjoining occupiers.

**Block GG** – 6 storey infill Building on Portia Way

- 8.53 The proposed building is considered appropriate in terms of scale and design. Whilst the height of the buildings exceeds the adjoining blocks, the increase in height is appropriate in this location as it will not appear unduly prominent in the street scene. The building provides a new access to the underground car park, providing a secure pedestrian and vehicular entrance with increased natural surveillance at these openings.
- 8.54 The building projects further forwards of the existing building line to Portia Way. The proposed building has been designed with chamfered corners to the upper floors to protect the amenity of existing residents to the north. The projection is stepped in line with the existing building, where it adjoins the 4 storey block to the south.

**Block HH** – 4 storey building on corner of Portia Way and Burdett Road

- 8.55 The proposed building infills an area of open space adjacent to Burdett Road. It adjoins existing 4 storey buildings. The proposed block provides secure access to the car park. It is considered that the building is appropriate in terms of scale and design.
- 8.56 The proposed building is not considered to have an adverse impact on the amenity of residents. The block projects 3.2m west of the existing building to the north. It is not considered that this will have a significant impact on the amenity of residents given that the existing stairwell projects beyond the elevation.

**Block JJ** – 4 storey infill building on Wager Street

- 8.57 The proposed block infills the space enclosed on 3 sides by existing 4 storey buildings. Residential accommodation is proposed with lightwells to the rear to provide daylight to the proposed units. The units are accessed by extending the existing deck access. The proposed block is a similar height to the adjoining buildings and considered appropriate. The infilling of this area is supported as it will remove a dark enclosed space which has no natural surveillance.
- 8.58 In terms of amenity, the proposal will not cause significant harm to adjoining occupiers. The proposed building does project forward of the front elevation. However, it is considered that it will not result in unacceptable degree of overlooking and loss of privacy to adjoining occupiers.

**Block KK** – 2 x 8 storey buildings at Wager Street/Burdett Road linked at first floor level

- 8.59 The buildings are located on an existing parking area. The proposed buildings are linked at first floor level by an open walkway and accommodation over-sailing the pedestrian walkway at the southern end of Wager Street. It is considered that the design is sensitive to the context of the site and will be visually integrated into the streetscape and the surrounding area.
- 8.60 The buildings are located at the end of existing blocks and are not considered to have a significant impact on the amenity of residents. The design is such that there will be no direct overlooking into the existing buildings. The proposal provides a new access to the blocks to the south and east via a secure entrance.

**Block LL** – 6 storey building located on eastern side of Wager Street

- 8.61 The proposed building replaces the existing estate office. These offices are used by East End Homes and will be re-provided at the Eric and Treby Estate (subject to planning) The building does not project significantly beyond the existing building line. The building is 6 storeys and considered appropriate in terms of scale and design in this location.
- 8.62 Whilst the proposal is taller than the existing building on the site, it is not considered to result in a material deterioration of the sunlighting and daylighting conditions of surrounding buildings. The proposed building follows the existing 'grid' layout which protects existing occupiers overlooking and loss of privacy.

**Block MM** – 4 storey building on Joseph Street

- 8.63 The proposed block is a 4 storey building providing a community facility and residential accommodation. The scale and design of the block is considered appropriate and inkeeping with the general height of buildings in the immediate vicinity. This is an appropriate location

for a community facility in the estate given its fairly central and easily accessible as it is located on one of the main roads in the Bede Estate.

- 8.64 In terms of amenity, the proposed building is of similar scale to buildings in the immediate vicinity and is located 15m from the habitable room windows of the residential block to the west. In terms of privacy, it is considered that, given the urban context of the proposal the separation distance is acceptable to protect the amenity of existing residents.

**Block NN** – 4-6 storey building on Wager Street/Joseph Street

- 8.65 This is an L-shaped building which replaces an existing row of garages. The proposed building adjoins the south elevation of Wearmouth House at 4 storeys and rises to 6 storeys at the corner of Wager Street. It is considered that the scale and design is appropriate in this location.
- 8.66 The proposal will not have a significant adverse impact on the amenity of the existing residents, in particular those in Wearmouth House. There will be some reduction in daylight/sunlight to existing residents as the site is currently fairly open with the existing garages being single storey. The daylight levels before and after the development indicate that there will be a reduction. However, it is considered that given the urban context of the site and that the units are dual aspect, the resultant levels of daylight are acceptable. Due to the orientation of the building, there will be no loss of sunlight to the building to the south.
- 8.67 In terms of privacy, given the layout of the buildings there is already some overlooking although not directly to the habitable rooms in the western elevation of Wearmouth House. The proposal will result in habitable room windows on the eastern elevation of the proposed building facing existing properties. The separation distance is 20m which exceeds policy requirements (18m). With regard to the building to the south, the separation between the blocks is similar to the existing layout of the estate and considered acceptable in this urban context.
- 8.68 There will be some overshadowing to the amenity area. However, this area remains fairly open to the west, with access to the communal amenity area from Wager Street. The proposed building will provide increased natural surveillance to this amenity area.

**Block PP** – 4 storey building on corner of Wager Street and Joseph Street

- 8.69 The proposed building infills a corner adjoining existing 4 storey buildings to the west and south which front Wager Street and Joseph Street. The proposed block provides secure access to the new units and replaces the existing stairwell the block to the south. The proposed building is similar in scale to the adjoining buildings and is considered appropriate in terms of scale and design.
- 8.70 Given the scale and location of the proposed building, is not considered to have an adverse impact on the amenity of residents.

**Block QQ** – 4 storey block adjacent to railway

- 8.71 The proposed building infills a corner adjoining existing 4 storey buildings to the north and west, adjacent to the railway. The proposed building is similar scale to the adjoining buildings and is appropriate in terms of scale and design.
- 8.72 The proposed building replaces the existing stairwell and provides a new access to the existing block to the north and the proposed units. Access at second floor level is provided by an extension of the deck access. The proposed building does not project significantly



forwards (to the east) of the existing building and, as such, does not significantly harm the amenity of existing residents. The proposal will not result in any loss of privacy. A noise report has been provided with the application to assess the impact of the railway noise on the proposed development. This report has been reviewed by the Environmental Health Department and concludes that, subject to appropriate conditions, this is an acceptable location for residential development.

**Block RR** – 4 storey block on east side of Joseph Street

- 8.73 The proposed building is located on an existing hardstanding area at the northern end of an existing residential block. To the north of the site is Lewely House which is the tower block located outside of the application site. The proposed building is considered to be of an appropriate scale and design. The building projects both forwards and rearwards of the existing residential block with the frontage onto Joseph Street to the north. The access to the existing block is to be upgraded.
- 8.74 Given the orientation of the proposal in relation to the existing building, there will be no loss of day/sunlighting to the building to the south. With regard to Lewely House, the proposed building is of relatively modest scale and the separation follows the similar grain of the estate. As such, it is not considered to give rise to any amenity concerns.

**Block SS** – 4 storey block on Joseph Street, adjacent to railway

- 8.75 The building adjoins the south of an existing 4 storey block which fronts Wager Street to create a L-shaped building. The existing staircase is to be upgraded and access to the proposed building will be provided via a central stair core. The building is sensitive to the character of the area in terms of its design and scale. In terms of existing building lines, the proposed building does not detract from the existing uniformity of the estate.
- 8.76 The building has been designed with chamfered corners and as such will not result in any direct overlooking. In terms of light, there will be a reduction in sunlight during the late morning to some rooms in the rear elevation of the block to the north. There will be no reduction to the sunlight to the western elevation. In terms of daylight, there will be no discernable impact on the adjacent existing properties. A noise report has been provided with the application to assess the impact of the railway noise on the proposed development. This report has been reviewed by the Environmental Health Department and concludes that subject to appropriate conditions, this is an acceptable location for residential development.

**Block TT** – 4-7 storey building on Bow Common Lane (Linked to Block UU)

- 8.77 The proposed building is located on the southern side of Bow Common Lane. This building will be visible from the Ropery Street conservation area to the north. The building is 4 storeys in height, rising to 7 storeys to the west. The building steps up towards Lewely House which is located to the west of the site. The building will be viewed in conjunction with Lewely House and will appear relatively modest in scale. It is considered that the scale and design of the building is appropriate and will preserve the character of the Ropery Street conservation area.
- 8.78 It is not considered that the building will have a significant impact on amenity of adjoining residents. The proposed building will not provide direct views into the existing adjoining blocks. With regard to daylight/sunlight, the submitted report demonstrates that levels will accord with the standards set out in the BRE guidance. Whilst the figures show that there will be a loss of sunlight to the properties to the north fronting Bow Common Lane, this is because there is currently no obstruction to the habitable room windows. As such, any building will result in a reduction.

**Block UU, Block WW** – 3 – 4 storey buildings located to the rear of buildings on the east side of Joseph Street.

- 8.79 These blocks are connected and extend northwards of an existing 4 storey block located in part where the existing ball court is sited. The buildings are sited to the rear of the existing blocks fronting Joseph Street. Their scale and design is acceptable and retains appropriate spacing between the existing and proposed buildings.
- 8.80 The nearest distance between habitable room windows is from block UU to the residential block to the west. This provides a 15m separation which is considered acceptable to protect privacy in view of the blocks urban context. Given the spacing between the blocks, there are considered to be no significant impact on the amenity of existing residents.

**Block XX, Block YY, Block ZZ** – 4 storey blocks located at the southern end of buildings adjacent to the railway line

- 8.81 These blocks are located at the end of existing blocks. All proposed blocks are of similar scale and design and are considered visually appropriate.
- 8.82 The proposed buildings do not project significantly forwards (to the east) of the existing building and, as such, does not significantly harm the amenity of existing residents. Given the location and design of the proposed buildings, they will not result in any loss of privacy. A noise report has been provided with the application to assess the impact of the railway noise on the proposed development. This report has been reviewed by the Environmental Health Department and concludes that, subject to appropriate conditions, this is an acceptable location for residential development.
- 8.83 Overall, the proposed buildings are considered acceptable in terms of design and amenity. The height, scale and design of the proposed buildings are acceptable and in line with policy criteria set out in 4B.1 of the London Plan, policies DEV1 and DEV2 of the UDP and policies DEV1, DEV2 and DEV27 of the IPG which seek to ensure buildings are of a high quality design and suitably located. The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the compliance with relevant BRE Guidance and the urban context of the development. As such, the scheme accords with policy DEV2 of the UDP and policy DEV1 of Council's IPG. Given the acceptable design and amenity impacts, the application is not considered an overdevelopment.

### **Open space**

#### **Provision of Open Space**

- 8.84 In terms of defining open space, the Mayor's Best Practice Guidance on Preparing Open Space Strategies provides a clear definition for both Public and Private forms of open space. Public Open Space is defined as "*public parks, commons, heaths and woodlands and other open spaces with established and unrestricted public access and capable of being classified according to the open space hierarchy, which meets recreational and non-recreational needs*". Private open space is defined as "*open space to which public access is restricted or not formally established but which contributes to local amenity or wildlife habitat or meets or is capable of meeting recreational or non-recreational needs, including school and private playing fields*". The guidance also states that private residential gardens or incidental areas such as road verges or streets (unless these form part of a link in the open space network) should not be included.
- 8.85 Policy OSN2 in the IPG states that planning permission will not normally be given for any development which results in the loss of public or private open space having significant

recreation or amenity value. Policy HSG16 in the UDP requires that all new housing developments include an adequate provision of amenity space. Core Strategy CP25 in the IPG states that all new housing developments should provide high quality private and communal amenity space for all residents.

- 8.86 Quality, quantity and access to open space are key components to the delivery of sustainable communities. The application proposes the reconfiguration and upgrade of the open space throughout the estate. The calculations show there will be an increase in the provision of public and private open space across the estate from 12,628 sq m to 12,824 sq m. Whilst it is acknowledged that the population density will increase as a result of the proposal, it is considered that the proposed increase in open space provision is acceptable given that there will be an upgrade in quality of the amenity areas and the financial constraints associated with upgrading the existing units. Furthermore, it should be noted that the calculation for open space provision does not take into account all newly landscaped areas, in particular the creation of homezones (where pedestrians have primacy over vehicles) which will provide improved hard landscaped areas.
- 8.87 The proposal designates specific areas for pedestrians, vehicles and recreation to provide an improved environment with community focus. The application proposes the creation of a 'Central Pedestrian Spine' to link three key areas for the estate: the Shopping Area, the Community Centre and the Southern Boundary. Access to the pedestrian spine from the residential blocks will be improved to aid permeability throughout the estate. The proposed homezone areas are located on Portia Way, Wager Street, Joseph Street and the service area adjacent to the railway. The homezone areas will be more pedestrian friendly and will be defined by a change in materials and levels.
- 8.88 Concern has been raised that some existing pedestrian routes will be closed as a result of the proposal. The application does reconfigure the existing pedestrian routes, which results in the closure of some existing routes. A key element to the proposed renewal of the estate is to improve safety and security. Some of the existing routes are enclosed alleyways which are considered unsafe. The application proposes more defined routes for pedestrians in areas where there is a good level of natural surveillance. It is considered that safety will be improved as a result.
- 8.89 Areas of public open space are located throughout the estate. These areas are vehicle free and generally located in 'courtyard' areas between pedestrian blocks. This provides natural surveillance from the residential blocks to the open areas giving some security. The overall strategy for socialising and play across the estate is to provide 'node modules' to act as centres of activity. The rationale behind this is described in the Landscape Strategy as '*creating an aesthetic to unite the estate and providing multipurpose areas for refuse, recycling, signage, lighting, seating and informal play.*' It is considered that the overall approach of providing a distinctive landscaping across the estate will provide attractive areas of public amenity space for people of all ages.
- 8.90 The application proposes the relocation of the ball court to the western side of the estate. This has been reintroduced into the scheme following concerns raised by residents that there would be inadequate facilities for older children/teenagers.

#### Child Play Space

- 8.91 London Plan Policy 3D.13 requires developments that include residential units to make provision for play and informal recreation, based on the expected child population. The Mayor's SPG sets a benchmark of 10sq.m of useable child play space to be provided per child, with under 5 child play space provided on site.

8.92 The table below demonstrates the total required child play space as set out in the London Plan (existing and proposed units). The table demonstrates that for the total number of units on the estate, there is a requirement of 2691sq.m of dedicated play space. The proposal provides 2038 sq m of dedicated play space and 4320 sq m of informal playable landscape across the site.

Tenure	Market Units				Social Rented				Intermediate				
	Unit Size	No. of Units	Child Yield	Total Yield	GLA 10 sq.m.	No. of Units	Child Yield	Total Yield	GLA 10 sq.m.	No. of Units	Child Yield	Total Yield	GLA 10 sq.m.
Studio	22	0.036	0.792	7.92	0	0.059	0	0.00	0	0	0.059	0	0.00
1 bed	54	0.036	1.944	19.44	15	0.059	0.885	8.85	4	0.059	0.236	2.36	
2 bed	135	0.228	30.78	307.8	100	0.49	49	490.00	8	0.49	3.92	39.20	
3 bed	135	0.564	76.14	761.4	90	0.912	82.08	820.80	4	0.912	3.648	36.48	
4 bed	7	0.742	5.194	51.94	3	1.221	3.663	36.63	0	1.221	0	0.00	
5 bed	3	0.742	2.226	22.26	4	1.221	4.884	48.84	0	1.221	0	0.00	
6 bed	0	0.742	0	0	3	1.221	3.663	36.63	0	1.221	0	0.00	
<b>Totals</b>	<b>356</b>		<b>117.07</b>	<b>1170.7</b>	<b>215</b>		<b>144.175</b>	<b>1441.7</b>	<b>16</b>		<b>7.804</b>	<b>78.04</b>	
<b>Grand Total</b>				<b>2691</b>									

8.93 It acknowledged that the dedicated playspace is below the standards set out in the London Plan however there is a substantial provision of informal playspace on the site in addition to the dedicated provision. Furthermore the site is located adjacent to Mile End Park and all proposed new units have private amenity areas. As such, it is considered that the level provided is acceptable.

8.94 Policy HSG7 of the IPG requires that 3 sq.m of amenity space is provided per child. Provision of 796 sq.m of dedicated playspace is required. The proposed provision significantly exceeds the Council's standards.

8.95 Whilst Lewley House has not been included in the calculations as it is outside the application site, it is acknowledged that residents are likely to use the communal amenity areas in the Bede Estate. Given the provision of overall provision of playspace and the proximity to Mile End Park, it is considered that there is an appropriate provision.

8.96 In terms of amenity, the proposed play space is not considered to have a significant impact on existing residents. The most likely impact is noise associated with the use of play equipment (including use of the ball court). However, it is not considered that this would have a significant impact on residents. The location of the ball court is adjacent to Burdett Road, which is a busy road with activity day and night. Given the location, it is not considered appropriate to restrict the hours of use of the facility.

#### Private Amenity Space

8.97 According to paragraph 16 of PPS3 (Housing), matters to consider when assessing design quality of housing developments include the extent to which the proposed development "provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies". Paragraph 17 of PPS3 states that "where family housing is proposed, it will be important to ensure that the needs of children are taken into

*account and that there is good provision of recreational areas, including private gardens, play areas and informal play space”*

8.98 Policy HSG7 in the IPG requires that development provides appropriate public and private amenity space. The proposal provides private amenity space for all new units. The information submitted with the application demonstrates that, whilst some of the units have a provision of amenity space below the standards set out in the IPG (Table DC2), the overall provision exceeds the levels set out in guidance. It is considered that the private amenity spaces have been designed to provide a functional space and is broadly responsive to the size of the dwelling. As such, the private amenity space provided is considered acceptable and in general compliance with the requirements of Policy HSG7 in the IPG.

### **Parking and Highways**

8.99 Policy 3C.1 of the London Plan seeks to ensure the integration of transport and development by encouraging patterns and forms of development that reduce the need to travel by car and to locate high trip generating development in locations with high levels of transport accessibility and capacity. Policy 3C.2 further requires proposals for development to be considered in terms of existing transport capacity. The Mayor seeks to ensure that on-site car parking at new developments is the minimum necessary.

8.100 Policy T16 of the UDP states that new development proposals will be assessed in relation to the ability of the existing and proposed transport system to accommodate the additional traffic that is likely to be generated.

8.101 Policy CP41 of the IPG seeks to ensure the integration of new development with transport, recognising that this is fundamental to achieving more sustainable patterns of travel in Tower Hamlets. The IPG supports the Mayor of London’s Transport Strategy in encouraging walking and cycling as well as the use of public transport. Developments which generate large numbers of trips should be located in places easily accessible to existing or planned public transport. LBTH uses Public Transport Accessibility Level (PTAL) rating to assess the degree of public transport accessibility.

8.102 There are currently 282 on-street car parking spaces within the estate, together with 105 underground parking spaces and 15 garage spaces. In addition, there are 46 on-street parking bays on Joseph Street, an adopted road. These 46 spaces are controlled by the Council through resident permits.

8.103 The application proposes to re-open the basement car park and reduce the provision of surface level car parking. Whilst it is acknowledged that TfL have raised objection to the re-opening of the car park, it should be noted that this is an existing car park although not currently in use. As such, it should be considered as part of the existing parking provision. On this basis, the proposal will result in a reduction in parking as the provision of surface parking is being reduced to 174 spaces.

8.104 In terms of dedicated disabled spaces, 23 are being provided on the estate. Whilst the new units on the estate will be car-free, this does not prevent disabled person from applying for residential parking permits. As such, it is considered that the provision is acceptable.

8.105 In terms of cycle parking the scheme provides 312 cycle parking spaces as follows:

- 126 cycle stands above ground;
- 71 cycle storage bays above ground within buildings;
- 115 cycle stands in the underground car park;

8.106 This provides a greater number of spaces than units proposed. Whilst it is acknowledged

that the level of cycle parking does not provide space for all units on the estate, it should be noted that many of the ground floor units have private gardens where cycles could be stored. As such it is considered that the overall provision is acceptable and accords with accords with London Plan policy 3C.22 and IPG policy CP40 which seek to promote cycling as a sustainable form of transport.

- 8.107 Given the sustainable location of the site, it is considered that a Green Travel Plan should be produced for residents to propose a package of measures aimed at promoting greener, cleaner, travel choices. This will be secured through the S.106 agreement.
- 8.108 Access and servicing of the estate is provided by the main vehicular routes along Wager Street, Joseph Street and Portia Way. Details have been provided showing emergency access routes to all parts of the Bede estate. This is considered acceptable.
- 8.109 The refuse storage is provide as part of the 'node modules' located within the communal areas on the estate. A plan has been submitted showing the location of the nearest bin stores to the entrances to the blocks. All blocks have a bin store located in close proximity to the building access and are accessible to refuse vehicles.

### **Sustainability**

- 8.110 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG Oct 2007. In particular, policy DEV6 requires that:
- All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
  - Major developments incorporate renewable energy production to provide at least 20% of the predicted energy requirements on site.
- 8.111 The information submitted with the application acknowledges that the integration of renewable technologies into the scheme is technically possible. However there are practical and financial constraints to introducing a large scale renewable component. The following feasibility reasons for not providing a district heating system have been provided by the applicant:
- Residents will remain in their homes whilst improvement works are carried out. The change from the current provision of individual boilers to a district heating system would be very disruptive.
  - Approximately 50% of the units have been purchased under the right to buy scheme and as such it would not be possible to require leaseholders to connect to the district heating scheme.
  - The buildings are spread across the estate which would make the provision of a single district heating system difficult and costly to implement.
- 8.112 As a result of these constraints, the proposal seeks to make energy savings across the estate as a whole. Due to the age of the buildings there can be significant improvements made to the existing energy consumption, including cavity insulation and installing new condensing boilers. In addition to improvements to existing dwellings, the new development will be designed to meet Sustainable Code 3 requirements.
- 8.113 Overall, the refurbished scheme will achieve a total reduction in carbon emissions for the

existing stock of 44.67%, a total reduction of 13.16% in the new build and a total reduction from the baseline (existing and new build) of 36.55%. There will be a reduction in carbon emissions from the estate in its present condition of 14.54% whilst increasing the number of units from 356 to 592.

- 8.114 Officers consider that it is more cost effective investing in refurbishment to deliver a carbon reduction by upgrading the existing stock rather than installing costly renewable technologies. The alternative is that money spent on achieving Decent Homes Plus standard would instead be spent on renewable technology for the new build. There are larger carbon savings per pound for the refurbishment works than there are for the renewable elements. It is accepted that the proposal does not meet the criteria set out in the London Plan. Nevertheless, it is considered that on balance given the nature and financial constraints of the scheme, an appropriate solution has been provided.

#### Biodiversity

- 8.115 London Plan policy 3D.14 states that the planning of new development and regeneration should have regard to nature conservation and biodiversity, and opportunities should be taken to achieve positive gains for conservation through the form and design of development. Policy CP31 of the IPG states that the Council will seek to ensure the protection, conservation, enhancement, and effective management of the Borough's biodiversity.
- 8.116 The site is not designated as a Site of Nature Conservation or Importance. In overall terms, the provision of additional landscaped open space is likely to improve the range of habitats available and promote biodiversity in accordance with policy.

#### Air Quality

- 8.117 London Plan policy 4A.19 and IPG policy DEV11 require the potential impact of a development on air quality to be considered. IPG policy DEV12 requires that air and dust management is considered during demolition and construction work.
- 8.118 In order to mitigate any potential impacts during the construction phase, a Construction Management Plan will be conditioned setting out measures to be applied throughout the construction phase, including dust mitigation measures.
- 8.119 During the operational phase, the scheme is generally car free. None the less, the scheme will be conditioned to provide a Green Travel plan which will encourage the use of sustainable transport modes. This will further reduce the impact of the development in terms of both greenhouse gases and pollutants.

#### **Other Planning Issues**

- 8.120 A toolkit has been submitted with the application. It compares the potential revenue from the site with the potential costs of the development. The figures input into the toolkit appear low in terms of market value. However, the developer costs are substantially lower than the standard toolkit values. Other costs are generally at the standard level or below and no exceptional developer's costs have been input into the toolkit.
- 8.121 The toolkit satisfactorily demonstrates the financial constraints of the scheme. The difference between the total revenue and total costs of the scheme is called the 'residual value'. This is £11,049,000 which is below the £13,715,880 required for the upgrade of the estate. As such, any additional requirements such as increased s.106 contributions or the incorporation of additional renewable energy would have a direct negative impact on the funding available for the upgrade of the estate.

8.122

Overall, the scheme provides 36% affordable housing in accordance with Council policy and provides a comprehensive refurbishment of the existing estate to bring the existing homes up to Decent Homes Plus standard. As such it is considered that on balance the benefits of the scheme which will facilitate the upgrade of the estate outweigh the shortfall in additional renewable energy provision and additional mitigating contributions.

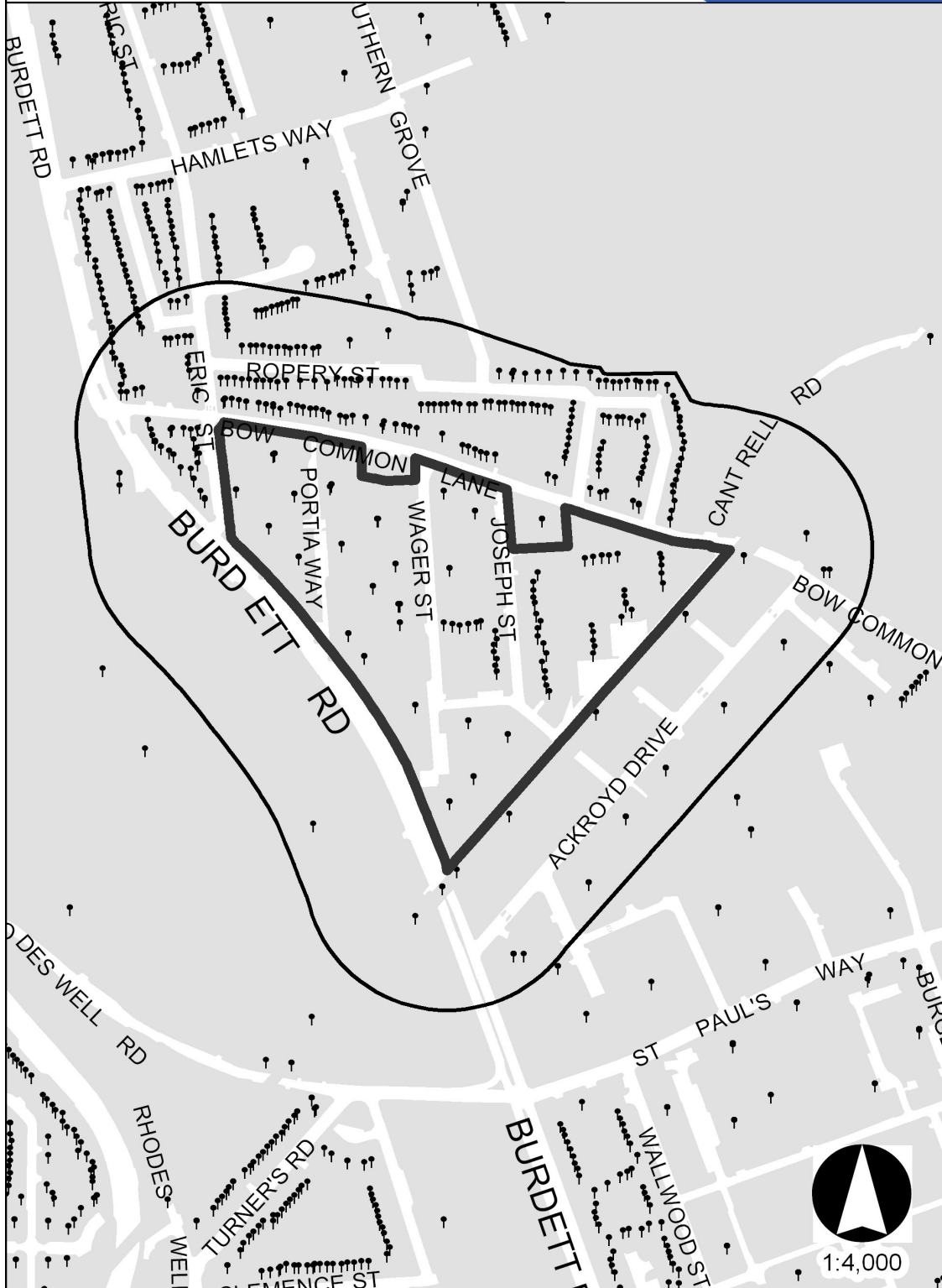
8.123

Contributions have been sought towards the provision of future health and social care facilities (£300,038) and the provision of primary school places (£357,918). The acceptability of the scheme is dependent on money being spent on the upgrade of the estate to bring existing accommodation up to Decent Homes Plus Standard as outlined in Section 8.5.

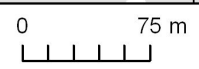
### **Conclusions**

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





1:4,000



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

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

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# Agenda Item 7.2

<b>Committee:</b> Strategic Development Committee	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.2
<b>Report of:</b>  Corporate Director of Development & Renewal  <b>Case Officer:</b> Shay Bugler		<b>Title:</b> Planning Application for Decision  <b>Ref Nos:</b> PA/08/2249; PA/08/2250 & PA/08/2251  <b>Ward(s):</b> Millwall	

## 1. APPLICATION DETAILS

**Location:** Site south of Westferry Circus and west of Westferry Road, London

**Existing Use:** Vacant (cleared for construction)

**Proposal:** Amendments to development approved on the 22<sup>nd</sup> February 2008, PA/07/935 for the erection of Class B1 office buildings (341.924m<sup>2</sup>) comprising of two towers (max 241.1m and 191.34m high) with a lower central link building (80.05m high) together with an ancillary parking service and access roads, public open space and riverside walkway, landscaping including public art and other ancillary works (ref. no: PA/08/2249)

Erection of a pedestrian bridge over Westferry Road together with access stair and lift (ref. no: PA/08/2250)

Alterations to the highway, new signalling and pedestrian crossings and landscaping works at Westferry Road and Heron Quays Roundabout (PA/08/2251)

**Drawing Nos:** 900-55006; 900-55007; 900-55008; 900-55008M; 900-55009  
900-55010; 900-55010M; 900-55011; 900-55-012; 900-55013  
900-55014; 900-55015; 900-55016; 900-55017; 900-55018; 900-  
55019; 900-55020; 900-55021; 900-55022; 900-55023; 900-55024  
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55030; 900-55031; 900-55032; 900-55033; 900-55034; 900-55035  
900-55036; 900-55037; 900-55038; 900-55039; 900-55-40; 900-55041  
900-55042; 900-55043; 900-55044; 900-55045; 900-55046; 900-  
55047; 900-55048; 900-55049; 900-55050; 900-55051; 900-55052  
900-55053; 900-55054; 900-55201; 900-55301; 900-55302; 900-  
55311; 900-55312; 900-55321; 900-55322 (relating to planning  
application reference PA/08/2249)

000-50000; 000-50001; 000-50003; 000-50004; 000-5005; 000-50200  
Rev A; 000-50200 Rev A; 000-50203; 000-50300 (relating to planning  
application reference PA/08/2250)

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

Brief Description of background papers:      Tick if copy supplied for register

Name and telephone no. of holder:

Application, plans, adopted UDP. draft  
LDF and London Plan

Laura Webster  
020 7364 2690

Design and access statement dated October 2008  
Planning Statement dated October 2008  
Transport Assessment dated October 2008  
Waste Assessments dated October 2008  
Energy Assessment report dated October 2008  
Sustainability Statement dated October 2008

Environmental Statement  
Volume 1 ES Report  
Volume 2 Figures  
Volume 3a Appendices  
Volume 3b Appendices  
Volume 4 Visual Impact Study  
Volume 5 Sunlight and daylight appendices  
Volume 6 ES Supplement November 2008

**Applicant:** Canary Wharf Ltd  
**Owner:** Canary Wharf Ltd  
**Historic Building:** N/A  
**Conservation Area:** n/a

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

### Reason(s) for Grant:

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2 The proposal is in line with the Mayor's policy which seeks to maximise the development potential of sites. As such, the development complies with policy 4B.3 of the London Plan which seeks to ensure this.
- 2.3 The proposed office (Class B1) use is acceptable in principle since it provides a substantial provision of jobs in a suitable location. As such, it is in line with Policies 3B.3 and 3B.4 of the London Plan, Policy CAZ1 of the Council's Unitary Development Plan 1998; Policy CP8 of the Council's Interim Planning Guidance (2006) and policy IOD17 (ID38) of the Council's Interim Planning Guidance Isle of Dogs Area Action Plan (2007) which seek to promote the north of the Isle of Dogs as leading global financial and business centres.
- 2.4 The density of the scheme would not result in the overdevelopment of the site and any of the problems typically associated with overdevelopment. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (2007), which seek to provide an acceptable standard of development.
- 2.5 The development would enhance the streetscape and public realm through the provision of a public open space area and improved pedestrian linkages through the site and along the River Thames. The amenity space proposed is acceptable and is compliant with Policies 4C.1 and 4C.11 of the London Plan, ST37 DEV48 and T18 - T21 of the Council's Unitary Development Plan 1998 and Policies CP30, CP36, DEV 3, DEV16 and OSN3 of the

Council's Interim Planning Guidance (2007) which seek to improve amenity and liveability for residents and policy IOD1 of the Council's Interim Planning Guidance Isle of Dogs Area Action Plan (2007)

- 2.6 The building height, scale and design of the proposed buildings are acceptable as they comply with Policies 4B.1, 4B.2, 4B.8 & 4B.9 of the London Plan, Policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP48, DEV1, DEV2 and DEV 27 of the Council's Interim Planning Guidance (2007) which seek to ensure tall buildings are of a high quality design and suitably located.
- 2.7 Transport matters, including parking, access and servicing are acceptable and in line with policies T16 and T17 of the Council's Unitary Development Plan 1998 and Policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) which seek to ensure developments can be supported within the existing transport infrastructure.
- 2.8 The submitted Environmental Impact Assessment is satisfactory, including the cumulative impact of the development.
- 2.9 Sustainability and renewable energy matters are considered to be appropriately addressed and are compliant with Policies 4A.2 – 4A.9 of the London Plan and DEV5 – 9 and DEV 11 of the Council's Interim Planning Guidance (2007), which seek to ensure developments reduce carbon emissions; promote sustainable developments through design measures, water quality and conservation, sustainable drainage, sustainable construction materials and reduce air pollution and provide acceptable air quality.
- 2.10 The development will not alter or have an adverse effect on the setting of the listed dock wall and will therefore comply with Planning Policy Guidance 15 and Policy CON1 of the Council's Interim Planning Guidance (2007) which seeks to protect heritage assets.
- 2.11 Financial contributions have been secured towards the provision of employment; sustainable transport; public realm; Docklands Light Railway, TfL & Isle of Dogs Foundation in compliance with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and Policy IMP1 of the Council's Interim Planning Guidance (2007) which seek to secure contributions towards infrastructure and services required to facilitate proposed development.

### 3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission and the Head of Development Decisions is delegated power to impose conditions and informatives on the planning permission to secure the following:
  - 3.2 A. Any direction of the Mayor
  - 3.3 B. The prior completion of a supplementary legal agreement to the satisfaction of the Chief Legal Officer, to secure the following additional contributions pursuant to the extant permission (ref. no: PA/07/935):
    - (1) An additional contribution of £247,000 to be spent on employment, skills and training; sustainable transport; public realm and open space improvements; improvements to sports and cultural facilities, amounting to an overall total of £5, 041,000.
    - (2) An additional contribution of £155,000 as contribution to Docklands Light Railway amounting to an overall total of £3,153,000
    - (3) An additional contribution of £129,000 as contribution to the Isle of Dogs Foundation amounting to an overall total of £2, 629,000.
    - (4) An contribution of £ 46,000 to Transport for London for bus service improvements amounting to an overall contribution of £946,000

3.5 (Officers comment: The Section 106 Agreement for the extant permission (approved in February 2008) provided a total Section 106 package of £22.395m. It was agreed that the following undertakings would be made in respect of the extant permission (PA/07/935)

- A sum of £3 million towards the DLR 3 car upgrade;
- A sum of £2,500,000 for social and community facilities through a Trust Fund over a 5 year period at £0.5 million per year;
- Public realm improvements and public art provision to the value of £5,343,000;
- A sum of £0.5 million for TV reception monitoring and mitigation to be held in trust;
- £546,000 in respect of off-site Highways works;
- To carry-out Highway Adoption works at Heron Quays Roundabout;
- A sum of £900,000 in respect of public transport works; and
- A contribution of £4,794,000 as set-out in the section 106 for:
  - community & social infrastructure provision including employment skills training; sustainable transport initiatives
  - Public realm, design & open space improvements
  - Improvements to sports & cultural facilities
- £5,312,000 towards lease of skillsmatch and IDEA store

The current planning application proposes an additional 8,594sq.m of floorspace and this figure represents a 2.58% uplift in floorspace over the February 2008 approved scheme. The uplift contributions will remain index linked from February 2008 as per existing agreement. This is to safeguard the Council against the cost of inflation from the date that the original contributions were agreed.

3.6 That the Head of Development Decisions be delegated power to impose conditions and informatives on the planning permission to secure the following:

### **Conditions**

1. Time limit;
2. Details of the following are required prior to the commencement of relevant works:
  - a) Samples of all external building materials including a 'typical cladding detail mock up.'
  - b) Detailed design of all lower floor elevations, including shop fronts;
  - c) Details of hard and soft landscaping, including walkways, design and layout of new park, tree planting scheme, street furniture, CCTV and all external lighting; Submission of a landscaping management plan
  - d) Public art;
  - e) Details of all boundary wall treatments including walls, fences, railings and gates;
  - f) Signage details
3. Submission of details of external ventilation/extract ducts of ancillary uses
4. Submission of details of high level/roof top plant and sound attenuation;
5. Submission of details of refuse/recycling proposals, including a waste management strategy;
6. Submission of details of disabled access
7. Submission of details of the location of a proposed taxi rank;
8. Submission of details of the location of suitable riparian life saving equipment along the riverside walkway;
9. Submission of details of external lighting to be used during construction and on completion of the development to be considered in consultation with the Port of London Authority;
10. River Barges must be used where feasible for the transport of materials to/from the site in both construction and on completion of the development. A strategy must be submitted detailing the materials to be transported and use of barges to be considered in consultation with the Port of London Authority;
11. Details of a Traffic Management Plan
12. Planting, seeding Turfing;

13. Submission of detailed scheme for the ecological enhancement of the river wall;
14. Details of the riverside walkway;
15. Details of the methods of the reconstruction of the riverwall, use of barges, storage of materials, etc, to be submitted;
16. Details of brown roofs to be submitted;
17. Details of surface and foul water drainage system required;
18. Details of surface water source control measures;
19. Details of sustainable drainage system;
21. Details of the construction of the site foundations;
22. Details of Water Efficiency measures;
23. Submission of details of the method of construction including details of use location and height of cranes and other structures to be considered in consultation with London City Airport;
24. Buildings must be equipped with aircraft obstacle lighting;
25. Submission of design specifications of acoustic screens for cooling towers/air cooled chillers;
26. Submission of a Construction Environmental Management Plan (EMP) setting out measures to be applied during the construction phase, relating to site planning, construction vehicles, demolition and construction activities on the site;
27. The following parking spaces are to be provided:
  - A maximum of 140 car parking spaces of which 10% must be allocated for disabled users.
  - A minimum of 466 cycle spaces for the office element
  - 132 motorcycle spaces;
28. Submission of a detailed plan to ensure that the barrier to the basement access is setback from the highway in order to allow for sufficient space to allow for queuing vehicles;
29. Submission of a service management plan detailing a servicing scheme for deliveries and servicing throughout the site;
30. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays, and no works on Sundays or Bank Holidays unless agreed otherwise under Section 61 of the Control of Pollution Act 1974;
31. Limit hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday unless agreed otherwise under Section 61 of the Control of Pollution Act 1974;
32. Details of a monitoring and control regime of the Environmental Management Plan;
33. Renewable energy measures to be approved in writing by the Local Planning Authority in consultation with the Greater London Authority and implemented in perpetuity; including submission of a feasibility and viability study for the river water cooling system shall be submitted and approved.
34. Level of noise emitted from the site to be restricted;
36. Details of sound insulation for building service plants
37. Details of sound insulation for walls, floors, sound power of mechanical plants
38. Details of any discharge to public sewer
39. Petrol of Interceptors be fitted in all car parking/washing/repair facilities
40. Details of disposals of fats, oils, grease & collection of oil
41. Details of the park design should be submitted to the Council. The applicant is encouraged to maximise opportunities to encourage biodiversity and increase residents' access to nature through the use of appropriate planting, incorporation of more 'wild' areas.
42. Pedestrian Bridge to comply with part M of Building Regs
43. 24 he public access to open space to the South of RS1
44. Any other condition(s) considered necessary by the Head of Development Decisions.

### 3.7 Informatives:

1. Section 106 agreement required;
2. Permission to be read in conjunction with the associate Listed Building Consent reference PA/07/943;
3. S278 Highways works agreement required;

4. River works licensing (Port of London Authority);
5. Riparian lifesaving equipment provided to the 1991 Hayes Report Standards (Port of London Authority);
6. Site notice specifying the details of the contractor required;
7. All waste shall be stored in a safe and secure manner;
8. Environment Agency advice;
9. Details of the archaeological project design;
10. Details of the renewable energy;
11. All cycle parking is to be provided in accordance with the London Cycle Network Manual;
12. Thames Water advice;
13. Environmental Health Department Advice;
14. Construction Environmental Management Plan Advice;
15. Metropolitan Police advice;
16. London City Airport Advice; and
17. Any other informative(s) considered necessary by the Head of Development Decisions

3.8 That if by the 8<sup>th</sup> April 2009 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer; the Head of Development Decisions be given delegated power to refuse planning permission.

#### **4. PROPOSAL AND LOCATION DETAILS**

4.1 The proposal forms three separate applications.

4.2 The first application is for amendments to development approved on the 22<sup>nd</sup> February 2008, (PA/07/935) for the erection of Class B1 office buildings (341.924m<sup>2</sup>) comprising of two towers (max 241.1m and 191.34m AOD) with a lower central link building (80.05m AOD), together with an ancillary parking service and access roads, public open space and riverside walkway plus landscaping including public art and other ancillary works (total floor space 341, 924 sqm)

4.3 The second application is for the erection of a pedestrian bridge over Westferry Road together with access stair and lift.

4.4 The third application is for alterations to the highway, new signalling and pedestrian crossings and landscaping works at Westferry Road and Heron Quays Roundabout.

4.5 One of the primary reasons for amending the February 2008 scheme and preparing the proposed scheme is to create a development which can be taken by a single occupier. The scheme includes four levels of basement to be used as servicing areas, plant space, car parking and cycle parking areas. Above the basement tower RS1 rises to 45 levels, tower RS3 35 levels and RS2 (the link building) to 7 levels.

4.6 The overall siting, placement and disposition of the three buildings now proposed is very similar to the extant permission. The changes from the 2008 scheme can be summarised as follows:

Feb 2008 Consented scheme	Amended scheme
Predominantly Class B1 use with some Retail on ground floor	Class B1 use only. No retail use.
Height of tower RS2 at 89.25m AOD	Height of tower RS2 reduced to 80.05m AOD
Public access across the site between the river walkway and Westferry Road.	No public access across the site although a pedestrian route around the



	northern perimeter of the site would be provided.
No pedestrian bridge	Pedestrian bridge, linking Riverside South with Bank Street is proposed
Tree planting as proposed	As the consented scheme, with an additional colonnade of trees along the access from Westferry Circus.
Provision of 333,330m2 GEA overall floor space.	Provision of 341,924m2GEA overall.
Proposed energy generation measures include: Trigeneration Ground water cooling Photovoltaics	Proposed energy generation measures include: Trigeneration/CCHP Photovoltaics
Cars & motorcycles can access and egress to towers RS1& RS2 from Westferry Rd northbound carriageway north of Heron Quays roundabout	Cars & motorcycles can access and egress to towers RS1 & RS2 from Westferry Road north of proposed Westferry Road junction and London Underground Limited (LUL) shaft.
Entry and exit lanes located north of London Underground Limited (LUL) shaft.	Entry lane to the south of the London Underground Limited shaft and exit lane to the north of London Underground Limited (LUL) shaft.
Cars and motorcycles can access & egress R3 tower Westferry Circus Lower level roundabout	Cars & motorcycle can access RS1, RS2 & RS3 from Westferry Circus lower level roundabout.
Vehicle drop off, pick up & taxi waiting areas all take place from Westferry Circus Upper level	Vehicle drop off, pick up & taxi waiting areas all take place from Westferry Circus Upper level
Couriers access and egress via podium of service areas	Couriers access and egress to towers RS1, RS2, RS3 from Westferry Road Northbound carriageway within the proposed Westferry Road junction.
Relief ramp from podium level to Westferry Road northbound carriageway.	No relief ramp.
No pedestrian bridge	Pedestrian bridge proposed which will provide access from the proposed Newfoundland development, across Westferry Road to the Riverside South site.
Access to the riverside walk would be at both ends of the site. Servicing/delivery vehicles would access the basement loading dock from Westferry Road.	Access is retained from either end of the site.

150 car parking spaces.	140 car parking spaces
345 bicycle parking spaces.	466 bicycle parking spaces

### Site and Surroundings

- 4.7 The site is located in the northern part of the Isle of Dogs on land to the south of Westferry Circus. The River Thames forms the western boundary, with Westferry Circus to the north and Westferry Road to the east. To the south lies the South Dock Impounding Lock. Westferry Circus separates Riverside South from Canary Riverside which are linked by a riverside walkway.
- 4.8 The application site is approximately 2.52 hectares in area and is currently a construction site in relation to the 2005 permitted scheme. Previously, it was in temporary use for storage for construction vehicles and materials at Canary Wharf. Prior to this, between 1992-2000, the site was used as a car park.
- 4.9 There are a mixture of land uses surrounding the site. To the north of the site is the first phase of the Riverside development, Riverside Phase I (north), known as Canary Riverside. It comprises of residential, hotel, leisure, and retail uses in six buildings between 5 and 23 storeys in height. To the south, and beyond the South Dock Impounding Lock is the Cascades residential development.
- 4.10 The Jubilee Line tunnels run under the site. The site is well located for public transport, being a short walk from the Canary Wharf Jubilee Line station and Heron Quays, Canary Wharf and Westferry DLR stations.
- 4.11 The site does not fall within a conservation area but nearby Conservation Areas, including Narrow Street, St Matthias Church, Poplar and All Saints Church are identified within the Environmental Statement. The South Dock Impounding Lock wall to the south of the site is a Grade II listed structure.

### Relevant Planning History

- 4.12 Planning permission was granted for the redevelopment of the site on the 8th June 2005 (PA/03/00377) for the erection of B1 office buildings (273,171 sq.m) comprising of two towers of 43 and 37 storeys in height ( max. 220m and 195m AOD) with a lower central link building (53m AOD) and A1, A2, A3, A4 and A5 uses (A1 retail limited to 2499 sq m, financial/professional services, restaurants/cafes, pubs/bars, and hot food takeaways) at promenade level up to a maximum of 5904 sq m, together with ancillary parking & servicing, the provision of access roads, a riverside walkway, public open space, landscaping, (including public art) and other ancillary works. (Total floor space of 279,075 sq m)."
- 4.13 A scheme was submitted to the Council on the 30th March 2007. The scheme was presented to the Strategic Development Committee on the 21st June 2007. On a vote of 6 for and 1 abstention, the Committee reached to grant planning permission for the erection of Class B1 office buildings (324,888 sq. m) comprising two towers of 45 and 35 storeys (max 241.1m and 191.3m AOD) with a lower central link building (77.450m AOD) and Class A1, A2, A3, A4 and A5 uses (retail, financial/professional services, restaurant/ cafe, drinking establishments and hot food takeaway) at promenade level up to a maximum of 2367 sq.m together with ancillary parking and servicing, provision of access roads, riverside walkway, public open space, landscaping, including public art and other ancillary works (total floor space 327,255 sq.m). However, the Section 106 Agreement was not completed and planning permission was not granted for this scheme.

4.14 Planning permission for the amended scheme was approved in February 2008 for the erection of Class B1 office buildings (330,963 sq. m) comprising of two towers (max 241.1m and 191.34m AOD) with a lower central link building (89.25m AOD) and Class A1, A2, A3, A4 and A5 uses (retail, financial/professional services, restaurant/ café, drinking establishments and hot food takeaway) at promenade level up to a maximum of 2367 sq.m, together with ancillary parking and servicing, access roads, a riverside walkway, public open space, landscaping, (including public art) and other ancillary works. (total floor space 333,330 sq.m).

## 5. POLICY FRAMEWORK

5.1 The following policies are relevant to the application:

### 5.2 Greater London Plan (2008)

Polices	2A.1	Sustainability Criteria
	2A.7	Areas for Regeneration
	2A.9	The suburbs: Supporting Sustainable Communities
	3A.3	Maximising the potential of sites
	3A.4	Effective use of stock
	3A.11	Affordable Housing thresholds
	3A.17	Addressing the Needs of London's Diverse Population
	3A.18	Protection and Enhancement of Social Infrastructure and Community Facilities
	3A.28	Social and Economic Impact Assessments
	3B.1	Developing London's Economy
	3B.2	Office Demand and Supply
	3B.3	Mixed Use Development
	3C.1	Integrating Transport and Development
	3C.2	Matching Development with Transport Capacity
	3C.21	Improving conditions for walking
	3C.22	Improving conditions for cycling
	3C.23	Parking Strategy
	3D.11	Open Space Provision in DPDs
	3D.14	Biodiversity and Nature Conservation
	4A.22	Spatial Policies for Waste Management
	4A.1	Tackling climate change
	4A.2	Mitigating climate change
	4A.3	Sustainable design and construction
	4A.4	Energy Assessment
	4A.5	Provision of heating and cooling networks
	4A.6	Decentralised energy: heating, cooling and power
	4A.7	Renewable Energy
	4A.4	Energy Assessment
	4A.3	Maximising the Potential of Sites
	4A.16	Water Supplies and Resources
	4A.17	Water Quality
	4A.18	Water and Sewerage Infrastructure
	4A.20	Reducing Noise and Enhancing Soundscapes
	4A.28	Construction, excavation and demolition waste
	4A.33	Bringing Contaminated Land into Beneficial Use
	4B.1	Design Principles for a Compact City
	4B.2	Promoting World Class Architecture and Design
	4B.3	Enhancing the Quality of the Public Realm
	4B.5	Creating an Inclusive Environment
	4B.8	Respect local context and communities

4B.9	Tall Buildings – Location
4B.10	Large Scale Buildings – Design and Impact
5C.1	The Strategic Priorities for North East London

### 5.3 Unitary Development Plan (1998)

Proposals	Central Area Zone Strategic Riverside Walkway Sites of Nature Conservation Importance Flood Protection Area Within 200m of east/west Crossrail
Policies:	ST38 Strategic Transport Policy ST30 Strategic Transport Policy DEV1 Design Requirements Environmental Requirements DEV2 Planning Obligations DEV4 High Buildings within the Central Area & Business Core DEV12 Design of Landscape Scheme DEV17 Public Art DEV46 Strategic Riverside Walkways and New Development DEV48 Noise DEV50 Contaminated Land DEV51 Development & Waste Disposal DEV55 Waste Recycling DEV56 Nature Conservation & Ecology DEV57 Development Adversely Affecting Sites of Nature DEV65 Protection of Existing Walkways DEV69 Efficient Use of Water CAZ1 Location of Central London Core Activities CAZ4 Diversity, character and functions of the Central Area Zones EMP1 Encouraging New Employment Uses EMP6 Employing Local People T16 Impact of Traffic T18, 19, 21 Pedestrian Safety and Convenience T27 Freight S1 District Centre Policy S7 Special Uses S10 New Shop fronts U2-U3 Tidal & Flood Defences

### 5.4 Interim Planning Guidance (Oct 2007)

	Isle of Dogs Area Action Plan (AAP)
Proposals	ID38 Development Sites (Employment B1, Retail & Leisure A1, A2, A3, A4 & A5) CP15 Major Town Centre – Isle of Dogs Town Centre Frontage – Secondary CP30 Public Open Space – River Thames Waterfront CP33 Sites of Importance for Nature Conservation CP36 Blue Ribbon Network – Tidal Water CP36 Strategic Riverside Walkway CP37 Flood Risk Area CP43 Strategic Cycle Route
Core strategies	IMP1 Planning Obligations

	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP8	Tower Hamlets Global Financial and Business Centre and the Central Activities Zone
	CP16	Vitality & Viability of Town Centres
	CP17	Evening & Nigh time Economy
	CP30	Improving the Quality and Quantity of Open Spaces
	CP31	Biodiversity
	CP33	Sites of Importance for Nature Conservation
	CP36	Water Environment and Waterside Walkways
	CP37	Flood Alleviation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP42	Streets for People
	CP43	Better Public Transport
	CP46	Accessible and inclusive environments
	CP47	Community Safety
	CP48	Tall Buildings
Policies	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV14	Public Art
	DEV15	Waste and Recyclables Storage
	DEV16	Walking & Cycling Routes & Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Assessment
	DEV22	Contaminated Land
	DEV27	Tall Buildings Assessment
	RT2	Secondary Shopping Frontages
	RT5	Evening & Nigh time Economy
	OSN3	Blue Ribbon Network & the Thames Policy Area
	CON5	Protection & Management of Important Views
	IOD1	Spatial Strategy
	IOD2	Transport and Movement
	IOD5	Public Open Space
	IOD6	Water Space

IOD7	Flooding
IOD8	Infrastructure Capacity
IOD9	Waste
IOD10	Infrastructure and Services
IOD13	Employment Uses
IOD15	Retail and Leisure
IOD16	Design and Built Form
IOD17	Site Allocations

## 5.5 Supplementary Planning Guidance/Documents

- Designing Out Crime
- Sound Insulation
- Landscape Requirements
- Riverside Walkways
- Shopfront Design

## 5.6 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG 4	Industrial, Commercial Development and Small Firms
PPG9	Nature Conservation
PPG16	Archaeology and Planning
PPS22	Renewable Energy
PPS23	Planning and Pollution Control

- 5.7 **Community Plan** The following Community Plan objectives relate to the application:
- A better place for living safely
  - A better place for living well
  - A better place for creating and sharing prosperity

## 6. CONSULTATION RESPONSE

- 6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

### **LBTH Highways Development**

- 6.2 The applicant will be required to apply to a stopping up Order under Section 247 of the Town and Country Planning Act 1990 (as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999) for the stand to stopped up part of the highway where the bridge lands on the highway, in order for the development to proceed.

It is recommended that the committee be informed to:

1. agree in principle to the stopping up of the areas of public highway
2. upon receipt of the formal application for stopping up, officers are instructed to proceed with the arrangements for advertising and making of a stopping up Order.

(Officers comment: The applicant will be required to apply for a Stopping up Order to the LPA Highways department)

- 6.3 In accordance with section 176 of the Highways Act 1980, the applicant is required to apply for an over sailing licence for the bridge over sailing the public highway, as part of the process for agreeing & issuing a Technical Approval, (BD2/05 Technical Approval of

Highway Structures). This must be submitted prior to the Council agreeing the licence.

(Officers comment: The applicant is required to enter into a Section 176 Highways Act agreement with LBTH Highways department)

- 6.4 The existing S106 Agreement only makes reference to the upgrading of the roundabout at Heron Quays. The new highway arrangements (as explained in detail in Sections 8.72-9.95 of the report) should be included in the S106 agreement.

(Officers comment: The new highways works shall be included in the supplementary legal agreement)

#### **LBTH Energy Efficiency Department**

- 6.5 The energy strategy is acceptable subject to the submission and approval of further information on the following:

(a) Detailed energy analysis of the development, including results of the energy modelling and simulations;

(b) Details of the energy efficiency measures and CO2 emissions savings;

(c) A feasibility study investigating possible connection to Barkantine Heat and Power Company (BHPC);

(d) A feasibility study investigating the potential incorporation of a Fuel Cell CCHP system;

(e) A full detailed feasibility analysis of the proposed gas fired CCHP system;

(f) Details of the proposed PV cells, demonstrating the potential integration of PV cells have been maximised;

(g) A detailed feasibility and viability study investigating the potential for incorporating river water cooling and evidence of approval or disapproval by the relevant authorities.

(i) Details of the BREEAM Assessment or equivalent where the development shall achieve a target of 'Excellent' rating which shall be verified by the awarding body (BRE) under the BREEAM assessment certification scheme.

- 6.6 (Officers comment: The above shall be submitted and approved in writing by the LPA, prior to the occupation of the development to ensure consistency with the Policy 4A.3 of the Consolidated London Plan (2008) and Policy DEV5 Sustainable Design of the Council's Interim Planning Guidance (Oct 2007). This will be secured by way of condition.

#### **LBTH Metropolitan Police**

- 6.7 No formal objections to record

#### **LBTH Environmental Health**

- 6.8 Details of noise mitigation for the proposed development shall be submitted and approved in writing prior to the commencement of works on site.

- 6.9 Details of proposed sound insulation of walls and floors and sound power levels of the mechanical plants to be installed and any acoustic enclosures and anti vibration mounts to be used should be submitted and approved by the Council.

(Officers comment: The above shall be secured by way of condition).

#### **LBTH Strategic Transport**

- 6.10 No comments received

#### **LBTH Access to Employment (Skillsmatch)**

6.11 No comments received

**LBTH Ideas Store**

6.12 No comments received

**LBTH Building Control**

6.13 No comments received

**LBTH Cleansing**

6.14 No comments received

**LBTH Horticulture & Recreation**

6.15 No comments received

**LBTH Corporate Access Officer**

6.16 No comments received

**English Heritage (Statutory Consultee)**

6.17 No comments received

**English Heritage (Archaeology) (Statutory Consultee)**

6.18 English Heritage Archaeology have noted that in the extant scheme, a programme of archaeological work is being undertaken in an attempt to mitigate the impact of the development. The scope of the archaeological watching brief already being undertaken should be extended to cover any new impacts caused by these proposed amendments to the development.

6.19 The applicant should secure the implementation of the programme of archaeological work, including post excavation analysis and publication, in accordance with the written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.

6.20 (Officers comment: The 2005 permission has been implemented and works are currently being undertaken on site in relation to the construction of the basement. This basement is consistent with the design of the February 2008 and currently proposed basement. Details in respect of a programme of archaeological works were submitted pursuant to the 2005 permission (PA/07/230). These works have been carried out in consultation with English Heritage. It is therefore considered unnecessary to apply this condition to the current permission)

**Greenwich Society**

6.21 Greenwich society has no comments to make.

**Environment Agency (Statutory Consultee)**

6.22 Environmental Agency have no objections subject the following conditions:

- Detailed ecological enhancement scheme required



- An ecological balance sheet detailing all ecological enhancement works required
- A buffer zone along the River Thames required
- No storage of materials within the buffer zone of the River Thames should take place
- A landscape Management Plan should be sought
- A planting scheme is required. All planting adjacent with 16 metres of the River Thames shall be locally appropriate native species
- A scheme for "brown roofs" is needed
- Construction of foul and surface water drainage is required
- Surface water controlled measures is needed
- A sustainable drainage system is required
- A land contamination assessment should be sought
- A verification report, demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation is needed
- Piling and other foundation design using penetrative methods
- Details of water efficiency measures should be sought
- Details of storage facilities for oils, fuels and chemicals is needed

6.23 (Officers comment: Details of the above shall be submitted and approved in writing prior to the commencement of works on site. This will be secured by way of condition)

### **Greater London Authority**

6.24 Comments from the GLA Stage 1 report can be summarised as follows:

Further information is required to demonstrate how the loss of retail space (from the extant permission) at ground floor level and the subsequent reduction in activity will be mitigated.

6.25 (Officers comment: As a response the above points raised by the GLA, the applicant, on the 14<sup>th</sup> January 2009, submitted the following details to the GLA and the Council:

- Sketches of the north west corner of Riverside South and the Riverside Walk
- Coloured plan of the Proposed Riverside Walk

6.26 The applicant notes that the deletion of public retail uses within the office building next to the landscaped area in the site's north western corner does not mean that the public areas there will lack animation or activity. The inclusion of retail uses accessible to the public would not be the only option that would serve to animate the external space. The change is best understood by reference to the local context and existing uses within the vicinity of the site.

6.27 Furthermore the applicant notes that, to the north of the site, at Canary Riverside, an existing terrace of restaurants overlooks the river and abuts this corner of the application site. These uses spill out onto tree-planted terraces for dining and public congregation, already providing a lively ambience. The proposed landscaped area should complement this existing restaurant hub. Furthermore, the increase in pedestrian footfall should enhance the vitality of the landscaped area within the application site. The lack of retail floorspace at ground floor should not result in a reduction of interaction with and surveillance of the external public environment on or next to the application site. The Council agrees with this viewpoint.

6.28 Furthermore, it is considered that there is adequate provision for retail provision elsewhere in recently approved schemes in the Canary Wharf Estate at Newfoundland, Heron Quays West, Jubilee Place, the proposed Crossrail station's over-site development, and the Canada Square pavilion as explained further in paragraphs 8.8 & 8.9 of the report.

6.29 • The application does not provide a sufficient number of cycle parking spaces as required by policy 3C.22.

6.30 (Officers comment: The Riverside South development is expected to have a total

employment of 13,170 staff – assuming that 85% of staff attends on any one day, 466 cycle parking spaces is equivalent to cycle parking for 4.2% of staff. In practice, the occupier is likely to be an international company with staff working shift patterns and some staff working part time. If 80% of daily staff are working in the building at any one time, the provision is equivalent to 5.2% of staff being able to cycle. The latest survey of Canary Wharf employees shows an increase to 2.9% of staff cycling to work. The proposed provision of cycle parking therefore provides a significant margin for cycle use to increase.

- 6.31 Furthermore, and consistent with TfL's emphasis on the role of the travel plan, as with the February 2008 permission, a condition will be attached to the scheme which requires that the provision of cycle space within the development shall be reviewed as part of the Travel Plan associated with the site. Should additional spaces be required in association with the scheme they must be accommodated on the site).
- 6.32 The energy strategy broadly complies with London Plan energy policies, but information on the following is required:
- A breakdown of energy consumption by different end uses to understand the source of carbon emission
  - Specify how the energy strategy will ensure flexibility for connection to a future district heating network, should this come forward
  - Demonstrate how the carbon savings are achieved by the river water cooling
- 6.33 (Officers comment: As a response to the comments made above, the applicant submitted the following information to the GLA for assessment on the 14<sup>th</sup> January 2009.
- A breakdown of energy consumption by different end-uses to understand the source of carbon emissions for the baseline scenario and the energy efficient scenario (excludes CCHP and renewable energy)
  - Clarification on the size of absorption chillers being installed and demonstrate that sufficient plant space has been allocated to the trigeneration system, absorption chillers and top-up plant
  - Details on how the carbon savings achieved by the River Water cooling system have been calculated.

The GLA are likely to comment on the additional information submitted in the Stage II report.

- 6.33 Any decisions regarding temporary road closure and traffic management measures should be taken in consultation with TfL
- 6.34 (Officers comment: This will be secured by way of condition)

#### **Natural England (Statutory Consultee)**

- 6.35 Have no objections subject to the following conditions:
- Ecological mitigation and enhancement measures
  - A feasibility study for the river water cooling system shall be submitted and approved.
  - Support the design of the scheme which provides a public park, retains the river walk and incorporates areas of planting within the development.
  - Details of the park design should be submitted to the Council. The applicant is encouraged to maximise opportunities to encourage biodiversity and increase residents' access to nature through the use of appropriate planting, incorporation of more 'wild' areas.
- 6.36 (Officers comment: The above details shall be submitted to and approved in writing by the LPA. This will be secured by way of condition)

## **National Air Traffic Services (En Route)**

6.37 No objection

## **London City Airport**

6.38 London City Airport is seeking confirmation from the local planning authority that there has been no changes to any of the following details from the extant permission (ref. no: PA/07/935)

- Height, size, orientation of the proposed buildings
- Landscaping details
- Inclusion of any wind turbines

6.39 (Officers comment: The overall area of the development has increased from (330,963 sq to 341, 924m<sup>2</sup>. However, the height of the two main towers RS1 (241.1m) and RS3 (191.34m) remains the same as the extant permission. The height of the link building has reduced from 89.25 to 80.5m AOD. The orientations of the buildings have not changed.

6.40 Given that the orientation, composition and heights of the two towers has not changed since the previous scheme, the proposed development should not adversely impact on the flight path to and from London City Airport)

6.41 Furthermore, the Council can confirm that there is no inclusion of any wind turbines to the development.

6.42 The landscaping details have changed somewhat from the previous scheme and are explained in more detail in the report. However, these changes should not raise any concerns from London City Airport.

## **Transport for London (TfL)**

6.43 TfL note that the design of the proposed bridge should comply with the Disability Discrimination Act (DDA) 1995 standards.

6.44 (Officers comment: The submitted Design and Access Statement confirms that the pedestrian bridge and access routes to it will be compliant with the requirements of the Disability Discrimination Act 2005. Step-free access will be provided at both ends of the Bridge- to the west this will be via a ramp of less than 1 in 20 gradient and to the east via a lift and escalators. In addition, access will be provided from the central pedestrian island within Westferry Road. The detailed design of the Bridge will also be fully compliant with Part M of the Building Regulations. Notwithstanding, the requirement for the Bridge to be compliant with Part M of the Building Regulations will be secured by way of condition).

6.45 TfL request that evidence be submitted to demonstrate that the construction of the proposal would not result in adverse highway and traffic impact to the Transport for London Road Network (TLRN), in particular to the junction of Westferry Road/Limehouse Link Tunnel. It is also requested that the movement of construction vehicles should be undertaken outside the peak hours.

6.46 (Officers comment: The Bridge will be constructed in tandem with roadworks on Westferry Road (PA/08/2250). The two applications are linked as the latter provides the space on which the bridge supports will sit. Construction and traffic management arrangements have yet to be developed but would be submitted at a later stage by condition. The applicant has confirmed that the construction of the bridge and associated highway works can be carried out without the need to close Westferry Road, except possibly for very short periods when

the bridge deck and its central supports are being lowered into place. Traffic management plans will be developed to ensure this. Details of the Traffic Management Plan shall be submitted and approved in writing by the Local Planning Authority prior to commencement of works on site. This will be secured by way of condition. Given that closures of Westferry Road are not anticipated, the bridge works are not likely to have any impact on the operation of the Limehouse Link junction.

- 6.47 Construction vehicle movements associated with the bridge are likely to be minimal as most elements will be pre-formed and transported to the site for assembly. Most vehicle movements are expected to be from the east and would approach via Aspen Way, a TLRN road designed to carry high volumes of traffic.
- 6.48 A contribution of £2.57 million should be sought for the uplift in B1 floorspace.
- 6.49 (Officers comment: In respect of the request by TfL dated the 18/12/2008 for a Section 106 payment for Crossrail, this has now been overtaken by events. The Development Agreement and associated documents between Canary Wharf Group (CWG) and Government relating to the construction of the Isle of Dogs Crossrail Station were signed on 23 December 2008. Under the documentation CWG has agreed to build the station for the Government at a fixed price (assuming all cost overrun and construction risks) and contribute £150 million towards the cost of the station. As a consequence, TfL is to reimburse any Section 106 Crossrail contributions which Canary Wharf Group is liable to pay in respect of up to 5.5 million square feet (net internal area) of qualifying development carried out on Heron Quays West, Riverside South and North Quay. The draft GLA Supplementary Planning Guidance (SPG) relating to the funding of Crossrail states that payments will only be applied to net additional office floor space. In summary, the 5.5 million square feet threshold will not be breached and therefore no additional payment will be required.
- 6.50 It is considered that the S106 payments would be better utilised amongst other transport needs which includes £46,000 as a contribution to Transport for London & £155,000 as a contribution to DLR.

### **British Waterways**

- 6.51 No comments

### **Port of London Authority**

- 6.52 With reference to lighting, the Port of London Authority requested details of all external lighting is proposed to be used during construction and on completion shall be submitted and approved in writing to ensure that any lighting at the site does not cause a hazard to navigation.
- 6.53 (Officers comment: Details of the external lighting shall be submitted and approved in writing prior to the commencement of works on site. This will be secured by way of condition).
- 6.54 The planning application makes reference to the river barges being used for the transport of materials where feasible and that remains an objective to move as much material as possible. The use of the river for the transport of construction and waste material to and from the application site represents a sustainable method of transport which would be consistent with policy 4A.28 of the London Plan which seeks for waste to be removed from sites and materials to be brought to sites by water wherever that is practicable. It is suggested that should planning permission be granted for the development that a suitably worded condition or clause in a Section 106 agreement requires the use of the river for the transport of construction and demolition material.
- 6.55 (Officers comment: The Council does not consider that request to be legally bind the

applicant to use the river for the transport of construction and demolition material to be sound. It is neither appropriate nor enforceable. Notwithstanding, the applicant shall submit details of the materials to be transported using the river bridges. This will be secured by way of condition.

- 6.56 With reference of river works licensing, all works that extend over the mean high water level of the river require the benefit of a Port London Authority (PLA) River Work Licence. This includes works such as outfalls and temporary works such as scaffolding.
- 6.57 (Officers comment: The applicant will be required to apply for PLA River Works Licence for all works that extend over the mean high water level. This will be secured by way of condition. By way of an informative, the applicant is advised to contact the PLAs Licensing Officer to discuss this matter further)

### **Thames Water**

- 6.58 With reference to waste, Thames Water recommend that details of a drainage strategy (on and off site) should be submitted to the Council prior to commencement of works on site. In addition, no discharge of foul or surface water drainage from the site shall be accepted into the public system until the drainage works referred to it in this strategy is completed.
- 8.59 (Officers comment: The above shall be submitted and approved in writing prior to the commencement of works. This shall be secured by way of condition).
- 6.60 Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- (Officers comment: The above shall be secured by way of condition).
- 6.61 Thames Water recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 6.62 (Officers comment: The above shall be secured by way of condition)
- 6.63 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. In line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel is required. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
- 6.64 (Officers comment: The applicant shall submit details of disposals of fats, oils, grease & the collection of waste oil shall be secured and approved in writing to avoid blockage to drains, sewage flooding and pollution to local watercourses. This is secured by way of condition).

### **Water Comments**

- 6.65 Thames Water recommend the following informative be attached to this planning permission:
- “Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development”*
- 6.66 (Officers comment: The above informative will be attached)

### **London Borough of Southwark**

- 6.67 No formal objection is raised to the proposed development. They would however request that London Borough of Tower Hamlets consult the London Borough of Southwark residents who live close to the river frontage on the south side of the Thames.
- 6.68 (Officers comment: LBTH consulted residents directly opposite the scheme on the other side of the river Thames. The Council has not received any objections from residents from the London Borough of Southwark)

**London Borough of Greenwich**

- 6.69 No objections to report

**CABE**

- 6.70 Had no involvement with the scheme.

**7. LOCAL REPRESENTATION**

- 7.1 A total of 1037 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and by way of site notice on the site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2 **Main planning application (Planning reference number:**

No of individual responses: **2**                      Objecting: **2**                      Supporting: 0  
 No of petitions received:                      0

7.3 **Application for pedestrian bridge over Westferry Road together with access stair and lift (ref. no: PA/08/2250)**

No of individual responses:                      **1**                      Objecting:1                      Supporting: 0  
 No of petitions received:

7.4 **Application for alterations to the highway, new signalling and pedestrian crossings and landscaping works at Westferry Road and Heron Quays Roundabout (PA/08/2251)**

No of individual responses:                      **1**                      Objecting:1                      Supporting: 0  
 No of petitions received:

- 7.5 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

7.6 Use

- Loss of retail unit from the extant permission

(Officers comment: Land use considerations are discussed in section 8.8-8.11 of the report)

- 7.7
- Lack of street frontage

(Officers comment: The proposal will retain an active frontage. The applicant will be required to submit details of shopfront on the ground floor. This will be secured by way of condition. Any ancillary uses proposed on the ground floor in the future will be subject to a separate planning application)

- 7.8
- The zebra crossing on Westferry Road, just off the Heron Quays roundabout, will be blocked off which will prevent pedestrians to cross over the road and connect directly by the pelican crossing at the top of Marsh Wall.

(Officers comment: Highway matters are discussed in detail in section 8.40-8.54 & 8.72-8.95)

#### Non material planning considerations

#### 7.9 Lack of public consultation

(Officers comment: The applicant has advised that ongoing discussion have been held with local community representatives on the proposed revisions to the scheme. Following the preparation of the current amended proposals further consultation has been carried out by Canary Wharf Group with local community representatives and a number of additional local groups and community leaders to appropriate them of the revised designs, including the proposed footbridge over Westferry Road and the associated highway and public realm improvements. These groups include:

- The Association of Island Communities
- Docklands Settlement
- Isle of Dogs Bengali Welfare Organisation
- Millwall Albion FC (based in Isle of Dogs)
- Clifton Group, Local Business
- Millwall Park Sports Development (based in IOD)

#### 7.10 In Addition, Canary Wharf Riverside South Limited has briefed the following people about the revised proposals:

- The Leader of the Council
- The member of Parliament
- Local Ward Councillors

### **8. MATERIAL PLANNING CONSIDERATIONS**

#### **Application 1 (amendments to the February 2008 scheme)**

8.1 The first application made by the Canary Wharf group is for 'amendments to development approved on the 22<sup>nd</sup> February 2008 (PA/07/935) for the erection of Class B1 office buildings (341. 924m<sup>2</sup>) comprising of two towers (max 241.1m and 191.34m AOD) with a lower central link building (80.05m AOD), together with ancillary parking service and access roads, public open space riverside walkway, landscaping (including public art) and other ancillary works'.

8.2 The main planning issues raised by the application are:

- Land Use
- Tall Buildings
- Design & Layout
- Amenity
- Sustainability & Renewable Energy
- Transport
- Biodiversity

## Land use

- 8.3 The principle of land use and development of this site has previously been accepted through the granting of the existing planning permissions (PA/07/935, approved in February 2008 & PA/03/00377, approved on the 8th June 2005).
- 8.4 The Isle of Dogs area, within which the site is located, is identified in the London Plan as an Opportunity Area within the East London Sub Region. Policy 5C.1 of the consolidated London Plan (2008) identifies both the Isle of Dogs and Canary Wharf as an area which provides a focus for financial and business services. The number of jobs within the area has risen from 19,000 in the early 1990's to 57,000 in 2001. It is identified that in the future policy should seek to expand and consolidate this role. The area should aim to accommodate at least 150,000 jobs by 2016.
- 8.5 The site is identified on the proposals map of both the Unitary Development Plan and the Local Development Framework as being within the Central Activities Zone. UDP Policy ST10 of the UDP and Policy CP8 of the IPG and the Isle of Dogs Area Action Plan recognise the need to further develop the key strategic and international role played by parts of the borough as a global and financial business centre. The policy identifies the northern parts of the Isle of Dogs as a global and financial centre with large scale office development accommodating major corporate occupiers. Specifically, the subject site is allocated in the Isle of Dogs Area Action Plan as a location for Class B1 development with class A1- A5 floor space (Site allocation ID38). The Area Action Plan also seeks to promote employment uses which will support the development of a global financial and business centre at this location.
- 8.6 Policies 3B.8, 3B.9 & B.10 of the consolidated London Plan (2008) promote the growth of employment opportunities.
- 8.7 The scheme will incorporate 341, 924 sqm of B1 office space, suitable for accommodating a wide range of financial and business services. The applicant has noted that, in terms of construction jobs, the number of permanent full time jobs created by the scheme (which equates to ten years of construction employment) has been calculated at 950 jobs. In terms of commercial uses in the proposed development, this should provide approximately 11, 950 direct jobs. The proposal therefore adequately complies with policies 3B.8, 3B.9 & 3B.10 of the London Plan.
- 8.8 Unlike the extant permission (PA/07/935), the proposal does not provide any A1-A5 uses on site. However, this is considered acceptable, as the amount of retail units within the Canary Wharf Estate is sufficient. In addition, recent planning approvals elsewhere in Canary Wharf Estate amounts to approximately 8,500 sqm in the last year, to be increased further by the 9,371sqm within the Crossrail scheme, as indicated in table below. The proposal therefore complies with policies 3B.8, 3B.9 & 3B.10 of the consolidated London Plan (2008).

8.9

Scheme	Application Number	Floorspace (sqm)
Crossrail OSD	PA/08/01666	4,672 (A1) 2,016 m (A3) 2,783 (A4)
Canada Square Pavilion	PA/07/02224	261 (A1/A2) 2077 (A3/A4)
One Canada Square Lobby	PA/07/02257	531 (A3/A4)
Churchill Place	PA/07/02753	1500 (A3/A4)
Jubilee Place	PA/07/03151	4127 (A1-A5)
Herron Quays West	PA/07/3088	<ul style="list-style-type: none"> <li>• Class A1 to A5 Main Building Retail- 2,454 sqm</li> <li>• Class A3/4 Retail – Pavilion -2,000 sqm</li> </ul>



		<ul style="list-style-type: none"> <li>• Class A3/4/D1 – Pavilion - 2,155 sqm</li> </ul>
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- 8.10 Whilst the proposal seeks permission for Class B1 floorspace only, the applicant has indicated that a range of ancillary uses such as a restaurant and gym, could be provided at a later stage. Notwithstanding, the applicant will be required to submit details of the ground and promenade elevations pursuant to this application to ensure that an active frontage on ground floor is delivered in the interest of visual amenity value. The active frontage along the Riverwalk helps provide for a safe and active public realm. Moreover, the applicant has appointed a leading landscape architect and has indicated that a landscaping scheme of outstanding quality will be prepared. Details of this will be submitted at a later stage, pursuant to the relevant condition.
- 8.11 GLA do not support the omission of the retail element (from the extant permission) but notes that:

*“having regard to the strategic role of the Isle of Dogs as a major location for predominantly business and financial activities, the principle of a purely office-based scheme has to be acceptable”.*

### **Design**

- 8.12 Policy 4B.2 of the London Plan states that the Mayor seeks to promote world class design. Development proposals should demonstrate that developers have sought to provide buildings and spaces that are designed to be beautiful and enjoyable to visit, as well as being functional, safe, sustainable and accessible for all.
- 8.13 Policy 4C.20 seeks a high quality of design for all waterside development. All development, including intensive or tall buildings, should reflect local character, meet general principles of good design and improve the character of the built environment. Policy 4C.1 of the London Plan states that boroughs should recognise the strategic importance of the Blue Ribbon Network. Policy 4C.17 requires that boroughs protect, and improve access points to, alongside and over the Blue Ribbon Network.
- 8.14 In addition to the London Plan and tall building policies, the proposal also generally accords with the design and environmental Policies DEV1 and DEV2 of the 1998 UDP and Policy CP4 and DEV2 of the Interim Planning Guidance (Oct 2007) which requires the bulk, height and density of development to positively relate to surrounding building plots and blocks, and the scale of development in the surrounding area.
- 8.15 Policy IOD1 of the Isle of Dogs AAP states that design will be managed by ensuring that development, considers, reflects and responds to the waterside location of the Island and contributes to making a unique location in the London context. The AAP further recognises that design has an important role in creating accessible, well connected, safe and secure environments that people can enjoy.
- 8.16 With reference to tall buildings, Policy 4B.9 of the London Plan supports tall buildings in appropriate locations across London and states that the *“Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London’s character, help to provide a coherent location for economic clusters of related activities and/or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings”.*
- 8.17 Policy IOD1 of the AAP states that ‘tall buildings will be clustered around Canary Wharf (1 Canada Square) and building heights should be reduced from this point.’ Furthermore, Policy IOD16 states that the northern sub area will continue as a location for tall buildings and will form a cluster of the tallest buildings found on the Isle of Dogs. New tall buildings should help

consolidate this cluster and provide new landmarks consistent with the national and international role and function of the area.

8.18 Policy CP48 'Tall Buildings' of the Interim Planning Guidance (Oct 2007) states that the Council will, in principle, 'support the development of tall buildings in the northern part of the Isle of Dogs where they consolidate the existing tall building cluster at Canary Wharf. Policy DEV 27 of the Interim Planning Guidance requires tall buildings to be of the highest quality design and provide a set of criteria that applications for tall buildings must satisfy.

8.19 The proposal meets the relevant criteria of Policy DEV27. In particular:

- The design is sensitive to the context of the site.
- The architectural quality of the building is considered to be of a high design quality, as demonstrated in its scale, form, massing, footprint, proportion, materials, and relationship to other buildings, the street network, public and private spaces and the River Thames.
- The proposed development does not fall within the strategic views designated in Regional Planning Guidance 3A (Strategic Guidance for London Planning Authorities, 1991) or the Mayor's draft London View Management Framework SPG (2005). The scheme has demonstrated consideration of the appearance of the building as viewed from all angles and is considered to provide a positive contribution to the skyline.
- The proposed development would achieve a high standard of safety and security for future occupants and users.
- The proposed buildings would be visually integrated into the streetscape and the surrounding area.
- The proposed development would present a human scaled development at the street level.
- The proposed development would respect the local character and seek to incorporate and reflect elements of local distinctiveness.
- The proposed development would incorporate adaptable design measures.
- There will be minimal impact on the privacy, amenity and access to sunlight and daylight to surrounding residents.
- The Environmental Statement demonstrates that the impact on the microclimate of the surrounding area, including the site and public spaces, will not be detrimental.
- The proposed development demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of a high standard of energy efficiency, sustainable design, construction and resource management.
- The impact on the biodiversity of the River Thames will be minimised through the provision of an Ecological Management Plan which will ensure that biodiversity on the site will be generally improved through the proposed scheme.
- The proposed development will scheme high internal and external noise standards.
- The scheme will contribute positively to the social and economic vitality
- The proposal incorporates the principles of inclusive design.
- The site is located in an area with very good public transport access.
- The scheme takes into account the transport capacity of the area, and ensures the proposal will not have an adverse impact on transport infrastructure.
- The proposed development would result in improved permeability throughout the site and to the surrounding street network
- The proposed development would contribute to high quality pedestrian routes including the strategic cycle network.
- The scheme provides publicly accessible areas within the development including 24 hour access to a public park.
- The scheme would not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.
- The scheme has considered public safety requirements and has demonstrated emergency access provision.

- 8.20 Similar to the extant permission, the proposal satisfies the relevant criteria of DEV 27 of the Councils Interim Planning Guidance (Oct 2007).
- 8.21 The overall siting, placement and disposition of the three principal elements of the scheme is very similar to those of the 2008 approved scheme. RS1 would be the tallest of the three buildings at a height of 241.140m AOD. RS2 would be 80.05m AOD. RS3 would be 191.340m AOD. The shoulders of the two towers would be 212.200m AOD for RS1 and 162.400m AOD for RS3.
- 8.22 The principle of tall buildings on this site has been established by the extant permission. The proposed development does not deviate from these established principles including the height, form and orientation of the towers. The height of two taller elements of the scheme (RS1 and RS3) remains the same as the extant permission. The proposals design changes to the elevations, floor plans and general external appearance are considered acceptable. The use of metal clad columns has created a suitable contrast between North-South elevations against more glazed East West elevations. The light weight central block which connects the two towers sits well in between the two solid towers. The architectural response retains the integrity to original design.
- 8.23 The GLA note in the Stage 1 report that:

*"The proposed nine metre reduction in the height of the central podium building does not materially affect the architectural integrity or composition of the buildings. The impact on strategic views is unchanged. In terms of façade treatment, the external expression of the glazing remains visually similar to that previously proposed. The light and transparent feel of the towers is preserved and the external structural expression has been reconsidered and marks a return to the simpler diagram of the 2005 consented scheme"*

- 8.24 With reference to strategic views, Policy CON5 of the Interim Planning Guidance states that the Council will resist development that has an adverse impact on important views, including panoramas, prospects and local views.
- 8.25 The Riverside South location falls within an existing cluster of tall buildings. The site is neither within a Conservation Area nor close to listed buildings, other than the listed lock wall. The site is not within a Strategic Viewing Corridor and is not affected by the Draft London View Management Framework. GLA have noted that:

*" The impact on strategic views is unchanged"* (from the extant permission)

- 8.26 In light of the above, it is considered that the proposal adequately complies with policies 4B.2 & 4C.20 of the consolidated London Plan (2008); DEV 1, DEV 2 & DEV 5 of the Unitary Development Plan & CP48, CON 5, DEV 2 & DEV 27 of the Interim Planning Guidance (Oct 2007)

### **Landscaping**

- 8.27 It is proposed to have publicly accessible open space to the south of RS1 with 24 hour public access and there would be areas of private landscaping (access by landscape contractors only). This will be secured in the Section 106 Agreement. There would be trees planted along the River Walk (in tree pits), within the open space and the areas of landscaping on the eastern sides of RS3 and RS1.
- 8.28 The pedestrian east/west route through the building has been removed from the extant permission. However, the routes to the north and south of the site to the river will be strengthened through landscaping and will be accessible to all users. The applicant will be required to submit landscaping details. This will be secured by way of condition.

## Amenity Issues

### Assessing daylight and sunlight

- 8.29 Policy 4B.9 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.
- 8.30 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions.
- 8.31 Policy DEV1 of the Interim Planning Guidance states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.
- 8.32 Daylight/Sunlight analysis is included as part of the Environmental Statement submitted with the application. The statement demonstrates that nearby buildings will not be adversely affected by the loss of privacy or material deterioration of daylighting and sun lighting conditions.
- 8.33 The Environmental Statement reports on the assessment of effects for sunlight and daylight and identifies minor adverse effects at six locations:
- Cascades
  - 1-30 Chandler Mews
  - 11-85 Anchorage Point
  - Berkley Tower
  - City Pride (public house)
  - Hanover House
- 8.34 As part of the Environmental Statement, the applicant has submitted a daylight and sunlight report which compares the VSC and ADF levels of the extant permission and the proposed scheme. The impact of the scheme is broadly similar to the February 2008 approved scheme.
- 8.35 A large number of windows to the above properties remain completely unaffected when it comes to the daylight and sunlight assessment. The windows that experience minor losses are very marginal as is demonstrated in the ADF results.
- 8.36 The ADF tests is where the impact is measured from the centre of the room. The test assesses the size of the windows in relation to the size of the room. The ADF test takes into account the size of windows and whether the room has more than one window. BRE guidelines recommend that development should not result in ADF losses of greater than 20%. The following properties were examined:
- 1 Chandlers Mews
  - 3 Chandlers Mews
  - 4 Chandlers Mews
  - 5 Chandlers Mews
  - 6 Chandlers Mews
  - 7 Chandlers Mews
  - 8 Chandlers Mews
  - 9 Chandlers Mews
  - 10-20 Chandlers Mews
  - 22-30 Chandler News

- New Foundland scheme
- City Pride
- 2-4 Cascades
- Hannover House /Berkeley Tower
- 22-28 Marsh Wall (Block 1, 2& 3)
- 11-85 Anchorage Point
- 1-9 Quayside
- Daylight and sunlight conclusions

- 8.37 There are some windows which will experience a loss of light. However, the losses to ADF values experienced will be significantly less than 20%. On balance, the overall minor loss of daylight levels within the surrounding context of the site is not significant enough to warrant a refusal. As such, a reason for refusal could not be sustained on those grounds.
- 8.38 In terms of sunlight, the LBTH Daylight and Sunlight Officer was satisfied that the site will retain good levels of sunlight, given the context of the site. In addition, the proposal will not result in an undue loss sunlight to surrounding developments. Moreover, it should be noted that no objections have been received on loss of daylight and sunlight grounds.
- 8.39 The proposal therefore adequately complies with policies 4B.9 of the London Plan; DEV 2 of the Unitary Development Plan and DEV 1 of the Interim Planning Guidance (Oct 2007).

### **Transport**

- 8.40 Policies T18, T19 & T20 of the Unitary Development Plan encourage the creation of a sustainable transport network which minimises the need for car travel, lorries and supports movements by walking, cycling and public transport. Policy CP41 of the IPG the Council seeks to focus high density development in areas of high public transport accessibility.
- 8.41 The site has a Public Transport Accessibility Level (PTAL) of 5 (very good). The Riverside South site is located adjacent to the transport hub of Canary Wharf and is served by the Underground (Jubilee Line – Stratford to Stanmore), the Docklands Light Rail (Bank/Tower Gateway to Lewisham/Royal Docks/Stratford) and a number of bus services (277, D3, D7 and D8) and is therefore in a highly sustainable location. The site is also adjacent to Canary Wharf Pier which is served by river transport.
- 8.42 The applicant has advised that approximately 97 per cent of employees are expected to travel to the site by public transport or other non car modes in peak periods. It is intended that the scheme will generate 21,720 one way employees and visitor trips per day, excluding service vehicles.

### **Access and Egress Arrangement**

- 8.43 The servicing arrangements for the amended Riverside South have changed very little from what was previously consented. The access and egress to the basement parking areas and RS3 servicing area remain unchanged from what was previously consented.
- 8.44 The loading dock for RS1/RS2 has been altered from a two-way access to a one-way in/out arrangement which significantly improves the functionality of the servicing area and provides better circulation for vehicles than the consented scheme. The overall number and width of vehicle access points has not changed from the consented scheme. The separation of RS1/2 entry and exit points does, however, create a narrower crossover at the exit, thus reducing the crossing distance for pedestrians at this point.
- 8.45 The proposed entry for the RS1/RS2 loading dock provides a lane immediately north which allows for unauthorised vehicles to clear the area securely and quickly avoiding unnecessary blocking onto the public highway. The only additional entry/exit point proposed as part of the

amended Riverside South scheme is the courier access to the south.

- 8.46 The proposed highway works, including vehicle accesses to the building, has undergone a Stage 1 Road Safety Audit (RSA). All concerns raised within the RSA have either been taken on board within the design or formally dealt with within the Exception Report included within the revised transport assessment.

#### Pedestrian access

- 8.47 In the extant permission, there was pedestrian link across the site between the river walkway and Westferry Road. There is currently no public access across the site although a pedestrian route around the northern and southern perimeters would be provided. GLA and the Local Planning Authority acknowledge that, whilst this will result in reduced permeability to the riverside, the illustrative landscaping proposals demonstrate appropriate enhancements to routes to the north and south of the site which will improve legibility and encourage public use. The removal of the previously proposed vehicular exit ramp to the lower level of Westferry Road will also assist in strengthening the route to the north. Proposed improvements to the riverside walk will enhance opportunities for access to and enjoyment of the riverside.

#### 24 hour Public Access on the Waterfront and the Footway on Westferry Road

- 8.48 The revised scheme maintains 24 hour public access to the riverside walkway, via two routes.

The first will enable pedestrians to access the Riverside Walkway to the south of Heron Quays roundabout as with the consented scheme. The second route will take pedestrians along the eastern edge of the development to Westferry Circus Upper Level and is accessed from the proposed footbridge. The second facility replaces the previously proposed pedestrian route through the site, which is no longer necessary as retail uses have been removed. This route will be a minimum of 4 metres wide and will connect with a new and enlarged staircase from Westferry Circus to the riverside walkway.

Although this route will remain open, there will be no need following the proposals for pedestrians to walk at pavement level along Westferry Road.

#### Car parking

- 8.49 Policy DEV19 of the Interim Planning Guidance (Oct 2007) states that the Council will minimise on and off street parking for all developments. All parking is to be in compliance with the Parking Standards, and the Interim Planning Guidance sets maximum parking standards for retail and employment generating uses. The Interim Planning Guidance (Oct 2007) sets out the maximum car parking standards that varies by type of use. For large developments in areas with good public transport (i.e, PTAL scores between 4 and 6) minimal parking is sought.
- 8.50 In the extant permission, 150 car parking spaces were proposed. The subject proposal makes provision for 140 car parking spaces at basement level is proposed. Nevertheless, the car parking provided is in accordance with the standards set out within the UDP and are at a level, which supports current Government guidance on encouraging trips by other means. 10% of the car parking spaces will be allocated as disabled parking spaces. This amounts to 14 spaces. The provision of 14 disabled car parking spaces will be secured by way of condition.
- 8.51 The proposed crossings located on both Westferry Road south and Marsh Wall will link the LCN network with the dock side promenade and informal cycle routes within the Canary Wharf Estate. In addition, a shared footpath and cycleway located on the west side of

Westferry Road between the River Thames walkway and the northern crossing facility is also proposed as part of the highways works.

### Cycle Accessibility

- 8.52 Policy CP42 of the Interim Planning Guidelines encourages pedestrian and cycle permeability in new developments. The Council will ensure that new developments have a high level of connectivity with the existing and proposed transport, and pedestrian network. Policy DEV16 of the Interim Planning Guidance further promotes sustainable transport use, requiring developers to provide secure cycle parking, and routes through development. Moreover, policy IOD2 of the Interim Planning Guidance states that all major destinations on the Isle of Dogs should be easily accessible for all. Existing pedestrian and cycle links should also be improved.
- 8.53 Both Council's Highways Department and TfL have assessed the cycle provision and do not object to the 466 cycle spaces proposed. The extant permission had 345 cycle spaces. There is therefore an additional 121 cycle spaces proposed. The Council welcomes this increase in cycle parking provision.
- 8.54 In light of the above highway matters discussed above, the proposal adequately complies with T18, T19, T21 of the Unitary Development Plan (1998); policies CP41 & DEV 19 of the Interim Planning Guidance (Oct 2007).

### **Biodiversity**

- 8.55 Policies ST8, DEV57 and DEV62 of the UDP and policies CP31 and CP33 of the Interim Planning Document set out requirements in line with international, national and regional policy. These seek to ensure the protection, conservation, enhancement and effective management of the borough's biodiversity.
- 8.56 Policy 4C3 of the London Plan focuses on the Blue Ribbon Network and the importance to protect and enhance the biodiversity of the network by designing new waterside developments in ways that increase habitat value.
- 8.57 The site is located adjacent to the Thames which is identified as part of London's Blue Ribbon Network and a site of nature conservation importance.
- 8.58 In accordance with Policy DEV47 and DEV48 of the UDP (1998) the proposal will improve the aesthetic amenity of the site and the river environs whilst also allowing for improved pedestrian access linkages through the site to the riverside walkway and the River Thames.
- 8.59 The scheme will also provide some 800m<sup>2</sup> of brown roofs which will seek to provide habitat for bird and invertebrate species such as the black redstart. Brown roofs will also assist in increasing energy efficient and minimising water runoff volumes.
- 8.60 The design and layout of the scheme will also include areas of landscaping.
- 8.61 Biodiversity measures will be incorporated into the scheme through the submission of an Ecological Management Plan, which will detail provision of brown roofs, use of timber fenders to the river wall, bird boxes and native species, etc, in the use of landscaping. It is recommended that this be secured as an appropriate condition of approval. This measure will be secured by way of condition.

### **Energy**

- 8.62 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan (2008) sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing

carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG Oct 2007.

- 8.63 Policy 4A.7 of the consolidated London Plan (2008) seeks to adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite emissions and 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.
- 8.64 The proposed energy efficiency, passive design methods and the low and zero carbon technologies will reduce the developments CO2 emissions by of 24.3% in accordance with the proposals made in the Energy Strategy dated October 2008. This is considered acceptable.
- 8.65 Both the Council and the GLA believe that the scheme is broadly acceptable. GLA stage 1 report states that:

*'The energy strategy submitted with the application has been revised and updated to account for the increase in floorspace, loss of retail use, design changes and to ensure consistency with current London Plan policies. A series of energy efficiency measures are proposed. These include solar control façade and internal blinds, maximising daylight penetration, installing high efficiency lighting with presence and daylighting control and high efficiency plant. The modelling work submitted indicates that energy efficiency design measures will achieve carbon reductions of 15% beyond baseline emissions, which is acceptable'.*

- 8.66 Nevertheless, both the GLA and Council believe that the following information is required for assessment:
- (a) A detailed energy analysis of the development including results of the energy modelling and simulations,
  - (b) A breakdown of energy consumption by different end users to understand the source of carbon emissions for the baseline scenarios and the energy efficiency scenario
  - (c) Details showing the carbon savings achieved by the river-water cooling system have been calculated
  - (d) Details of the energy efficiency measures and CO2 emissions savings,
  - (e) A feasibility study investigating possible connection to Barkantine Heat and Power Company (BHPC)
  - (f) A feasibility study investigating the potential incorporation of a Fuel Cell CCHP system,
  - (g) A full detailed feasibility analysis of the proposed gas fired CCHP system,
  - (h) Details of the proposed PV cells, demonstrating the potential integration of PV cells have been maximised.
  - (i) A detailed feasibility and viability study investigating the potential for incorporating river water cooling and evidence of approval or disapproval by the relevant authorities.

- 8.67 In order to adequately comply with policies 4A.1-4A.9 of the London Plan, the applicant has submitted the above information to both the LPA and the GLA for assessment. LBTH Energy Officer comments will be recorded in the addendum report. The GLA should made comments in the Stage II report.

## **Environmental Impact Assessment**



- 8.68 The application relates to an urban development project with a development area of more than 0.5 hectares. It thus falls within paragraph 10 of Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended). As the project is likely to have significant effects on the environment, it is required to be subject to environmental impact assessment before planning permission is granted. Regulation 3 of the EIA Regulations precludes the grant of planning permission unless, prior to doing so, the Council has taken the 'environmental information' into account. The environmental information comprises the applicant's environmental statement (ES), any information submitted following request under Regulation 19 of the EIA Regulations, other substantive information relating to the ES and provided by the applicant and any representations received from consultation bodies or duly made by any person about the environmental effects of the development
- 8.69 An ES was submitted by the applicant with the planning application. The Council appointed consultants, Bureau Veritas, to examine the ES and to confirm whether it satisfied the requirements of the EIA Regulations. Following that exercise, Bureau Veritas confirmed that there were no Regulation 19 responses required. There did however request that further information was submitted to clarify a number of points on the ES. The further information was subsequently submitted to the Council, following which it was publicised in the required manner. Council's Environmental Impact Assessment officer has reviewed the response and is satisfied that the further information satisfactorily addresses any outstanding matters
- 8.70 The ES addresses the following areas of impact (in the order they appear in the ES):

#### Volume 1

- Chapter 1: Background to the Environmental Statement
- Chapter 2: Alternatives
- Chapter 3: The site and the description of the amended scheme
- Chapter 4: Construction Environmental Management
- Chapter 5: Townscape and views
- Chapter 6: Transport
- Chapter 7: Air Quality
- Chapter 8: Noise and vibration
- Chapter 9: Climate Change
- Chapter 10: Socio economics
- Chapter 11: Wind
- Chapter 12: Sunlight/ Daylight
- Chapter 13: Ecology

- 8.71 Similar to the extant permission, all of the above material planning considerations identified in chapters 1-13, have been considered acceptable and comply with Council policy.

#### **Application 2 (The Pedestrian bridge application)**

- 8.72 The second application to be considered is the proposal to erect a pedestrian bridge over Westferry Road, together with an access stair and lift (ref. no: PA/08/2250)
- 8.73 The new pedestrian bridge will provide access from the proposed Newfoundland development, across Westferry Road to the Riverside South site. Access across the bridge from the Eastern side of Westferry Road to ground level within the development will be step free and compliant with approved documents.
- 8.74 Access to the bridge to Westferry Road can be gained by means of an access lift and stair. The bridge will be developed further in subsequent design stages, but it is proposed that the lift will be a through lift, allowing wheelchair users to enter and exit the lift in the same direction.

- 8.75 ST28 of the UDP seeks to restrain the unnecessary use of private cars in order to achieve a more balanced allocation of road space between users. Policy ST30 of the UDP aims to improved the safety and convenience of movement for all road users especially pedestrians and cyclists.
- 8.76 The design of the Pedestrian Bridge is considered acceptable by the Council. The distance between the bridge landings at Riverside South and Newfoundland is approximately 45 metres.
- 8.77 The design of the bridge enclosure responds to environmental conditions by offering protection from rain, wind, traffic noise and solar radiation. The glazed enclosure will offer panoramic views towards Riverside South and a spectacular arrival there for workers and the public moving towards the riverside.
- 8.78 The bridge will be open and well lit at night to both ensure safety for users and provide a comfortable and welcoming environment. It will be open in aspect, provide natural surveillance and, as such, present itself as somewhere safe in accordance with policy ST30 of the Unitary Development Plan & DEV 4 of the Interim Planning Guidance (Oct 2007) which seeks to which seeks to ensure building entrances are located and designed to be visible, safe and accessible.
- 8.79 The bridge and the stairs and lift connecting it to the central island in the road, will be welcoming to mobility impaired, members of the public and will be fully Disability Discrimination Act (DDA)
- 8.80 The bridge has not been designed as a footbridge but as an overbridge (i.e a structure capable of withstanding a vehicle collision). The bridge provides a minimum clearance of 5.62 metres in excess of DMRB (Design Manual for Roads and Bridges) requirement to provide at least 5.41 metres.

#### Means of access & egress

- 8.81 The application proposes a pedestrian bridge that provides access at podium level which provides a connection between Newfoundland and Riverside South. The bridge, as part of wider proposals, will provide a covered route from Canary Wharf, LUL and Heron Quays DLR stations through the underground walkway proposed as part of the Heron Quays West development which links into the proposed Newfoundland development and Riverside South.
- 8.82 In addition, a disabled lift has been incorporated into the design which can be used during an emergency evacuation situation. The pedestrian bridge development complies with policy DEV 3 of the Interim Planning Guidance which seeks to ensure the incorporation of inclusive design principles into new developments.
- 8.83 In light of the above, the proposal adequately complies with policies ST28, ST30 & T21 of the Unitary Development Plan (1998) and DEV 4 of the Interim Planning Guidance (Oct 2007).

#### Application 3 (The Highways Works application)

- 8.84 The third application to be considered is for 'alterations to the highway, new signalling and pedestrian crossings and landscaping works at Westferry Road and Heron Quays Roundabout' (PA/08/2251)

#### **Context**

8.85 The existing highway layout has no facilities for cyclists and has limited crossings road crossings. The application proposes comprehensive amendments to the highway, and in particular to Heron Quays Roundabout, as part of the wider proposals for the Riverside South development. These amendments have been prepared following a review of pedestrian linkages within the area, including from LUL and DLR stations to the Riverside South development, the River Walk and the proposed public ally accessibly open space at the southern end of the Riverside South site.

#### Proposal

8.86 The Westferry Road Highway Works comprise of the following:

- The replacement of the existing Heron Quays roundabout with a new gyratory system that will comprise of a combination of priority and signal controlled entries and new signal controlled pedestrian crossings.
- The partial narrowing of Westferry Road and the introduction of measures to reduce speeds and improve safety.
- The creation of new and increased areas of open space and landscaping both within the junction, including publicly accessible spaces, and around its perimeter.
- The introduction of new signal controlled pedestrian crossings of Westferry Road to the north of Heron Quays Road.
- The introduction of new signal controlled pedestrian and cycle (toucan) crossings of Westferry Road and Marsh Wall to the south of Heron Quays Road and links to existing cycle routes.
- All highway works would be subject to detailed approval of traffic orders and signal control systems (by Transport for London) and will be secured by s278 agreement.

8.87 The proposed highways works scheme has been developed to provide an alternative to the existing roundabout in a form that increases public open space and provides a more coherent and legible series of pedestrian and cycle routes and crossings. The scheme will enhance the public realm in the vicinity of the new junction, whilst maintaining all vehicles movements. The highway works will provide a safer and more accessible environment for all road users and are consistent with proposals for access to Riverside South and the proposed Westferry Road footbridge.

8.88 GLA Stage 1 report notes that it:

*'welcomes the proposal as part of the new highway layout to upgrade existing crossings on Westferry Road and Marsh Wall to 'toucan' crossings. It is noted and supported that these crossings have been aligned to provide improved connectivity between the riverside path and the Canary Wharf estate via Heron Quays West and will encourage walking in accordance with London Plan policy 3C.21'*

8.89 The proposed new junction layout replaces the existing priority controlled Heron Quays roundabout with a combination of priority controlled junctions, traffic signal controlled junctions and signalised pedestrian crossings. The proposed layout will be able to accommodate all existing movements throughout the roundabout, including vehicular u turns.

8.90 Policy T18 of the Unitary Development Plan gives priority to the safety and convenience of pedestrians in the management of the roads and the design and layout of the footways including the use of street furniture, street lighting and the location of bus stops. Policy T19

of the UDP provides support for measures that improved the quality, safety and convenience of movement for pedestrians. Policy T21 states that the existing pedestrian routes will be retained and improved and, where necessary, replaced in new development and traffic management schemes.

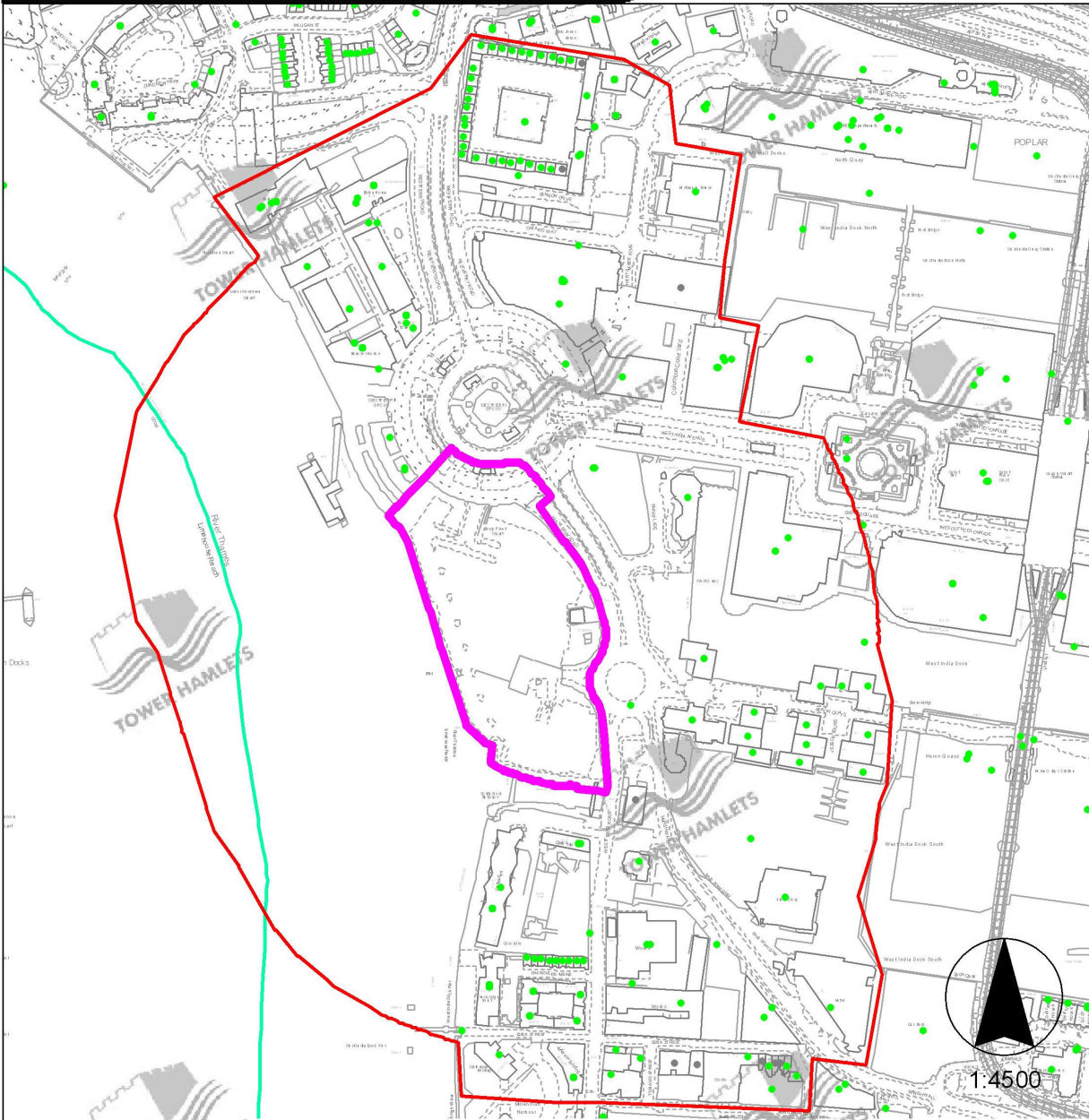
- 8.91 It is considered that the application proposals will ensure that this are now accords with these requirements, in particular improving the quality and legibility of routes from Heron Quays Road to the river bank. As such, it adequately complies with these policies.
- 8.92 Policy CP40 of the Interim Planning Guidance (Oct 2007) encourages the provision of a safe and convenient walking and cycle routes. Policy CP42 is more specific and states that the ' Council will seek the creation of better and safer streets to improve quality of life by:
- a) supporting the development of new and improved pedestrian and cycle crossings and traffic management measures that aid pedestrian, cyclist and motorcyclist safety
  - b) supporting environmental improvements , including the implementation of traffic calming measures throughout the Borough
  - c) encouraging innovative measures to facilitate pedestrian and cyclist movements
- 8.93 It is considered that the application proposals accord with the requirements of this policy by creating an improved environment. In particular, the proposals will improve both pedestrian amenity and movement in the road corridor and towards the river walkway. The physical improvements will be complemented by proposals for the public realm that will increase the quality and quantity of open space and as such adequately comply with policies CP40 and CP42 of the Interim Planning Guidance (Oct 2007)
- 8.94 Policy CP46 of the Interim Planning Guidance (Oct 2007) addresses Accessible and Inclusive Environments and seek to ensure the creation of inclusive environments and that the public realm can be accessed and used by all people. The proposals will create more permeable access across Westferry Road by simplifying the road layout and more space will be given over the pedestrian environment. Disabled access issues in respect of the proposals have been a key consideration, and the scheme will significantly improve access across Westferry Road for all users. As such, the proposal adequately complies with policy CP46 of the Interim Planning Guidance (Oct 2007).
- 8.95 It is considered that the proposals adequately accords with policies 3C.21 of the London Plan; policy T18 of the Unitary Development Plan (1998) and CP40 & CP42 of the Interim Planning Guidance (Oct 2007).

### **Conclusions**

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



# Site Map



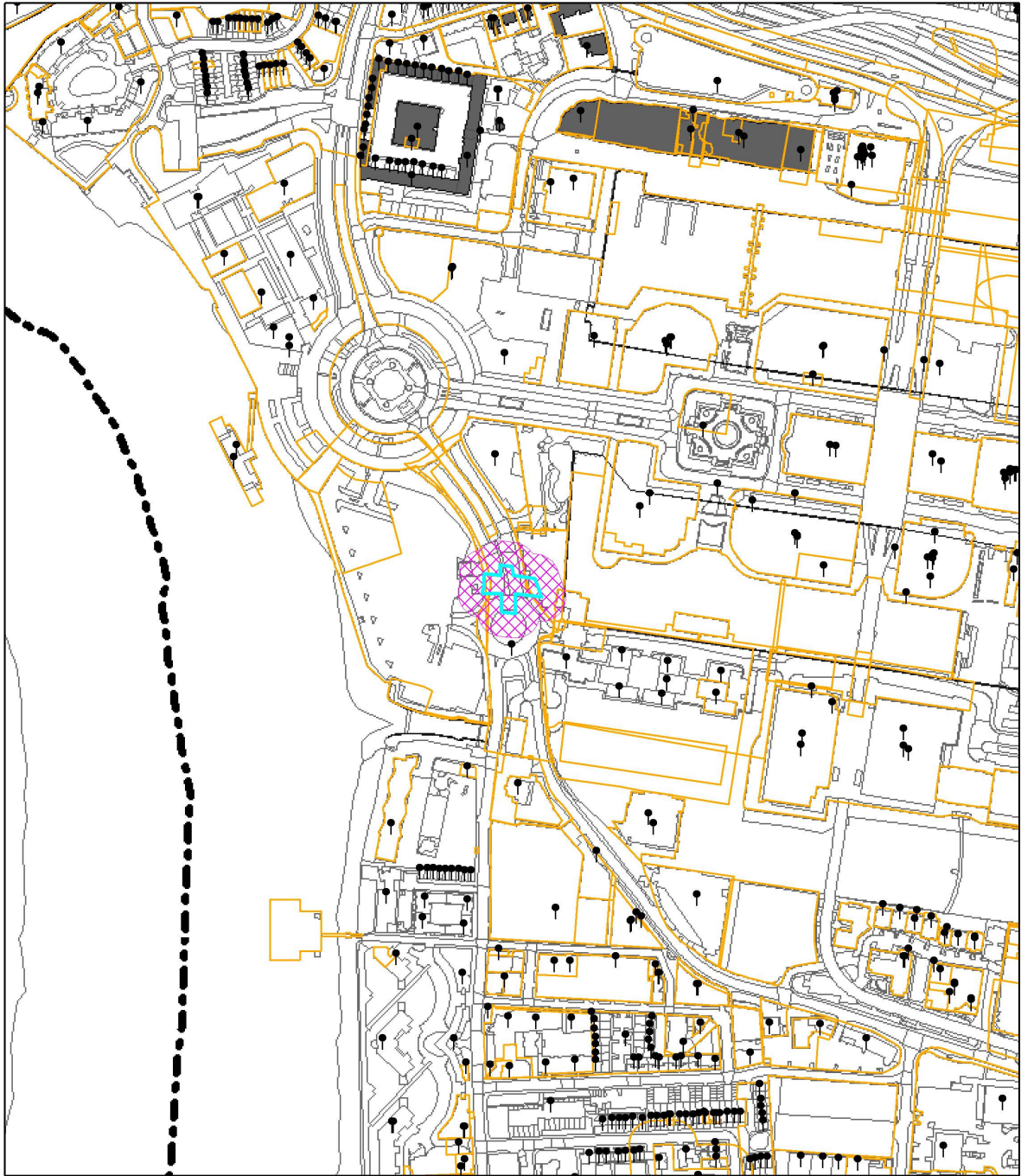
### Legend


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

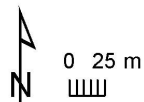
This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

## Site plan for application 1 (amendments to the February 2008 scheme)

# Planning Application Site Map



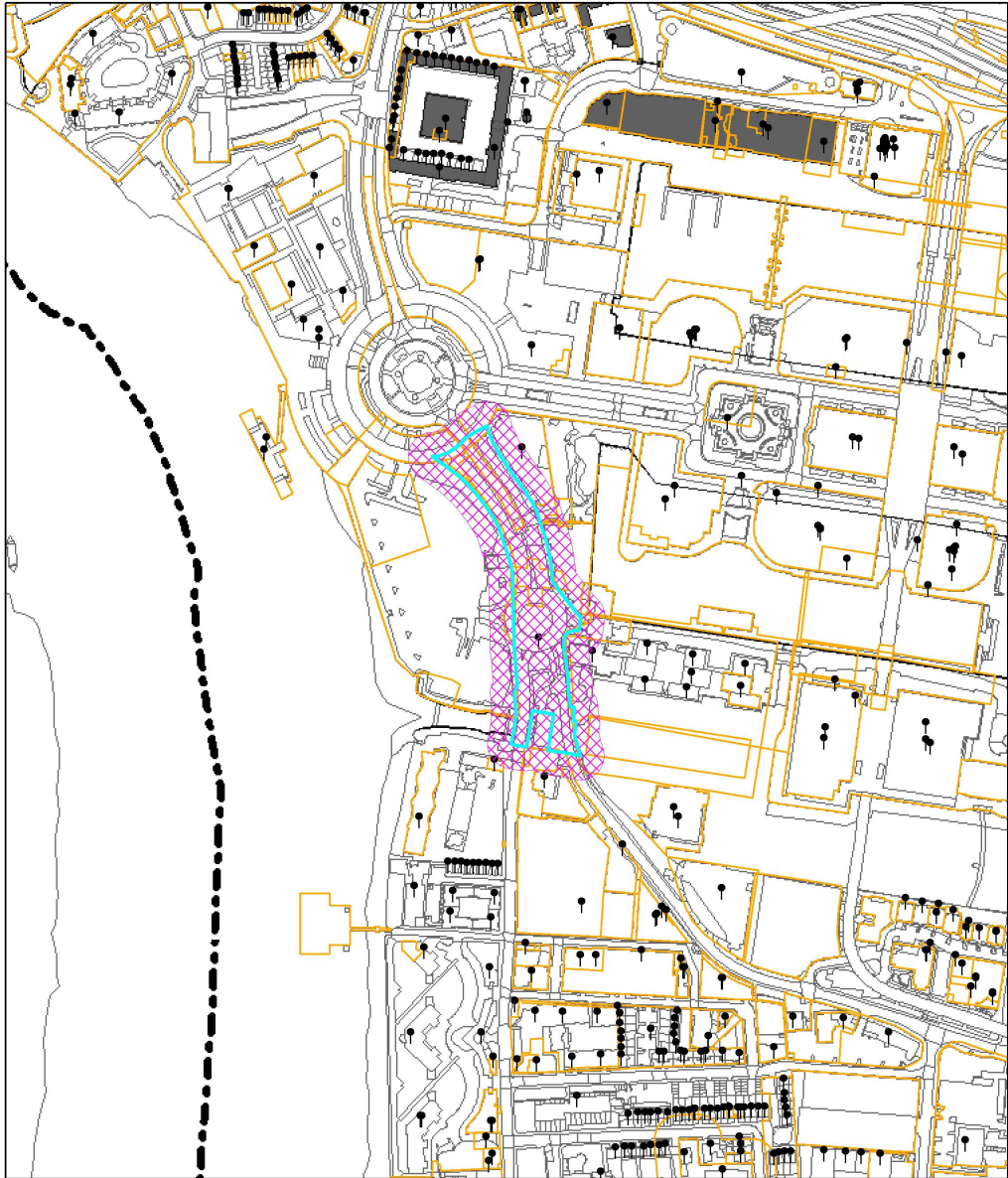
-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



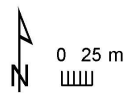
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**Site plan for application 2 (Pedestrian Bridge application)**

# Planning Application Site Map



- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- Land Parcel Address Point



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## Site Plan for application 3 (Highways works application)



# Agenda Item 7.3

<b>Committee:</b> Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.3
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Application for planning permission	
<b>Case Officer:</b> Richard Humphreys		<b>Ref:</b> PA/08/2292	
		<b>Ward:</b> Millwall	

## 1. APPLICATION DETAILS

**Location:** 443-451 Westferry Road, E14.

**Existing use:** Vacant former engineering works and ancillary offices.

**Proposal:** Erection of six buildings from 2 to 8 storeys in height to provide 189 residential units, with provision of basement and surface car parking, associated servicing and landscaping, together with incidental works.

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

**Drawing Nos:** (PL)002, (PL)003, (PL)004, (PL)005, (PL)006, (PL) 007, (PL)008, (PL)100, (PL)011, (PL)020, (PL)021, (PL)030, (PL)031, (PL) 032, (PL)033, (PL)034, (PL)040, (PL)041, (PL)042, (PL)043, (PL)044 and (PL)045.

Environmental Statement Volumes 1, 2 & 3 with Non-Technical Summary and Additional Regulation 19 Information.

Design and Access Statement.

Access Strategy – Supplementary Information.

Energy Statement.

Statement of Community Involvement.

Affordable Housing Statement and Economic Appraisal.

Landscape Report.

**Applicant:** Glenkerrin (UK) Limited

**Owner:** Glenkerrin (UK) Limited

**Historic buildings** N/A

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

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

**Conservation area** Chapel House Conservation Area adjoins.

## **2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

2.1. The local planning authority has considered the particular circumstances of the application against the Council's approved planning policies contained in the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007, associated supplementary planning guidance, The London Plan 2008 and Government Planning Policy Guidance and has found that:

- The provision of residential accommodation on the Island Point site is supported by policy 3A.1 and 5G.3 of the London Plan, accords with the Proposals Map of the Council's interim planning guidance 2007 and policies IOD25 and IOD26 of the Council's Isle of Dogs Action Area Plan interim planning guidance 2007 that seek to increase London's supply of housing
- The density of the scheme would not result in the overdevelopment of the site and any of the problems typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of The London Plan 2008, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim planning guidance 2007 which seek to provide an acceptable standard of development throughout the borough.
- The new buildings in terms of height, scale, design and appearance are acceptable in line with national advice in PPG15, policies 4B.1, 4B.8, 4B.10, 4B.11, 4B.12 and 4B.14 of The London Plan 2008, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP49, DEV1, DEV2 and CON2 of the Council's interim planning guidance 2007 which seek to ensure development is of a high quality design and preserve or enhance the character and appearance of conservation areas.
- Considered with the parallel redevelopment of the City Pride site, 15 Westferry Road (Ref. PA/08/2293) and taking account of the submitted Affordable Housing Statement and Economic Appraisal, the provision of 41% affordable housing across the two sites with a tenure comprising 73% social rented and 27% intermediate housing by habitable rooms, would comply with The London Plan policies 3A.9, 3A.10 and policies CP22, HSG3 and HSG4 of the Council's interim planning guidance 2007.
- Considered with the parallel redevelopment of the City Pride site, 15 Westferry Road (Ref. PA/08/2293), the proposed residential mix across the two sites would be satisfactory as an exception to policy HSG2 of the Council's interim planning guidance 2007.
- Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable and in line with policy T16 of the Council's Unitary Development Plan 1998 and

policies DEV16, DEV17, DEV18 and DEV19 of the Council's interim planning guidance 2007, which seek to ensure developments can be supported within the existing transport infrastructure.

- Sustainability and renewable energy matters are appropriately addressed in line with policies 4A.7 – 4A.9 of the London Plan and DEV5 – 9 and DEV 11 of the Council's interim planning guidance 2007, which seek to ensure developments reduce carbon emissions and result in sustainable development through design measures, water quality, conservation, sustainable drainage, sustainable construction materials, air pollution and air quality.
- Contributions have been secured towards the provision of highway and public transport improvements, community and open space provision, education provision and health care together with the implementation of travel plans in line with Circular 05/2005, policies 3B.3 and 5G3 of The London Plan 2008, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's interim planning guidance 2007, which seek to secure contributions toward infrastructure and services required to facilitate development.
- The submitted Environmental Impact Assessment supplemented by Additional Information is satisfactory, including the cumulative impact of the development, with mitigation and safeguarding measures to be implemented through conditions and a recommended legal agreement.

### 3. **RECOMMENDATIONS**

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

A. Any direction by The Mayor of London.

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

(a) To provide 41% of the residential accommodation across both the City Pride, 15 Westferry Road and Island Point (443-451 Westferry Road) sites as affordable housing measured by habitable rooms with a tenure split of the affordable accommodation being 73% social rented and 27% intermediate housing with a mechanism to ensure that the affordable housing at the Island Point site is provided prior to the on-site market housing at both sites is completed.

(b) A £133,400 **Bus Network Contribution** comprising £113,400 to fund improvements to local bus services and £20,000 to fund the upgrading of bus stops.

(c) To fund and implement a **Transport Plan** comprising:

- The submission and implementation of a residential travel plan, a

delivery service plan and a construction logistics plan.

- To establish and maintain a residents car club.
- To provide, install and maintain DAISY board(s) to provide driver and transport information.
- A £75,000 contribution to Transport for London (TfL) to fund a bicycle hire station.
- Car free arrangements that prohibit residents of the development other than disabled people from purchasing on street parking permits from the borough council.

(d) A **Community and Open Space Contribution** of £630,178 to help fund open space improvements, leisure facilities and Library / Idea Store facilities on the Isle of Dogs.

(e) A **Highway Improvement Works Contribution** of £240,000.

(f) An **Education Contribution** of £654,126

(g) To participate in the Council's Access to Employment and / or Skillsmatch programmes.

(h) To make a **Healthcare contribution** of £367,689 to help fund the capital programme of the Tower Hamlets Primary Care Trust.

(k) Any other planning obligation considered necessary by the Corporate Director Development & Renewal.

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

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

3.5 **Conditions**

1. 3 year time limit.
2. Facing materials (including samples) to be approved.
3. Details of a landscaping scheme to include hard and soft finishes, any gates, walls and fences, including the treatment of the perimeter wall to property in Chapel House Street and Locksfield Place together with external lighting to be submitted and approved.
4. Approved landscaping scheme to be implemented.
5. Details of green roofs to be submitted approved and implemented.
6. Details of acoustic glazing and ventilation for the buildings fronting Westferry Road adequate to protect residents from Noise Exposure Category C shall be submitted approved and implemented.
7. Prior to the commencement of the relevant works of the development, the developer shall submit the following details to be approved in writing by the local planning authority;
  - (a) Energy efficiency and passive design measures including the façade

U-values.

(b) Specification on whether cooling is required in the apartments, the steps taken to minimise this requirement and the methods for providing this cooling through sustainable energy measures.

(c) The details of the CHP system and the arrangements in place for selling of the electricity.

(d) The details of the biomass boiler.

(e) Evidence of the financial viability of the roof top PV system.

(f) A schematic drawing of the plant room.

8. In accordance with the proposals made in the Energy Strategy dated June 2008, the approved low carbon and renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.
9. Prior to the commencement of the relevant works of the development the applicant shall submit the details to be approved in writing by the local planning authority of the Code for Sustainable Homes Pre-Assessment demonstrating the residential units of the development are capable of achieving a minimum of Code Level 3 and Code Level 4 where possible.
10. Prior to the occupation of the development, the applicant shall submit the details to be approved in writing by the local planning authority of the Final Code for Sustainable Homes Assessment showing the residential units achieve Code Level 3 as a minimum and Code Level 4 where possible which is verified by the awarding body.
11. The approved details of the sustainable design and construction measures shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.
12. The development shall be carried out in accordance with the Flood Risk Assessment Ref. WCL36823 (ES) 001 Rev A 05 dated October 2008.
13. There shall be no infiltration of surface water drainage into the ground other than with the express written consent of the local planning authority.
14. No piling or other foundation design using penetrative methods shall be undertaken other than with the express written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
15. Decontamination of the site.
16. 10 stands within the cycle stand provision within the stores at ground level providing space shall be allocated for 20 visitor's bicycles.
17. Hours of construction time limits (08.00 to 18.00) Monday to Friday, 08.00 to 13.00 Saturdays and not at all on Sundays or Bank Holidays.
18. Piling hours of operation time limits (10.00 to 16.00 Mondays to Fridays, 10.00 to 13.00 Saturdays) and not at all on Sundays or Bank Holidays.
19. The development authorised by this permission shall not commence until the Council (as local planning authority and the highway authority) has approved in writing a scheme of highway improvements necessary to serve the development being alterations to the adopted length of Westferry Road.
20. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

### 3.6 **Informatives**

1. Planning permission subject to section 106 agreement.
2. Planning permission under section 57 only.
3. Wheel cleaning facilities during construction.
4. Consultation with the Council's Department of Traffic and Transportation regarding alterations to the public highway and Condition 19 that will necessitate an agreement under section 278 of the Highways Act.
5. You should consult the Environment Agency, 30-34 Albert Embankment, London SE1 7TL (Ref. TL/2008/101631/02-L02) regarding the recovery, treatment and disposal of contaminated soils, drainage details (Condition 13) and the design of the foundations of the building (Condition 14).
6. Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

## 4. **PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1. Application is made for full planning permission for the redevelopment of the site of Nos. 443-451 Westferry Road (known as Island Point) by the erection of six buildings from 2 to 8 storeys in height to provide 189 residential units, with the provision of basement and surface car parking, associated servicing and landscaping together with other incidental works.
- 4.2. The application is linked to a proposal to redevelop the City Pride Public House, 15 Westferry (Ref. PA/08/2293) which is reported separately on this agenda. The applications are linked regarding the provision of affordable housing and dwelling mix. It is proposed that the majority of the affordable housing provision is made at Island Point in lieu of the bulk of the affordable housing obligation arising from the City Pride development. It is proposed that the majority of the private residential accommodation will be within a high-rise, high density tower at the City Pride site and the Island Point site will be a lower density scheme with a focus on affordable family accommodation.
- 4.3. Specifically, at the City Pride site, it is proposed that 5% of the total habitable rooms of the dwellings within the development shall be a shared ownership affordable housing units. This amounts to 18 dwellings comprising 50 habitable rooms. At Island Point, 91% of the total habitable rooms of the dwellings are proposed to be affordable housing units. This amounts to 166 dwellings comprising 655 habitable rooms to be provided for social rented units (118 dwellings) and as intermediate units (48 dwellings).
- 4.4. The development at Island Point would comprise six buildings referred to as Buildings A, B, C/E, D, and F. Buildings A and B would be situated in the southern part of the site fronting Westferry Road, which provides the main access to the site. Building D would be situated just off Julian Place to the north, which would provide pedestrian access to the site from the west. Buildings F (townhouses) would be situated on a north-south axis towards the

site's northern boundary. Buildings C/E would comprise a single building with the southern section rising to seven floors plus ground, which is referred to as C, and the northern section rising to four floors plus ground, which is referred to as E, in the eastern part of the site.

- 4.5. The development has been designed to provide family accommodation and would provide the following proposed residential building mix:

Building A would comprise social rented (7) and intermediate (48);  
Buildings B, C/E and F would comprise social rented (111); and  
Building D would comprise private residential (23).

- 4.6. 37% of the overall site area would comprise public open space. The development also includes the provision of private amenity space for all of the residential dwellings in the form of balconies, roof top gardens, and private gardens. The development would be served by a basement level car park providing a total of 96 car parking spaces, which include 10 disabled bays with 37 motorcycle spaces. In addition, there would be 2 disabled bays provided at street level. The basement level car park would be accessed from within the site via the main estate road. 462 cycle spaces would be provided within the development.

#### **Site and surroundings**

- 4.7. The 1.32 hectare site is located towards the southern tip of the Isle of Dogs on the northern side of Westferry Road. It is bounded by the A1206 Westferry Road to the south, Chapel House Street running parallel to the western and northern boundaries, Julian Place to the west and Lockesfield Place to the east. The Chapel House Conservation Area adjoins the site's western, northern and eastern boundaries.
- 4.8. The site, which is currently derelict, is occupied by hard standing, the steel frame of a former engineering shed and a vacant two storey ancillary office building. Current access for vehicles and pedestrians is via Westferry Road.
- 4.9. The surrounding area comprises predominantly residential dwellings. Chapel House Street comprises mainly 2-storey Victorian dwellings and modern 2-storey terraced housing. Running east of Chapel House Street, there are 3-storey flats, dwelling houses and lock-up garages in Julian Place. Lockesfield Place consists of modern 3 and 4-storey frontage blocks behind which lie lower scale blocks of 2 and 3-storeys. On the opposite side of Westferry Road, development in St. David's Square and Langebourne Place comprises 4-storey frontage terraces with taller 7-storey blocks towards the River Thames.
- 4.10. There are two schools in the local area: Harbinger Primary School 300 metres north-west of the site and George Green's Secondary School 500 metres east of the site.
- 4.11. The two main local areas of public open space are the listed Island Gardens 250 metres to the south-east and Millwall Park, 300 metres to the east, together with the adjoining Mudchute Farm and Park.

- 4.12. The site is served by two DLR stations; Mudchute station, 450 metres north-east of the site and Island Gardens station, 500 metres to the east. The site is currently served by three bus routes running along Westferry Road and two other routes serving stops on Spindriff Avenue and East Ferry Road. Other public transport infrastructure includes Canary Wharf Underground station 1.7 kilometres to the north, Greenwich National Rail station 1 kilometre to the south and Masthouse Terrace Pier, 500 metres west of the site. The public transport accessibility level of the site is 3 (on a scale where 6 is high and 1 is low). Historically, the site was served via two priority controlled T-junction vehicular accesses onto Westferry Road.

### **Material planning history**

- 4.13. In May 2001, planning permission was granted for the change of use of the general industrial unit (Class B2) on the site to a telecom warehouse (Class B1) Ref: PA/00/1768. In February 2002, a revised scheme for change of use of the engineering works to a data centre was granted permission - Ref: PA/01/1038. Neither permission was implemented
- 4.14. In April 2002, planning permission was granted for the erection of a telecommunications building linking at ground and first floor to the existing ancillary office building which was to be refurbished, together with the erection of rear plant, landscaping and the formation of a new means of vehicular access to Westferry Road Ref: PA/02/0018. That permission was also unimplemented and the site has remained vacant except for unlawful occupation by travellers – now ceased.
- 4.15. In December 2007, application was made for planning permission for the redevelopment of the site by the erection of six buildings from four to twelve storeys to provide 337 residential units, with provision of basement and surface car parking, associated servicing and landscaping. The application was subsequently withdrawn following concern over design matters including the introduction of tall buildings.
- 4.16. A similar application to the current proposal was lodged in August 2008. It was also withdrawn undetermined following concern about the design of the elevations.

## **5. POLICY FRAMEWORK**

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

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

Policies	2A.1	Sustainability criteria
	2A.5	Isle of Dogs Opportunity Area
	3A.1	Increasing London’s Supply of Housing
	3A.2	Borough housing targets



3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.6	Quality of new housing provision
3A.7	Large residential developments
3A.8	Definition of Affordable Housing
3A.9	Affordable housing targets
3A.10	Negotiating affordable housing in individual private residential and mixed-use schemes
3A.18	Protection and Enhancement of social infrastructure and community facilities
3A.20	Health objectives
3A24	Education facilities
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable Transport
3C.9	Increasing capacity and quality of public transport
3C.23	Parking strategy
3D.8	Open space and green infrastructure
3D.12	Open space strategies
3D.13	Children and young people's play strategies
4A.1	Tackling climate change
4A.2	Mitigating climate change
4A.3	Sustainable design and construction
4A.4	Energy assessment
4A.5	Heating and cooling networks
4A.6	Decentralised energy
4A.7	Renewable Energy
4A.9	Adapting to climate change
4A.11	Living roofs and walls
4A.12	Flooding
4A.13	Flood risk management
4.A.14	Sustainable drainage
4A.16	Water supply and resources
4A.17	Water quality
4A.19	Improving air quality
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.6	Safety, security and fire prevention
4B.8	Respect local context and communities
4B.10	Large scale buildings, design and impact
4B.11	London's built heritage
4B.12	Heritage conservation
5C.3	Opportunity areas in North East London
6.A.4	Planning obligation priorities
6A.5	Planning obligations

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

Proposals:

1. Flood Protection Area

Policies:

- ST23 - High Quality Housing
- ST25 - Housing to be adequately served by all infrastructure
- ST28 - Restrain unnecessary use of private cars
- ST30 - Improve safety and movement for all road users
- ST37 - Enhancing Open Space
- ST41 - Arts and Entertainment Facilities
- ST43 - Public Art
- ST47- Provision of training Initiatives
- ST49 - Provision of social and community facilities
- ST50 - Provision of medical services
- DEV1 - Design Requirements
- DEV2 - Environmental Requirements
- DEV4 - Planning Obligations
- DEV12 - Provision of Landscaping
- DEV50 - Noise
- DEV51 - Contaminated land
- DEV55 - Development and Waste Disposal
- DEV56 - Waste Recycling
- DEV69 - Efficient Use of Water
- HSG7 - Dwelling Mix and Type
- HSG13 - Internal Space Standards
- HSG16 - Housing Amenity Space
- T16 - Traffic Priorities for New Development
- T18 - Pedestrians and the Road Network
- T21 - Pedestrians Needs in New Development
- OS9 - Children's Play space
- U2 - Development in Areas at Risk from Flooding
- U3 - Flood Protection Measures

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

Proposals:

1. Flood Risk Area
2. Development site ID 10

Core Strategies IMP1

- |      |                                  |
|------|----------------------------------|
| CP1  | Planning Obligations             |
| CP3  | Creating Sustainable Communities |
| CP4  | Sustainable Environment          |
| CP5  | Good Design                      |
| CP19 | Supporting Infrastructure        |
| CP20 | New housing provision            |
| CP21 | Sustainable residential density  |
| CP22 | Dwelling mix                     |
| CP25 | Affordable housing               |
| CP27 | Housing amenity space            |
| CP29 | Community facilities             |
|      | Improving education and skills   |

CP30	Improving Quality and Quantity of Open Space
CP31	Biodiversity
CP37	Flood Alleviation
CP38	Energy Efficiency & Renewable Energy
CP39	Sustainable Waste Management
CP40	A Sustainable Transport Network
CP41	Integrating Development with Transport
CP43	Better public transport
CP46	Accessible and Inclusive Environments
CP47	Community Safety
CP49	Historic Environment

Development Control Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV8	Sustainable drainage
	DEV9	Sustainable construction materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV14	Public Art
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV25	Social impact assessment
HSG1	Determining residential density	
HSG2	Housing mix	
HSG3	Affordable housing	
HSG4	Social and Intermediate Housing ratio	
HSG7	Housing amenity space	
HSG9	Accessible and Adaptable Homes	
CON2	Conservation areas	

5.5. **Interim planning guidance: Tower Hamlets Isle of Dogs Action Area Plan  
September 2007**

Policies	IOD1	Spatial strategy
	IOD2	Transport and movement
	IOD3	Health provision
	IOD4	Education provision
	IOD5	Public open space
	IOD7	Flooding
	IOD8	Infrastructure capacity
	IOD10	Infrastructure and services

- |       |  |
|-------|--|
| IOD25 | Southern sub-area  |
| IOD26 | Site allocations in Southern sub-area. ID10: 443-451 Westferry Road. Preferred uses: <ul style="list-style-type: none"> <li>• Residential (C3)</li> <li>• Public Open Space</li> </ul> |

5.6. **Supplementary Planning Guidance/Documents**

Residential Space  
 Designing Out Crime  
 Landscape Requirements  
 The Mayor of London’s Housing Supplementary Planning Guidance

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

- |        |                                       |
|--------|---------------------------------------|
| PPS1   | Delivering Sustainable Development    |
| PPS3   | Housing                               |
| PPG13  | Transport                             |
| PPG15  | Planning and the historic environment |
| PPS22  | Renewable Energy                      |
| PPG24  | Noise                                 |
| PPG 25 | Development and Flood Risk            |

5.8. **Community Plan**

The following Community Plan objectives relate to the application:

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

6. **CONSULTATION RESPONSE**

6.1. The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application. The accompanying Environmental Impact Assessment has been supplemented to provide additional information and the additional information has been subject to statutory publicity and public notification including press and site notices.

**Greater London Authority (Statutory consultee)**

6.2. At Stage 1, the Mayor advised:

- Principle of use – The provision of residential accommodation on the Island Point site is supported by London Plan policy 3A.1 which seeks to increase London’s supply of housing. As such, the proposals complies with polices 3A.1 and 5G.3 of the London Plan.

- Density – The proposed residential density at Island Point is within the guidance range provided by the London Plan. As a result, the proposal complies with policy 3A.3 of The London Plan.
- Affordable housing – Insufficient evidence has been provided to demonstrate that the concentration of affordable housing in the south of the Isle of Dogs won't overload the existing social infrastructure. The independent financial appraisal by Atisreal is not complete and as such it is impossible to assess whether the proposed quantum of affordable housing represents the maximum reasonable amount. As a result, the proposal fails to comply with policies 3A.9 and 3A.10 of The London Plan.
- Children's play space – The proposal provides 1,623 sq.m. of children's play space on site. However, it fails to provide a kick about area for children aged 12 years and over. As such, the proposal fails to comply with policy 3A.13 of The London Plan.
- Climate change mitigation – The U-values for the buildings facade and other site-specific energy reduction measures have not been fully explained. No details have been provided on the arrangement for selling electricity generated from the plant. It is not clear if the dwellings will be provided with active cooling. Limited information on the energy centre has been provided. As a result, the proposal fails to comply with the policies contained within chapter 4A of The London Plan.
- Air quality – An air quality assessment of the biomass boiler has been undertaken. It is not expected to have a detrimental impact upon air quality. As a result, the proposal complies with policy 3A.19 of The London Plan.
- Climate change adaptation – The proposals incorporate passive design measures, including natural ventilation, low energy lighting and increased insulation. The proposals also include sustainable urban drainage. All units would be fitted with water meters and rainwater harvesting and water attenuation systems would be provided. As a result, the proposal complies with policies 4A.10, 4A.14 and 4A.16 of The London Plan.
- Transport – It is not clear if the visitor cycle parking spaces will be provided. There is no cycle route along the site frontage of Westferry Road. The trip generation assessment is inaccurate. There is no delivery service plan or construction logistics plan. As a result, the proposal fails to comply with polices contained with chapter 3C of the London Plan.

6.3. The Mayor has also advised that the following remedies could address the deficiencies:

- Affordable housing – Further evidence should be provided to demonstrate that the concentration of affordable housing in the south of the Isle of Dogs wouldn't overload the existing social infrastructure. The findings of the independent economic appraisal of the proposed quantum of affordable housing should also be submitted prior to the application being referred back to the Mayor.
- Children's play space – Provision should be made for a kick about area for children over 12 years of age.
- Climate change mitigation - The applicant should specify, for the residential element, the U-values proposed for the buildings facade and

what other site specific measures will be required to achieve this reduction. The applicant should clarify the arrangement to be put in place for selling the electricity generated from the plant. The applicant should also specify of the dwellings will be provided with active cooling and if this is the case how this would be provided. Further details of the location and size of the energy centre should be submitted; it should take into consideration space requirements for biomass fuel, the boiler, the thermal store, the combined heat and power plant and any top up boilers.

- Transport - In order to be fully compliant with The London Plan the following transport issues should be addressed:
  1. The trip generation assessment should exclude sites with a PTAL of 6.
  2. The condition of bus stops within a 400-metre radius of the development should be assessed and those which are deficient upgraded.
  3. Provide section 106 contributions for DAISY boards, local pedestrian improvements and bus service enhancements.
  4. The provision of 20 visitor cycle parking spaces should be confirmed.
  5. A formal cycle route as part of the site frontage along Westferry Road should be provided.
  6. A delivery and service plan and a construction logistics plan should be submitted; the travel plan should be secured through a S106 agreement.

6.4. (Officer comments:

- Affordable housing: Please see detailed comments below.
- Children's Play Space. Consultation has been undertaken with the Policy and Development Manager - Cultural Services regarding the impact of the development on open space provision. A capital sum to mitigate the impact of the development have been advised and agreed with the developer. Play Association Tower Hamlets (PATH) considers it more sensible for the developer to fund off-site provision for football space rather than squeezing more kick about space into the development.
- Climate change: The Council's Energy Officer advises that the applicant has broadly followed the energy hierarchy set out in policy 4A.1 of the London Plan. The energy strategy proposed is considered broadly acceptable, subject to any planning permission being conditioned to provide more information at the detailed design stage.
- Transport: The trip generation information within the Transport and Access Chapter of the Environmental Statement has been independently reviewed by the Council's consultants (Bureau Veritas) and by the Council's Traffic and Transportation Department and is considered satisfactory. The developer has agreed to provide on site DAISY board(s), to make contributions towards local pedestrian improvements, bus service enhancements, the provision of a cycle lane on Westferry Road and to submit and implement a residential travel plan, a delivery service plan and a construction logistics plan. The developer also

proposes that 10 stands be allocated within the cycle stand provision within the stores at ground level to provide space for 20 visitor's bicycles and a condition is recommended to secure this arrangement)

**Government Office for London (Statutory consultee)**

6.5 No representations received.

**Natural England (Statutory consultee)**

6.6. No objection. Welcomes the proposed diversity enhancement measures i.e. green and brown roofs and expects such features to be secured by condition.

6.7. (Officer comment: An appropriate condition is recommended).

**Environment Agency (Statutory consultee)**

6.8. No objection in principle. With regard to flood risk, the Agency is satisfied with Sequential Test supplied by the local planning authority. Recommends conditions concerning compliance with the submitted Flood Risk Assessment, decontamination, no infiltration of surface water drainage into the ground or piling or foundation designs using penetrative methods without the express permission of the local planning authority. An informative is also requested regarding consultation with the Agency concerning the recovery, treatment and disposal of contaminated soils.

6.9. (Officer comments: Appropriate conditions and an informative are recommended).

**London Borough of Greenwich (Statutory consultee)**

6.10. No objection.

**English Heritage (Statutory consultee)**

6.11. Does not wish to offer comments. Advises the application should be determined in accordance with national and local policy guidance and the basis of the Council's specialist conservation advice.

**Docklands Light Railway**

6.12. No representations received.

**Commission for Architecture and the Built Environment (CABE)**

6.13. Supports the principle of providing the City Pride affordable housing component off-site as it allows a greater variety of accommodation and amenity space for families, than the City Pride site alone could offer. Also supports the massing, site layout and residential mix but considers the generally good provision of family accommodation and amenity space is compromised by proposed 4 and 5 bedroom flats on Westferry Road which would not provide family accommodation

of adequate quality being cramped, poorly lit, with combined kitchen/living/dining rooms with unusable private amenity space. The corner of the development adjoining Lockesfield Place, where an electricity sub-station is proposed, is considered weak. The vehicular access should be in this position. Supports basement parking but considers the proposed access would be difficult to negotiate. Considers the stepped frontage blocks would not provide a strong frontage and have no precedent on Westferry Road. The architectural treatment of the terraced housing is promising, if generic, with little relationship to context. Elevations should be more varied. Welcomes the generous provision of open space but is concerned about the vehicular access being within the "home-zone." Suggest more roof spaces be considered for amenity use. Success of the development will depend on the quality of construction and successful management.

- 6.14. (Officer comments. The living areas within the family accommodation on the ground of the building on Westferry Road have been significantly increased in size in response to comments by CABE on the previous application. The living areas are 36 sq m and 39 sq m for these apartment types which significantly exceeds the Council's residential space standards. The internal daylight of these larger units has been assessed and the assessment concludes that the internal lighting levels would be comfortable and fall within the relevant daylight criteria. The amenity space would be screened from the road and provide a range from 87 sq m to 110 sq. m which is considered adequate. The vehicular and pedestrian access to Westferry Road would be in the centre of the site. To move the access to the position recommended by CABE would result in disturbance to residents in Lockesfield Place which is considered undesirable).

#### **Thames Water Plc**

- 6.15. No objection regarding water infrastructure.

#### **Metropolitan Police**

- 6.16. Satisfied with the proposal, concerns have been mitigated by improved/extra ground floor windows and defensive planting.

#### **London Fire and Emergency Planning Authority**

- 6.17. Satisfied with the proposals.

#### **Tower Hamlets Primary Care Trust**

- 6.18. The development is within Local Area Partnership (LAP) 8. The nearest current practice is Docklands Medical Centre. The population in Millwall Ward is expected to grow by 27% from 17,691 in 2008 to 22,552 in 2013. Requests a section 106 contribution for healthcare provision calculated by the HUDU model as follows:

- Total Capital Planning Contribution £367,869
- Total Revenue Planning Contribution £1,228,415
- Combined contribution sought for health £1,596,284



- 6.19. (Officer comment: In line with established practice, the developer has agreed a Capital Planning Contribution of £367,689).

### **Play Association Tower Hamlets (PATH)**

- 6.20. Considers the play space on site has been well worked out. It would be more sensible for the developer to fund off-site provision for football space rather than squeezing more kick about space into the development.

### **Environmental Protection**

- 6.21. Satisfied with the developer's proposed approach and methodology to deal with contaminated land. Recommends that any planning permission is conditioned to secure decontamination. Advises that there would be impact on the daylight and sunlight reaching residential properties in Lockesfield Place. There is also some impact on the scheme itself, especially shadowing of the amenity space by the taller elements. The assessed receptor point in Lockesfield Place would be 1 step windier than recommended with a minor adverse impact. The buildings on the Westferry Road frontage would be subject to Noise Exposure Category C. In such locations, PPG24 advises that if planning permission is to be granted conditions should be imposed to ensure a commensurate level of protection against noise.

- 6.22. (Officer comment: Conditions to secure decontamination and soundproofing are recommended. Sunlight, daylight and wind issues are discussed in Material Planning Considerations below).

### **Traffic and Transportation**

- 6.23. No objections in principle. The applicant's Transport Assessment includes estimates of Trip Generation and its Assignment using the Travl database which is satisfactory. Overall the proposed increase in traffic would not have a detrimental effect on the highway network which would operate within capacity. 95 parking spaces would be provided which accords with the maximum standard of 0.50 per dwelling set out in the council's interim planning guidance. Given the site's good accessibility to public transport, consideration should be given to reducing this to promote sustainable modes of transport and to minimise congestion on the road network. The use of a car club should be made available to residents of the development who may not have access to a parking bay. Details of servicing and refuse collection plans have not been provided and should be submitted for approval. Recommends that a section 106 agreement with the developer should include:

1. Car free arrangements to prevent all future occupiers from applying for on-street parking permits
2. The formation of a car club.
3. Service and delivery plans.
4. Funding to assist with:
  - Improving the visibility on Westferry Road as a result of the new junction and access point to the site.
  - Traffic calming measures on Westferry Road to include a speed table

and entry treatment at the access point to the site.

- The provision of a cycle lane on Westferry Road.
- Improvement and resurfacing works to the carriageway adjacent to the site as a result of damage cause due to construction vehicles and the redevelopment of the site.

6.24. It is also recommended that any planning permission is conditioned to require the developer to execute a separated section 278 agreement under the Highways Act.

6.25. (Officer's comments: 50% parking provision would accord with the Council's standards and is considered satisfactory. Appropriate heads of agreement and a condition are recommended).

### **Children's Services (Education Development)**

6.26. The proposed dwelling mix (20% 1 bedroom, 27% 2 bedroom and 53% 3 bedroom +) is assessed as requiring a pooled contribution towards the provision of 53 additional primary school places @ £12,342 = £654,126.

6.27. (Officer's comments: An appropriate head of agreement is recommended).

### **Policy and Development Manager - Cultural Services**

6.28. Does not consider the 3,520 sq m of open space proposed within the development to be genuinely accessible to the public. Based on an estimated population of 635 and an open space standard of 12 sq m per capita, 7,620 sq m of open space is required. The following planning contributions are therefore requested:

- A per capita contribution of £485 per resident for open space provision = £290,830.
- A contribution of £270,188 for leisure facilities.
- A contribution of £69,160 for library / Idea Store facilities.

### **Waste Policy and Development**

6.29. No representations received.

### **Corporate Access Officer**

6.30. No representations received.

### **Landscape Development Manager**

6.31. No comments received.

### **Energy Officer**

6.32. Advises that the applicant has broadly followed the energy hierarchy set out in policy 4A.1 of the London Plan, although further details of the energy strategy are

is required. It is recommended that any planning permission is conditioned to require this. It is also recommended that a condition be imposed to ensure compliance with the Code for Sustainable Homes.

6.33. (Officer's comment: Appropriate conditions are recommended).

## 7. LOCAL REPRESENTATION

7.1. A total of 812 neighbouring properties within the area shown on the map appended to this report were notified about the applications and invited to comment. The application has also been publicised in East End Life and on site. The Additional Information supplementing the Environmental Statement has also been subject to statutory publicity and consultation with neighbours and local groups. The number of representations received from neighbours and local groups following publicity is as follows:

<b>No of individual responses:</b>	<b>Objecting:</b>	<b>Supporting:</b>
219	189	30

No. of petitions received: 0

7.2. There is general support from respondents to the development of this long vacant site with the revised application considered an improvement over the two earlier schemes. Material objections from neighbours may be summarised as:

- Height and bulk. Out of scale with the 2-storey buildings on Lockesfield Place and Chapel House Conservation Area producing a dominating and negative effect. 8-storey development would be unsympathetic to the existing roadscape, would not maintain the continuity of street frontages, nor take account of existing roof lines and street patterns. The principle that higher rise buildings are permitted on the riverbank with gradation down to Westferry Road would be breached with sense of openness lost. Buildings north of Westferry Road should not exceed 4 floors. One objector considers 6-storeys stories should be the maximum height.
- The 8-storey blocks and the provision of roof gardens and elevated terraces would overlook several surrounding developments. The 3-storey houses would overlook houses on Chapel House Street.
- Design and materials. Unsympathetic to the surroundings including the Chapel House Conservation Area. Should comprise brick not glass, concrete plinths, wood or brick (terracotta) veneer. The blocks on Westferry Road lack architectural integrity and remain incongruous. Conflict with Tower Hamlets UDP design policies and Government advice in PPS3.
- The development should be 2-storey houses built of yellow London stock bricks with pitched roofs. Flat roofs are obsolete and out of keeping. To comply with UDP policy, family dwellings should normally be in the form of family houses with gardens.

- Failure to preserve or enhance the Chapel House Conservation Area contrary to PPG15 with adverse impact on views into and out of the designated area particularly the existing roofscape. The view from Thermopylae Gate is mentioned as an example. The Committee is requested to undertake a site visit.
- Loss of sunlight / daylight and amenity (which may exceed BRE Guidelines) to some properties in St. David's Square, Langbourne Place, Lockesfield Place and Chapel House Street due to height bulk and adjacency.
- The principle of the "trade off" and "segregation" of affordable housing between the Island Point and the City Pride developments is socially wrong. The low % of market housing could deter private buyers at Island Point where there would be a lack of family housing in the market units producing a negative impact on social mix and sense of community with a failure to create a mixed and balanced, sustainable development. Key workers would be severely limited in the possibility of finding affordable housing at City Pride with the affordable housing distanced from real opportunities. To link the development of City Pride and Island Point would set a precedent due to the distance between the sites. There should be equality in the split between the two sites.
- The proposed 41% affordable housing across the City Pride and Island Point sites does not accord with the 50% affordable housing target of The London Plan or policy HSG3 (of the Council's interim planning guidance), which requires a minimum contribution of 50% off-site provision of affordable housing in the case of linked developments. The 41% offer across the two sites does not justify the policy breaches necessary to approve the application.
- The residential density, possibly over 1,000 people, is unsustainable and breaches UDP policy.
- More family homes are not needed on the Isle of Dogs.
- The site should provide a superstore.
- Increased traffic congestion and adverse effect on highway safety due to increased vehicular and pedestrian traffic at the entrance to the site between bus stops and on a blind curve. Insufficient parking.
- Potential nuisance, security risks and anti social behaviour caused by the development and its lack of integration. The proposed two caretakers would be insufficient.
- Insufficient infrastructure, particularly nursery and secondary school places to accommodate the estimated 425-682 children that the site would generate. Crime is increasing, the schools, GP's and the Island are full.
- Increased strain on the transport system and emergency services that cannot cope already.
- Unsatisfactory provision and location of rubbish bins.
- There should be no walkway access to Julian Place as this would provide the main route to Mudchute DLR station, increasing foot traffic, noise and possible loitering.

7.3. Non-material objections from respondents may be summarised as:

- Dubious financial position of the developer.
- The earlier applications were just negotiating tools.

7.4. A local ward councillor comments that only 5% of the affordable housing count would be affordable housing at the City Pride site. This does not further the goals of creating integrated communities and developments.

7.5. Material points from neighbours in support of the development may be summarised as:

- There is a critical need for family sized homes in the area.
- Island Point is a good location for family homes being in a quiet area near to schools, parks, transport links and a supermarket.
- Unlike most development, half of the site is not being built on, thereby providing a good setting for family homes.
- The images look good, preferable to high rise flats.

### **Lockes Field Management Company Limited**

7.6 The applicant's position on affordable housing is not consistent with relevant planning policy and therefore cannot be considered to achieve 'a better outcome' as claimed. The applicant's appraisals in relying on high, apparently unconditional land prices for both sites are (a) not sufficiently robust or credible to enable the planning authority to accept that exceptional circumstances should allow the provision of affordable housing off site, and (b) have not been considered on the proper basis of comparing residential value with existing use value or alternative use value. The loading of the Island Point site with affordable housing (88%) to facilitate high value residential development close to Canary Wharf is contrary to the objective of achieving balanced communities. Where these conditions can be met, policy HSG3 of the Core Strategy & Development Control document requires a minimum contribution of 50% affordable housing. Glenkerrin proposes 40%. The applicant's Economic Appraisal is flawed as it benchmarks against purchase price not existing use value or alternative use value. It cannot be allowed that an ill advised or reckless purchase gives rise to an inappropriate planning outcome. The proposal to concentrate affordable housing in one location at Island Point would create a polarisation of wealth and deprivation in the locality. Glenkerrin's proposed dwelling mix of social rented housing will exaggerate this and is contrary to The draft London Housing Strategy published in November 2008 that says that there should be no return to the post war mono-tenure estates.

7.7. The amount of social rented accommodation proposed at Island Point is in excess of 60% and will be the dominant tenure with a high concentration of 4 and 5 bed houses. This compares with a social rented content of 30-35% in a conventional policy led mixed tenure scheme that could be expected to be achieved on the site with a small number of family houses. The proposed tenure mix is therefore contrary to emerging and existing policy and objectives to achieved balanced communities.

7.8. The resultant density is about 545 habitable rooms per hectare (hrh) which is

above GLA and LBTH guidelines of 450 hrh for an urban site with a modest PTAL of 3. Notwithstanding the general imperative to maximise the residential yield of brownfield site opportunities, the proposals in their current form are still of excessive scale and out of character with their context, in particular, the elements rising to seven and eight storeys. As a result, they will cause harm to both the amenity of existing residents and the character and setting of a feature of acknowledged importance i.e. the Chapel House Conservation Area.

- 7.9. Whilst the immediate frontage to Westferry Road at four storeys is now compatible with development on the north side of the road, building heights quickly rise to five, six, seven and eight storeys in buildings A, B, C and E in the middle of the site which will break the existing tone of building heights on the north side of Westferry Road. Seven and eight storey buildings in particular, will dominate the middle of the site. Building C is particularly overbearing at eight storeys and has a multitude of habitable rooms overlooking Lockesfield Place.
- 7.10. The higher elements will remain visible from parts of the Conservation Area. This is a material consideration given the Council's Management Guidelines say the setting of the Conservation Area will be considered when new development is proposed nearby. There is a general planning requirement to maximise density however, scale and design must be acceptable and an appropriate balance has still not been met. Buildings C and E will face Lockesfield Place to the east whose residents will be affected by the sense of overlooking that increased height brings.
- 7.11. The impact on daylight, sunlight and overshadowing to Lockesfield Place will be noticeable and, in some cases, the magnitude of change will be high. With the exception of one (No. 37), every property tested in Lockesfield Place will suffer a loss of daylight or sunlight or both to a level that exceeds the BRE guidelines. The worst affected of these would have to endure up to 35% loss of daylight, up to 100% of winter sunlight and up to 53% of annual sunlight, coupled with increased overshadowing of their back gardens. The proposed development does not satisfy policy DEV2 of the Council's UDP or policies CP4 or DEV1 of the Council's Interim Planning Guidance
- 7.12. Following consultation, no representations have been received from the Association of Island Communities and Chapel House Tenancy Association.
- 7.13. The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

## **8. MATERIAL PLANNING CONSIDERATIONS**

- 8.1. The main planning issues raised by the applications that the Committee must consider are:
- Proposed land use.
  - Density.
  - Design of the buildings and whether the character and appearance of the Chapel House Conservation Area would be preserved or enhanced.

- Sunlight, daylight and wind
- Affordable housing arrangements.
- Dwelling mix.
- Access and servicing arrangements.
- Amenity space and landscaping.
- Sustainable development/ renewable energy.
- Planning obligations.

### **Land use**

- 8.2 The Island Point site is located in the Isle of Dogs Opportunity Area which is identified in the London Plan as being capable of accommodating at least 10,000 additional dwellings. Policy 3A.1 of the London Plan sets a target of an additional 30,500 homes to 2016 / 17. Policy 3A.2 refers to Borough Housing Targets with Tower Hamlets set a target of 31,500 to 2016/17. The principle of redevelopment principally for housing therefore accords with strategic policy.
- 8.3. Except for its location within a Flood Protection Area, the site is unallocated on the Proposal Map of the Tower Hamlets Unitary Development Plan 1998.
- 8.4. On the Proposals Map of the Council's Core Strategy and Development Control interim planning guidance 2007, the site is allocated as 'Development Site ID 10' within a Flood Risk Area.
- 8.5. The Sub-Areas and Development Sites Map of the Council's Isle of Dogs Action Area Plan 2007 (which has also been adopted as interim planning guidance) shows Development Site ID10 lying within the Southern Sub-Area. The site is unallocated on the Spatial Strategy Diagram of the AAP but is shown as lying within a "residential" area on the Southern Sub-Area Diagram. The proposed redevelopment for residential purposes also accords with policy IOD 26 which provides the following preferred uses for Development Site ID10:
- Residential (C3)
  - Public Open Space
- 8.6. Consequently, in principle no land use objection is raised to the redevelopment of 443-451 Westferry Road for residential purposes and public open space as proposed.

### **Density**

- 8.7. The Government's Planning Policy Statement 1: Delivering Sustainable Development 2005 (PPS1) supports making efficient use of land. It advises that this should be achieved through higher density, mixed-use development and returning previously developed land and buildings back to beneficial use.
- 8.8. London Plan policies 4B.1 and 3A.3 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility. Table 3A.2 of the London Plan provides guidelines on density in support of policies

4B.1 and 3A.3.

- 8.9. Policy CP20 of the Council's interim planning guidance 2007 reflects guidance set out in the London Plan and seeks to maximise residential densities on individual sites taking into account local context, site accessibility, housing mix and type, achieving high quality design, well designed homes, maximising resource efficiency, minimising adverse environmental impacts, the capacity of social and physical infrastructure and open spaces and to ensure the most efficient use of land within the borough.
- 8.10. Policy HSG1 sets out a number of criteria which should be taken into account when determining the appropriate residential density for a site including:
- *The density range appropriate for the setting of the site, in accordance with Planning Standard 4: Tower Hamlets Density Matrix;*
  - *The local context and character;*
  - *The need to protect and enhance amenity;*
  - *The need to incorporate good design principles;*
  - *The provision of the required housing mix (including dwelling size and type, and affordable housing);*
  - *Access to a town centre (particularly major or district centres);*
  - *The provision of adequate open space, including private and communal amenity space and public open space;*
  - *The impact on the provision of services and infrastructure, including the cumulative impact; and*
  - *The provision of other (non-residential) uses on a site.*
- 8.11. Table 3A.2 of the London Plan and Planning Standard 4: Tower Hamlets Density Matrix provide a density range of 200 – 450 habitable rooms per hectare for Urban sites with a PTAL range 2-3. The proposed residential density for the Island Point site is 545 habitable rooms per hectare which exceeds the guidance. Subject to ensuing design matters outlined in HSG1 (above) being satisfactory, this density is not considered unacceptable.

**Design of the buildings and the effect on the character and appearance of the Chapel House Conservation Area**

- 8.12. National advice in PPS1 states:
- “Good design should contribute positively to making a better place for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.”*
- 8.13. Part 4B of the London Plan focuses on design, recognising that good design will create a better city to live in and assist in attracting economic investment to help create a more prosperous city. The London Plan at Policy 4B.1 (Design for a compact city) requires that development should, inter alia, maximise the potential of sites, create or enhance the public realm, provide or enhance a mix of uses, be accessible, usable and permeable for all users and be sustainable,



durable and adaptable. Policy 4B.9 requires all large scale proposals to be of the highest quality design especially in terms of impact on views, the wider and local townscape context, and local environment impact.

8.14. UDP policy DEV1 states that developments should take into account and be sensitive to the character of the surrounding area in terms of bulk, scale and use of materials. Proposals should not result in over-development, normally maintain the continuity of street frontages and take account of existing building lines, roof lines and street patterns. UDP Policy DEV2 seeks to protect the amenity of residential occupiers and the environment, and incorporate the principles of sustainable development including the use of energy efficient design and materials.

8.15. Core Policy CP4 of the Council's interim planning guidance seeks to ensure that development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. In achieving good design development should:

- *Respect its local context, including the character, bulk and scale of the surrounding area;*
- *Contribute to the enhancement or creation of local distinctiveness;*
- *Incorporate sustainable and inclusive design principles;*
- *Protect amenity, including privacy and access to daylight and sunlight;*
- *Use high quality architecture and landscape design; and*
- *Assist in creating a well-connected public realm and environments that are easy to navigate.*

8.16. Policy DEV1 of the Council's interim planning guidance requires development to protect, and where possible seek to improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. Policy DEV2 requires development to be designed to the highest quality standards, incorporating principles of good design, including:

- *Taking into account the local character and setting of the development site;*
- *Enhancing the unique characteristics of the surrounding area;*
- *Protecting notable features within the site;*
- *Protecting the historic environment; ensuring design of the public realm is integral to the development proposal;*
- *Ensuring development and the public realm are designed at a human scale and are comfortable and useable for pedestrians;*
- *Providing clear definition and an appropriate degree of enclosure of the public realm;*
- *Creating visual interest in the urban environment and contributing to its legibility and permeability;*
- *Ensuring the use of high quality building materials; and*
- *Ensuring development is easily adaptable and maximises sustainability.*

8.17. At paragraph 2.14 of PPG15: Planning and the historic environment, national

policy advises that the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart but are woven into the fabric of the living and working community. The advice says that this can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. It is emphasised that this does not mean that new buildings have to copy their older neighbours in detail but together should form a harmonious group.

- 8.18. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in exercising all its planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In paragraph 4.14 of Planning Policy Guidance Note 15 – Planning and the historic environment, the Government says:

*“The desirability of preserving or enhancing the area should also, in the Secretary of State’s view, be a material consideration in the planning authority’s handling of development proposals which are outside the conservation area but would effect its setting, or views into or out of the area.”*

- 8.19. The Chapel House Conservation Area encompasses a predominantly residential area north of Westferry Road and includes three Garden City Estates and some older traditional terraces. The residential developments that characterise the conservation area date largely from the first part of the 20th century. The Council’s Conservation Area Appraisal states that the special interest of the area is derived from its rich history and significant architecture dating from the twentieth century in a garden city style. The area is characterised by the following features:

- Two storey Victorian terrace properties;
- A predominance of traditional building materials including brick and slate;
- Front and rear gardens set back off a tight network of roads;
- Regular patterns and styles of built form;
- Street trees provide enclosure and intimate scale

- 8.20. The Island Point scheme comprises a relatively dense housing development comprising a mix of flatted development and terraced housing with rear gardens. A number of open spaces would be provided through the development. In terms of height, mass and bulk, the terrace houses rise to 3-storeys and the flats from 4 to 8-storeys. The quality of the overall design, layout, landscaping and the relationship to the Chapel Conservation Area has improved compared to the previous two applications.

- 8.21. The scale of surrounding development varies from 2-storey terraces to the north of the site to taller riverside developments to the south. The massing and height of the proposal is now considered sympathetic to the character of the area following this general pattern, with the townhouses located on the north side of

the scheme, the flatted accommodation rising in the middle, and then reducing to the south along Westferry Road. The taller elements of the proposal are thus positioned within the site away from main street frontage to minimise the impact on principle townscape views.

- 8.22. The design of the townhouses and the central open space is considered of particular merit and sympathetic to the character and appearance of the Chapel House Conservation Area. Where close to the designated area, the proposed development would be a maximum of three storeys in response to surrounding built heights. The provision of rear gardens to the east and west and public open space abutting the northern boundary would represent an improved townscape to properties within the conservation area that directly overlook the current derelict site and structures and would complement the scale and form of the conservation area with its traditional rear gardens.
- 8.23. The quality of the existing townscape within the site is exceptionally poor due to dereliction and it is considered that the proposed redevelopment would preserve and enhance the character and appearance of the adjoining conservation area. The layout would be permeable and offer distinct character. As well as the park spaces, a series of green roofs and communal and private roof terraces are proposed which are all considered welcome aspects of the scheme.
- 8.24. The architectural treatment is relatively simple and contemporary with the material finishes comprising a mix of brick, terracotta, metal panels and timber. The submitted visualisations of the elevations show these applied in a calm and orderly manner, with the use of balconies and insets giving the elevations depth and animation. All primary elevations, materials and finishes are considered to be of high quality.
- 8.25. The view looking south–east from Thermopylae Gate towards the site has been particularly commented upon by objectors. Seen from this location within the Chapel House Conservation Area, only glimpse views of the development and building roofs would be visible between the gap and above the roofs of properties on properties Chapel House Street.
- 8.26. In summary, it is considered that the proposed residential townscape would be in keeping with the character of adjacent residential development along Westferry Road, whilst responding in height and massing of the adjoining Chapel House Conservation Area without detrimental impacts, preserving and enhancing the character of the designated area. In the wider area, the Island Gardens Conservation Area with its Listed Park and Garden would be unaffected, nearby listed buildings are too distant to be effected and there would be no perceived impacts on the World Heritage site at Greenwich Park.

#### **Sunlight, daylight and wind**

- 8.27. Tower Hamlets' Unitary Development Plan 1998 policy DEV 2 states that: "*all development should seek to ensure that adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions*".

- 8.28. Interim planning guidance policy CP4 states: *“The Council will ensure development creates buildings and spaces of high quality design. In achieving good design, development should protect amenity, including privacy and access to daylight and sunlight.”* Policy DEV1 states: *“Development is required to protect, and where possible seek to improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.”* For further guidance it refers to the BRE Report *Site layout planning for daylight and sunlight – A guide to good practice.*
- 8.29. The findings of the Environmental Statement on daylight conditions in Lockesfield Place adjoining that would result from the development may be summarised as follows:
- 8.30. **17-20 & 35-40 Lockesfield Place** are fully BRE compliant in terms of VSC and will therefore receive no impacts greater than a negligible significance.
- 8.31. **1-16 Lockesfield Place** - Of the 9 windows relevant for VSC analysis, 6 windows (67%) are fully BRE compliant. The three which marginally infringe the numerical values suggested by the BRE by no more than 1.75% and are, therefore technical breaches. The reason for these breaches is their low VSC values in the existing situation, which makes the small actual changes in levels of light relate to a proportionally higher percentage. It is likely that the alterations to the daylight levels to these windows will be imperceptible. The impact on 1 – 16 Lockesfield Place is assessed to be minor adverse.
- 8.32. **41-43 Lockesfield Place.** Of the 19 windows relevant for VSC analysis 13 windows (68%) achieve BRE Guidelines. The remainder retain adequate VSC levels of between 20.88% and 25.72%. The rooms which these windows serve have also been assessed using the ADF method of analysis. 5 windows (83%) which would not achieve the suggested level of VSC relate to three rooms which meet the minimum standard required for their use. The one window which marginally breaches the ADF and VSC criteria is, by reference to the daylight distribution assessment, BRE compliant as it will enjoy a view of the sky over 90% of its room area. The impact on 41 – 43 Lockesfield Place is therefore considered to be minor adverse.
- 8.33. **58-63 Lockesfield Place** - 21 (62%) of the 34 windows achieve the BRE guidelines in terms of VSC. Only one window within 63 Lockesfield Place falls below the suggested level of VSC receiving a technical breach of only 0.76%. The 12 remaining windows, which relate to 58-62 Lockesfield Place, currently enjoy an uncommonly good level of daylight due to the absence of massing in proximity to the proposed development site. The 12 windows retain adequate VSC values of between 18.69% and 25.34%. These windows serve a total of 7 rooms of which 6 (86%) retain levels of ADF in excess of the BRE suggested numerical values for their use. The one room remaining demonstrates full BRE compliance with regards to daylight distribution with over 80% of the room’s area in view of the sky. The impact of the proposed development on these properties is therefore considered to be minor adverse.

- 8.34. The findings of the Environmental Statement on sunlight conditions in Lockesfield Place adjoining that would result from the development may be summarised as follows:
- 8.35. **16-63 Lockesfield Place.** Of the 120 windows for consideration in sunlight terms, 29 windows (24%) meet the BRE guidelines in terms of annual probable sunlight hours (a total of 25% of which 5% should be in the winter). 31 windows within these properties see increases in their level of sunlight as a result of the proposed lowering of the perimeter wall of development site at the rear of the Lockesfield Place properties. Of those which do not meet the suggested levels, 44 (48%) are already failing and therefore will be sensitive to any change in the level of massing of the development. In general the total retained values of the failing windows are very close to the BRE guideline of 25% annual probable sunlight hours indicating the retained values are adequate. The existing levels of winter sun are relatively high due to the lack of development on the site. These would be reduced with any form of development on a relatively undeveloped site. The expectation for sunlight in the winter months is less than that in summer as indicated by the BRE guidelines. Those windows with lower retained values in the proposed situation are those which receive existing low levels of APSH in and therefore are sensitive to change. Some properties (19-39 Lockesfield place), will see increases in their levels of sunlight; however, these will still fall short of the numerical levels suggested by the BRE Guidelines. There would be a **minor beneficial - minor adverse** impact on these properties in terms of sunlight.
- 8.36. Only 6.7% of the amenity space within the proposed scheme will experience permanent overshadowing on 21<sup>st</sup> March. This is considered to be a negligible impact in terms of permanent overshadowing. When assessed in terms of a transient overshadowing assessment, the proposed scheme's internal amenity spaces are affected mostly by the shadows caused by the taller aspects of the scheme. These shadows move quickly and, therefore, the areas falling into shadow are only in such a state for a short period and in the early morning and late afternoon, apart from in December when the sun is lower in the sky and the shadows are longer. The north/south orientation of the scheme assists greatly with ensuring that the greatest level of overhead sun in the middle of the day. This is considered to be a minor adverse impact in terms of transient overshadowing.
- 8.37. The Environmental Statement concluded there would be a minor adverse impact adjacent to Lockesfield Place due to wind (i.e. 1-step windier than desired from sitting to standing in Summer and leisure walking in the Winter) during the short period between the final stage of demolition and the early stages of the construction process. This is due to existing buildings in this area being temporarily exposed to the prevailing winds. It was concluded that mitigation would not be required which is a standard response to that level of wind impact. Also, there would be no adverse wind impacts during the latter phases of construction adjacent to Lockesfield Place, nor anywhere within the site on completion.

#### **Affordable housing arrangements**

- 8.38. London Plan policy 3A.9 identifies the Mayor's strategic target that 50% of housing should be affordable and within that 70% should be social housing and 30% intermediate provision. The policy also promotes mixed and balanced communities.
- 8.39. London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing. Targets should be applied flexibly, taking account of individual site costs, any public subsidy and other scheme requirements. Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.
- 9.40. London Plan paragraph 3.57 says that exceptionally a borough may consider that the required affordable housing should be provided off site e.g. where there are existing concentrations of social housing and there are benefits gained by providing the new units in a different location, such as to create more socially balanced communities, to provide a particular type of housing, such as family housing or to provide more units than is possible on the principle site.
- 8.41. The Mayor of London's Housing supplementary planning guidance states:  
  
*"Consideration should normally only be given to off-site provision where an alternative site or sites have been identified which would enable affordable housing provision more appropriate to the identified needs to be set and where the project is deliverable prior to the on site market development being completed. Agreements for off-site provision should be financially neutral in terms of the benefit to the applicant relative to on-site provision requirements"*
- 8.42. Core policy CP22 of the Council interim planning guidance says:  
  
  1. The Council will aim to maximise all opportunities for affordable housing on each site, proposing new residential dwellings in order to achieve a 50% affordable housing target, across the borough, from all sources.
  2. The Council will seek a minimum of 35% affordable housing provision on developments proposing 10 new dwellings or more.
- 8.43.. The Council's interim planning guidance policy HSG3 1 states that in seeking to negotiate the maximum reasonable amount of affordable housing, the Council will have regard to:
- The economic viability of the proposal, including individual site costs;
  - The availability of public subsidy;
  - Other planning contribution requirements;
  - The need to ensure new housing developments contributes to creating sustainable communities, including being responsive to housing needs.
- 8.33. Interim planning guidance policy HSG3 (2) states that consideration of off-site provisions will be given where an appropriate alternative site has been identified

and the Council considers this will result in a better outcome than if the affordable housing was provided on-site. Where off-site provision is proposed the Council will seek a minimum contribution of 50% affordable housing.

- 8.34. The developer seeks to link the affordable housing obligation that would arise from the redevelopment at the City Pride, 15 Westferry Road (reported separately on this agenda) to this parallel proposal for the redevelopment of 443-451 Westferry Road (Island Point). It is proposed that off-site provision is provided at Island Point in lieu of the majority of the obligation that would arise from the City Pride development. It is proposed that the majority of the private residential accommodation would be within the high rise, high density tower at The City Pride and The Island Point site would be a lower density scheme with a focus on affordable family accommodation.
- 8.44. The applicant has submitted an Affordable Housing Statement and Economic Appraisal to justify the quantum of affordable housing and explain the rationale behind and benefits of the provision of off site affordable housing. In summary, the Appraisal states the joint development would allow a greater quantum of affordable housing and the location of the majority of the affordable housing at Island Point would offer the following benefits for affordable housing:
- Greater number of terrace-style houses;
  - A better mix of larger family units;
  - Family units at ground floor with private amenity space;
  - Ground floor wheelchair adapted family housing;
  - Low rise accommodation in discrete blocks;
  - Overlooked amenity space;
  - Integrated RSL management service.
- 8.45. The joint development would provide 41% affordable housing across both sites. It is proposed that 5% of the total habitable rooms of the dwellings within the City Pride development would comprise shared ownership affordable housing units. This amounts to 18 dwellings amounting to 50 habitable rooms. At Island Point, 91% of the total habitable rooms within the development would be affordable housing units. This means that 166 dwellings comprising 655 habitable rooms would be provided for social rented units (118 dwellings) and as intermediate units (48 dwellings). It is understood that the developer intends to seek funding from the Homes and Communities Agency.
- 8.46. Across both sites the proposals would provide an affordable housing ratio of 73% social rented and 27% intermediate units measured by habitable rooms and 64% social rented and 36% intermediate units. This would comply with policy 3A.9 of the London Plan.
- 8.47. The applicant's Affordable Housing Statement and Economic Appraisal has been independently assessed by AtisReal. Instructions to AtisReal were to test the applicant's assertion that the scheme can only provide 41% of the habitable rooms (30% of units) as affordable housing, but also whether there is any scope for an increase in the provision of on-site affordable housing, or a commuted sum.

8.48. Atis Real advises:

*“The Applicant has tested the residual land value generated by the development against the price paid for the site. GLA Toolkit guidance indicates that residual land values should be tested against Existing Use Value or Alternative Use Values. The applicant has not submitted any formal (or informal) valuation of existing or alternative uses on the sites. While existing use values are understood to be low, it is likely that alternative use values (i.e. a use that would not attract affordable housing requirements) would be significantly higher.*

*Although the Applicant has not followed GLA guidance in this case by benchmarking against EUV, it should be noted that the residual value of the proposed development of £47.46 million is significantly lower than the purchase price of £64.9 million. Despite this, it is understood that the applicant will commit to providing 40% affordable housing. However, benchmarking against EUV would enable the scheme to provide a significantly higher proportion of affordable housing.*

8.49. The consultant to the developer (Knight Frank) claims that, at 41% affordable housing, the scheme would result in residual value (loss) of minus £17.44 million as follows:

**Table 5.2.1: Knight Frank Assumptions on Affordable Housing Values**

<b>% Affordable Housing (by hab rooms)</b>	<b>% Social rent</b>	<b>% Shared Ownership</b>	<b>Total residual land value</b>	<b>Purchase Price</b>	<b>Residual Land Value less Purchase Price</b>
41%	64%	36%	£47.46	£64.90 m	<b>-£17.44</b>

8.50. AtisReal’s finds that the provision of 41% affordable housing would produce a residual value of minus £630,000. 50% affordable housing would result in a residual value of minus £17.76 million as follows:



**Table 5.2.1: Atisreal Assumptions on Affordable Housing Values**

<b>% Affordable Housing (by hab rooms)</b>	<b>% Social rent</b>	<b>% Shared Ownership</b>	<b>Total residual land value</b>	<b>Purchase Price</b>	<b>Residual Land Value less Purchase Price</b>
41%	64%	36%	£64.27	£64.90 m	-£0.63
50%	62%	38%	£47.11	£64.90 m	-£17.76

8.51. AtisReal further advise that there is sufficient ambiguity in the GLA toolkit guidance around the use of existing use values and alternative use values to suggest that benchmarking against EUV may not be a tenable position in any planning appeal. If the Council refused consent and the Applicant were able to demonstrate at an appeal that an alternative use existed that had a value of at least £47.46 million, (s) he would be able to demonstrate that the level of affordable housing has been maximised. While such an alternative use value may not exist in the current market, it is likely that at the time of purchase, a commercial or alternative mixed use scheme could have attracted such a value.

8.52. AtisReal conclude that the development can viably provide 41% affordable housing by habitable rooms. A development providing 50% affordable housing by habitable rooms, would produce a deficit of £17.7 million.

8.53. The Committee needs to determine:

- Firstly, whether the principle of providing the majority of the affordable housing obligation at the Island Point development is acceptable in principle and,
- Secondly, whether the offer of 40% affordable housing across both sites is reasonable.

**Dwelling mix**

8.54. Policy HSG 2 of the Council’s interim planning guidance says the Council will require that sites providing social rented housing provide it in accordance with the housing mix outlined in Table DC1: Housing Mix as follows:

**Table DC1: Housing Mix**

Housing Type	Social Rented Housing as a percentage (%) of units
Studios	0
One bedroom	20
Two bedroom	35
Three bedroom	30
Four bedroom	10
Five and six bedroom	5

8.55. Policy HSG2 also says that the Council will require that both the intermediate housing and market housing components of housing provision contain an even mix of dwelling sizes, including a minimum provision of 25% family housing, comprising 3, 4 and 5 plus bedrooms.

A breakdown of the residential units for Island Point is shown below.

	Private	Social rented	Intermediate	Total	%
1 bed	8	18	10	<b>36</b>	20
2 bed	12	9	28	<b>49</b>	27
3 bed	3	29	10	<b>42</b>	23
4 bed	0	44	0	<b>44</b>	24
5 bed	0	18	0	<b>18</b>	6
<b>Total</b>	23	118	48	<b>189</b>	
%	<b>12</b>	<b>62</b>	<b>26</b>		

8.56. The proposal in the socially rented sector conflicts with interim planning guidance policy HSG2 as 15% one bed flats are proposed against a policy target of 20%, there would be an 8% provision of 2 bed flats against a policy target of 35%, a 25% provision of 3 bed flats against a policy target of 30%, a 37% provision of 4 bed flats and houses against a policy target of 10% and a 15% provision of 5 bed units against our policy target of 5%. In the intermediate provision, the proposal for Island Point is a 21% provision of 1 bed units against a policy target of 37.5%, a 58% provision of 2 bed units, against a policy target

of 37.5% and a 21% provision of 3 bed units against a policy target of 25%.

8.57. Overall, across both sites, the residential breakdown is shown below.

	<b>Private</b>	<b>Social rented</b>	<b>Intermediate</b>	<b>Total</b>	<b>%</b>
Studio	57	0	0	<b>57</b>	9
1-bed	166	18	14	<b>198</b>	32
2-bed	180	9	42	<b>231</b>	37
3-bed	32	29	10	<b>71</b>	12
4-bed	0	44	0	<b>44</b>	7
5-bed	0	18	0	<b>18</b>	3
<b>Total</b>	435	118	66	<b>619</b>	100
<b>%</b>	<b>70</b>	<b>19</b>	<b>11</b>		

8.58. The Mayor of London's Housing SPG provides a London-wide target for the mix of affordable unit sizes within developments. The table below compares the proposed mix of units against the targets within the SPG.

	<b>Overall</b>		<b>Social rented</b>		<b>Intermediate</b>	
	SPG	Scheme	SPG	Scheme	SPG	Scheme
<b>1 bed</b>	32%	41%	19%	15%	65%	21%
<b>2/3 bed</b>	38%	49%	39%	32%	0%	79%
<b>4 bed +</b>	30%	10%	42%	53%	34%	0

8.59. If the Committee decides that the principle of the providing the majority of the affordable housing arising from the City Pride development within the Island Point development is acceptable, the Committee also needs to determine whether the proposed dwelling mix across both sites is satisfactory, complies with the borough's aim of providing mixed balanced and sustainable communities or, whether any exception is justified given the special circumstances applying to the two sites.

8.60. The applicant says that the Island Point development seeks to maximise the amount of affordable family accommodation provided within the joint development with the focus of that provision being largely within the social rented sector. The development will deliver 53% family accommodation (3 bed and above) across the social and intermediate tenures.

8.61. An objective of council policy is to promote the provision of family housing and, within the affordable element, for that to be focused within the social rented sector. The Council's Community Plan sets out the vision for the borough until 2020. The document sets out the idea of 'One Tower Hamlets' and identifies certain priorities for the Council over that period. The main priority of the

Council is to create a 'great place to live', with the requirement to address the under supply of housing to match need, specifically referring to a mismatch in available affordable housing for families. The Island Point development itself meets this objective.

- 8.62. Island Point is located within the Millwall Ward, with Blackwall and Cubitt Town located in the vicinity of the site. A summary of the census data on housing tenure within those wards is:

Tenure	Ward		Borough Average
	Millwall	Blackwall & Cubitt Town	
<b>Council</b>	19%	28%	38%
<b>RSL</b>	13.4%	11%	15%
<b>Mortgage</b>	27.3%	24.6%	19%
<b>Outright Own</b>	7%	7.6%	8%
<b>Private Rented</b>	29%	24%	15%
<b>Shared Ownership</b>	1%	1.7%	2%

- 8.63. The census data reveals the under supply of rented accommodation in Council and Housing Association ownership when compared to the borough average. The developer asserts that the Island Point development would help to address that need and provide a high proportion of affordable family accommodation, focused in the social rented sector.

#### **Access and servicing arrangements**

- 8.64. The site is located in an area of reasonable access to public transport (PTAL 3). There are accessible bus services on Westferry Road and East Ferry Road with DLR services at Mudchute and Island Gardens. River bus services are available from Masthouse Terrace Pier 500m west of the site.
- 8.65. Traffic and Transportation confirm that the applicant's estimates of Trip Generation and its Assignment are satisfactory and the proposed increase in traffic would not have a detrimental effect on the highway network which would operate within capacity.
- 8.66. 95 parking spaces would be provided which accords with the maximum standard of 0.50 per dwelling set out in the Council's interim planning guidance. 10 % disabled parking (10 spaces) are proposed which also accords with Table PS6: Accessible Parking Spaces of the interim planning guidance. The developer has agreed that a car club should be made available to residents of the development who may not have access to a parking bay. Cycle parking would be provided at 1 per unit for the development in accordance with standards.
- 8.67. Access for servicing and refuse vehicles would be in the centre of the site from

Westferry Road. As mentioned, to move the access eastwards to the position recommended by CABI would result in disturbance to residents in Lockesfield Place and is considered undesirable.

- 8.68. A pedestrian access is also proposed to link into Julian Place, which is a short cul-de-sac running eastwards off Chapel House Street. Objection has been raised to this arrangement as this would provide the main route to Mudchute DLR station, increasing foot traffic, noise and possible loitering.
- 8.69. The redevelopment of the site would result in increased pedestrian movement. The Mudchute and Island Gardens DLR Stations are approximately equidistant from the site. It is estimated that trips generated by the DLR would be 26 arrivals in the morning peak and 61 departures – a total of 87 pedestrian trips to both stations. In the evening peak, the estimates are 41 arrivals and 32 departures – a total of 73 trips. If the trips were assigned equally to the two stations, the additional pedestrian traffic using Julian Place would be approximately 44 trips in the morning peak and 37 trips in the evening peak. It is considered this would have a negligible effect on residential amenity in Julian Place.
- 8.70. Overall, access and servicing arrangements are considered satisfactory and policy compliant. The developer has agreed to submit and implement a residential travel plan, a delivery service plan and a construction logistics plan.

### **Landscaping**

- 8.71. 37% of the overall site area would comprise public open space. The applicants design principles to guide and inform the landscaping of the development are:
- To connect the site to the established communities in the area, to ensure it is well integrated into the local area;
  - To provide a safe environment for residents;
  - To create a series of legible spaces with a variety of uses that contribute to the local open space network;
  - To provide new children’s play areas and communal amenity space
  - To meet the 20% open space requirements identified by Tower Hamlets;
  - To meet the play space requirement set out by the GLA,
  - To respond to and provide a setting for the architectural form.
- 8.72. The proposed landscape concept takes the idea of a flowing river, with its source at the south of the site, meandering to the north through a series of open spaces. These are described as a “home zone at the rear of Blocks A & B fronting Westferry Road, a “Central Space” in the middle of the site and “Open Space” between the townhouses. These spaces, which would be defined by trees, pergolas and play walls at their perimeter, would allow residents and the local community of all ages and abilities to enjoy a variety of experiences, including both active and passive recreation. Green and brown roofs are also proposed throughout the development and there would be private garden areas and amenity terraces.

- 8.73. Set against the GLA's Supplementary Planning Guidance for play provision the developer says the following play provision would be made for children aged 0-4 and 5-11. The provision for older children would be via a contribution to the Council.

Age Groups	Child Yield	Amount of play space required by GLA m2	Amount of play space provided m2
0-4 Provided within 100m of dwellings	62.15	622	660m2
5-10 Provided within 100m of site	85.24	852	963m2
11-15 Provided within 800m of site	60.2	602	Provided within 400m2 off site

- 8.74. It is considered that the landscaping proposals have the potential to comply with UDP policy DEV12 – 'Landscaping and trees'. The details are not complete and it is recommended that any planning permission is conditioned to require the approval and implementation of a detailed landscaping scheme to include the treatment of the perimeter wall to property in Chapel House Street and Locksfield Place that has been a concern of neighbours.

#### **Sustainable development / renewable energy**

- 8.75. The Greater London Authority and the Council's Energy Officer are largely content with the proposed energy strategy, subject to any planning permission being conditioned to require the approval of further details to ensure compliance with policies 4A1 to 4A9 of The London Plan, policies CP38, DEV5 to DEV9 of the Council's interim planning guidance together with national advice in PPS22: Renewable Energy

#### **Planning obligations**

- 8.76. Planning obligations can be used in three ways: -
- (i) To prescribe the nature of the development to ensure it is suitable on planning grounds. For example, by requiring a given proportion of housing is affordable;
  - (ii) To require a contribution to compensate against loss or damage that will result from a development. For example, loss of open space;
  - (iii) To mitigate the impact of a development. For example, through increased public transport provision.
- 8.77. Planning obligations should only be sought where they meet the 5 key tests outlined by the Secretary of State in Circular 05/2005. Obligations must be:

- (i) relevant to planning;
- (ii) necessary to make the proposed development acceptable in planning terms;
- (iii) directly related to the proposed development;
- (iv) fairly and reasonably related in scale and kind to the proposed development; and
- (v) reasonable in all other respects.

8.78. Following consultation, in addition to a contribution to affordable housing, the following section 106 obligations have been requested:

8.80. **Greater London Authority (Transport for London)**

- The condition of two bus stops within 400 metres of the development to be assessed and where deficient upgraded at an estimated £10,000 per stop.
- A contribution of £113,400 towards improving local bus services.
- A £20,000 contribution for the installation of DAISY boards.
- The provision of a cycle route along the Westferry Road frontage.
- A delivery and service plan and construction logistics plan.
- Car free arrangements

8.81. **Policy and Development Manager - Cultural Services**

Open space contribution	£290,830
Leisure facilities contribution	£270,188
Libraries /Idea Store contribution	£ 69,160
 Total contribution requested.	 £630,178

8.82. **Head of Transportation and Highways**

Advises a highway improvement contribution of £240,000 is required for:

1. Improving the visibility on Westferry Road as a result of the new junction and access point to the site.
2. Traffic calming measures on Westferry Road to include a speed table and entry treatment at the access point to the site.
3. The provision of a cycle lane on Westferry Road.
4. Improvement and resurfacing works to the carriageway adjacent to the site as a result of damage cause due to construction vehicles and the redevelopment of the site.

These contributions do not include section 278 works which would be subject to a separate agreement at a later stage.

8.82. **Children’s Services (Education Development)**

A pooled contribution towards the provision of 53 additional primary school places @ £12,342 = £654,126.

8.83. **Strategic Transport Team**

- Car free agreement.
- Contribution to a cycle route along Westferry Road.
- The formation of a car club for residents of the development with dedicated parking provided for the club's vehicles.
- The implementation of a Travel Plan.
- A £75,000 contribution to fund a station for 15 bicycles to form part of the London Cycle Hire Scheme.

8.84. **Tower Hamlets Primary Care Trust**

- Total Capital Planning Contribution £ 367,869
- Total Revenue Planning Contribution £1,228,415
- Combined contribution sought for health £1,596,284

8.85. Traffic information DAISY board(s) would be installed by the developer and no financial contribution is required. In line with established practice, the developer has been requested to make a capital contribution to the Tower Hamlets Primary Care Trust. The following package of planning obligations, which is considered to meet the tests of Circular 05/2005, has been offered by the developer and is recommended.

Project	Estimated cost
<p><b>Affordable housing</b> To provide 41% of the residential accommodation across both the City Pride and Island Point (443-451 Westferry Road) sites as affordable housing measured by habitable rooms with a tenure split of the affordable accommodation being 73% social rented and 27% intermediate housing with a mechanism to ensure that the affordable housing at the Island Point site is provided prior to the on-site market housing at both sites is completed.</p>	<p>_____</p>
<p><b>Bus Network Contribution</b> comprising £113,400 to fund improvements to local bus services and £20,000 to fund the upgrading of bus stops.</p>	<p>£133,400</p>
<p>To fund and implement a <b>Transport Plan</b> comprising:</p> <ul style="list-style-type: none"> <li>• The submission and implementation of a residential travel plan, a delivery service plan and a construction logistics plan.</li> <li>• The establishment and funding of a residents car club.</li> <li>• The provision of DAISY boards to provide driver and transport information. (£20,000).</li> <li>• A £75,000 contribution to allow TfL to fund a bicycle hire station.</li> </ul>	<p>£75,000</p>

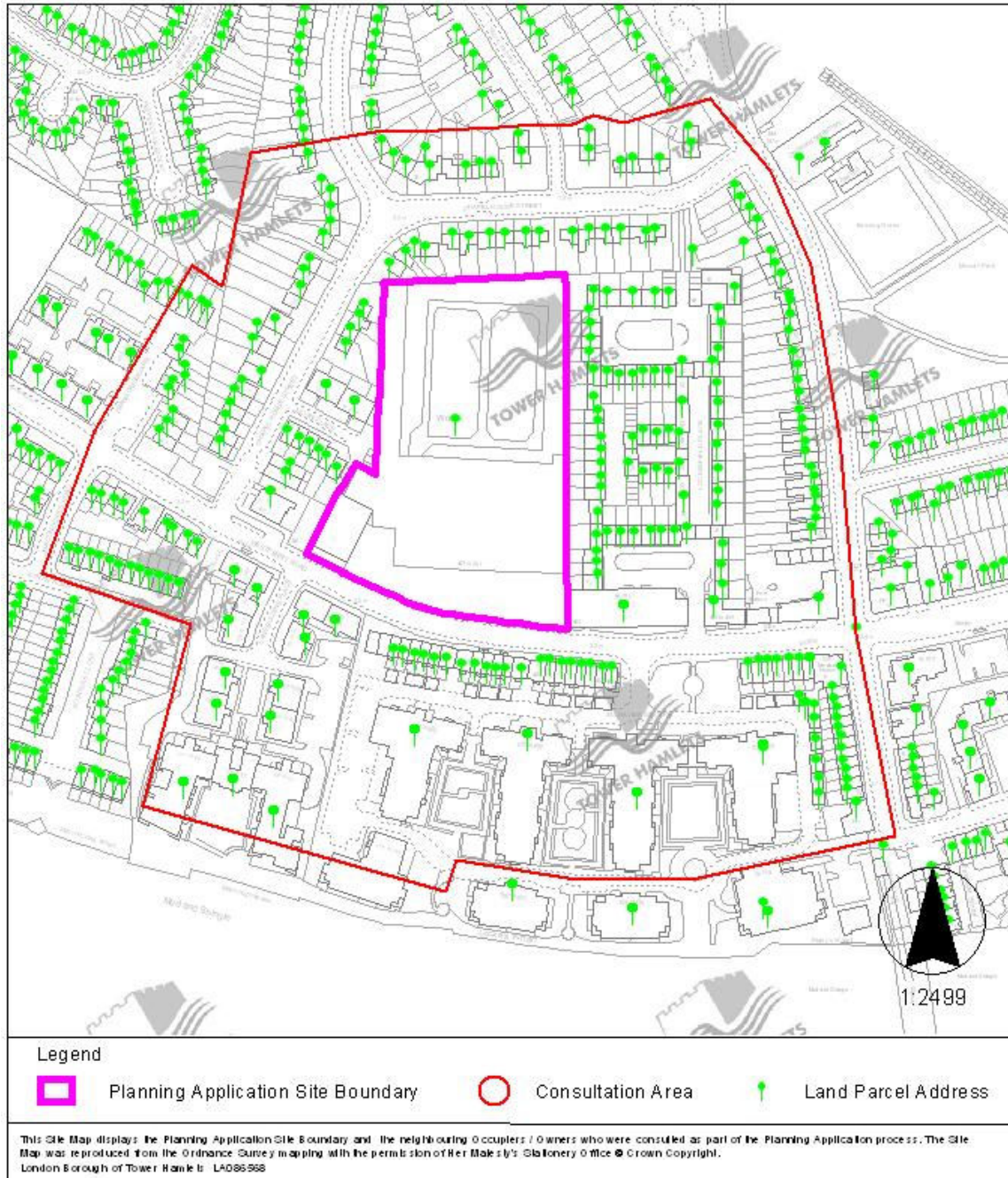


<ul style="list-style-type: none"> <li>• Car free arrangements that prohibit residents from purchasing on street parking permits from the borough.</li> </ul>	
A <b>Community and Open Space Contribution</b> to help fund open space improvements, leisure facilities and Library / Idea Store facilities on the Isle of Dogs.	£630,178
An <b>Education contribution</b> .	£654,126
A <b>Highway Improvement Works Contribution</b>	£240,000
A <b>Healthcare contribution</b> to help fund the capital programme of the Tower Hamlets Primary Care Trust.	£367,689
To participate in the Council's Access to Employment and / or Skillsmatch programmes.	_____
<b>Total recommended financial contribution.</b>	<b>£2,100,393</b>

## 9. CONCLUSION

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

## Site Map



# Agenda Item 7.4

Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.4
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Application for planning permission	
<b>Case Officer:</b> Richard Humphreys		<b>Ref:</b> PA/08/2293	
		<b>Ward:</b> Millwall	

## 1. APPLICATION DETAILS

**Location:** The City Pride Public House, 15 Westferry Road, E14.

**Existing use:** Public House

**Proposal:** Erection of a 62-storey tower including basements, comprising 430 residential apartments (Class C3), amenity spaces and car parking; a nine storey podium building comprising a 203 bedroom hotel (Class C1), together with ancillary restaurants, conference facilities, health club and servicing and parking areas including drop-off facility; provision of a Class A3 and/or A4 use and/or amenity space at levels 60/61; provision of a unit for use either for Class A1 (Shop), A2 (Financial and professional services), A3 (Food and drink) and/or A4 (Drinking establishment) at ground floor; associated landscaping; together with incidental works.

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

**Drawing Nos:** AP1000 Rev 01, AP1001 Rev 01, AP1010, AP1096 Rev 01, AP1097 Rev 01, AP1998 Rev 01, AP1999 Rev 01, AP1100 Rev 02, AP1101 Rev 02, AP1102 Rev 02, AP1103 Rev 02, AP1104 Rev 02, AP1108 Rev 01, AP1109 Rev 01, AP1110 Rev 01, AP1114 Rev 02, AP1115 Rev 01, AP1117 Rev 01, AP1133 Rev 01, AP1135 Rev 01, AP1136 Rev 01, AP1138 Rev 01, AP1139 Rev 01, AP1140 Rev 01, AP1142 Rev 01, AP1158 Rev 01, AP1159 Rev 01, AP1160 Rev 01, AP1161 Rev 01 and AP1162 Rev 01.

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

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

Environmental Statement Volumes 1, 2 & 3 with Non-Technical Summary and Additional Regulation 19 Information.  
Design and Access Statement.  
Energy Statement.  
Statement of Community Involvement.  
Affordable Housing Statement and Economic Appraisal.

**Applicant:** Glenkerrin (UK) Limited.

**Owners:** Glenkerrin (UK) Limited

**Historic buildings** Walls of adjoining Impounding Lock listed Grade 2.

**Conservation area** N/A

## **2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

2.1. The local planning authority has considered the particular circumstances of the application against the Council's approved planning policies contained in the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007, associated supplementary planning guidance, The London Plan 2008 and Government Planning Policy Guidance and has found that:

- The provision of residential accommodation on the City Pride site is supported by policy 3A.1 of the London Plan, accords with the Proposals Map of the Council's interim planning guidance 2007 and policies IOD19 and IOD22 of the Council's Isle of Dogs Action Area Plan interim planning guidance 2007 which seek to increase London's supply of housing.
- The hotel will contribute to the strategic target for new hotel accommodation and complement Canary Wharf's role as a leading centre of business activity and support London's world city status. Therefore the scheme accords with policy 3D.7 of The London Plan 2008, policies ART7 and ART8 of the Tower Hamlets Unitary Development Plan 1998, policy CP13 of the Council's interim planning guidance 2007, and policy IOD18 of the Isle of Dogs Area Action Plan 2007 interim planning guidance, which seek to develop and support Canary Wharf's role as a leading centre of business activity within London with appropriately located hotel development.
- The proposed residential density of the City Pride site is above the guidance range contained within table 3A.2 of the London Plan. However, the development would not be out of context with the surroundings and the site location on the Isle of Dogs and would not result in any of the consequences typically associated with overdevelopment of sites. As such, the scheme is in line with policy 3A.3 of The London Plan 2008, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's interim planning guidance 2007 which seek appropriate development throughout the borough.

- The provision of Class A1 (Shop), A2 (Financial and professional services), A3 (Restaurant /café) and A4 (Drinking establishment) uses are acceptable in principle as they provide useful community services and visual interest in line with policies DEV3 and S7 of the Tower Hamlets Unitary Development Plan 1998 and policies RT4 and RT5 of the Council's interim planning guidance 2007, which seek to ensure services are provided that meet the needs of the local community and the evening and night-time economy without undue detriment to residential amenity.
- The building height, scale and design is acceptable in line with English Heritage and CABI criteria for tall buildings; policies 4B.1, 4B.8, 4B.9 and 4C.20 of the London Plan, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP4, CP48, DEV1, DEV2 and DEV 27 of the Council's interim planning guidance 2007 which seek to ensure tall buildings are of a high quality design and suitably located.
- The development will not have an adverse effect on the setting of the listed Impounding Lock walls adjoining and will comply with Planning Policy Guidance Note 15 and policy CON1 of the Council's interim planning guidance 2007.
- Considered with the parallel redevelopment of 443-451 Westferry Road, (Island Point) (Ref. PA/08/2293) and taking account of the submitted Affordable Housing Statement and Economic Appraisal, the provision of 41% affordable housing across the two sites with a tenure comprising 73% social rented and 27% intermediate housing by habitable rooms, would comply with The London Plan policies 3A.9 & 3A.10 and policies CP22, HSG3 and HSG4 of the Council's interim planning guidance 2007.
- Considered with the parallel redevelopment of 443-451 Westferry Road, (Island Point) (Ref. PA/08/2293), the proposed residential mix across the two sites would be satisfactory as an exception to policy HSG2 of the Council's interim planning guidance 2007.
- Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable and in line with policy T16 of the Council's Unitary Development Plan 1998 and policies DEV16, DEV17, DEV18 and DEV19 of the Council's interim planning guidance 2007, which seek to ensure developments can be supported within the existing transport infrastructure.
- The development complies with the Blue Ribbon Network Principles set out in The London Plan 2008 and is in line with policies 4C.3, 4C.11, 4C.14, and 4C.23.
- Sustainability and renewable energy matters are appropriately addressed in line with policies 4A.7 – 4A.9 of the London Plan and DEV5 – 9 and DEV 11 of the Council's interim planning guidance 2007, which

seek to ensure developments reduce carbon emissions and result in sustainable development through design measures, water quality, conservation, sustainable drainage, sustainable construction materials, air pollution and air quality.

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

### 3. RECOMMENDATIONS

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

A. Any direction by The Mayor of London.

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

(a) To provide 41% of the residential accommodation across both the City Pride and Island Point (443-451 Westferry Road) sites as affordable housing measured by habitable rooms with a tenure split of the affordable accommodation being 73% social rented and 27% intermediate housing with a mechanism to ensure that the affordable housing at the Island Point site is provided prior to the on-site market housing at both sites is completed.

(b) A £220,000 **Bus Network Contribution** comprising £200,000 to fund improvements to local bus services and £20,000 to fund the upgrading of bus stops.

(c) To fund and implement a **Transport Plan** comprising:

- The submission and implementation of a hotel and residential travel plan, a delivery service plan and a construction logistics plan.
- To provide, install and maintain DAISY board(s) to provide driver and transport information.
- A £75,000 contribution to Transport for London (TfL) to allow the funding of a bicycle hire station.
- Car free arrangements that prohibit residents of the development other than disabled people from purchasing on street parking permits from the borough council.

(d) A **Community and Open Space Contribution** of £878,165 to help fund open space improvements, leisure facilities and Library / Idea Store facilities on the Isle of Dogs.

(e) A **Highway Improvement Works Contribution** of £217,140.

(f) An **Education Contribution** of £382,602

(g) A **Healthcare contribution** of £741,548 to help fund the capital programme of the Tower Hamlets Primary Care Trust.

(h) To participate in the Council's Access to Employment and / or Skillsmatch programmes.

(i) To commission **Public Art** within the development at a cost of at least £35,000.

(j) To undertake any necessary Television and radio reception mitigation measures.

(k) Any other planning obligation considered necessary by the Corporate Director Development & Renewal.

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

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

3.4. **Conditions**

1. 3 year time limit.
2. Facing materials to be approved, including a sample mock up panel of typical external cladding systems, including louvres, glazing and spandrels.
3. Details of landscaping for the external areas of the development to include hard and soft finishes, any gates, walls fences, green roofs and external lighting to be submitted and approved.
4. Approved landscaping scheme to be implemented.
5. Details of acoustic glazing and ventilation for all four facades of the building adequate to protect residents from Noise Exposure Categories D and C shall be submitted approved and implemented.
6. No Class A3 (Café / restaurant) or Class A4 (Drinking establishment) use shall commence until details of the means of fume extraction, to include noise mitigation measures, have been submitted and approved by the local planning authority. Such measures to be implemented and maintained for the duration of the use.
7. Measures to mitigate wind impact at ground level around the building and at terrace levels shall be submitted approved and implemented.

8. Details of aircraft obstacle lighting to be submitted approved and implemented.
9. Prior to the commencement of the relevant works of the development, the developer shall submit the following details to be approved in writing by the local planning authority;
  - (a) Energy efficiency and passive design measures including the façade U-values.
  - (b) Specification on whether cooling is required in the apartments, the steps taken to minimise this requirement and the methods for providing this cooling through sustainable energy measures.
  - (c) The details of the CHP system and the arrangements in place for selling of the electricity.
  - (d) The details of the biomass boiler.
  - (e) The evidence of the financial viability of the roof top PV system.
  - (f) A schematic drawing of the plant room.
10. In accordance with the proposals made in the Energy Strategy dated June 2008, the approved low carbon and renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.
11. Prior to the commencement of the relevant of the development, the developer shall submit the details to be approved in writing by the local planning authority of the;
  - (a) BREEAM pre-assessment demonstrating the commercial element of the development is capable of achieving a minimum of an “Excellent” rating.
  - (b) Code of Sustainable Homes pre-assessment demonstrating that the residential units of the development are capable of achieving a minimum of Code Level 3 and Code Level 4 where possible.
12. Prior to the occupation of the development the applicant shall submit the details to be approved in writing by the local planning authority of the;
  - (a) Final BREEAM assessment showing the commercial element of the developments achieves an ‘Excellent’ rating as a minimum which is verified by the awarding body.
  - (b) Final Code for Sustainable Homes Assessment showing the residential units achieve Code Level 3 as a minimum and Code Level 4 where possible which is verified b the awarding body.
13. The approved details of the sustainable design and construction measures shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.
14. The development shall be carried out in accordance with the Flood Risk Assessment Ref. WCL37555 (ES) 002/A03 dated October 2008.
15. Surface water control measures shall be carried out in accordance with details submitted to and approved in writing by the local planning authority.
16. Development shall not begin until drainage details incorporating sustainable drainage principles and water efficiency measures have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.



17. The construction of storage facilities for oils, fuels or chemicals shall be carried out in accordance with details submitted to and agreed in writing by the local planning authority.
18. There shall be no infiltration of surface water drainage into the ground other than with the express written consent of the local planning authority.
19. No piling or other foundation design using penetrative methods shall be undertaken other than with the express written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
20. Development should not be commenced until Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
21. The decontamination of the site.
22. Hours of construction time limits (08.00 to 18.00) Monday to Friday, 08.00 to 13.00 Saturdays and not at all on Sundays or Bank Holidays.
23. Piling hours of operation time limits (10.00 to 16.00 Mondays to Fridays, 10.00 to 13.00 Saturdays) and not at all on Sundays or Bank Holidays.
24. The development authorised by this permission shall not commence until the Council (as local planning authority and the highway authority) has approved in writing a scheme of highway improvements necessary to serve the development being alterations to the adopted length of Westferry Road and Marsh Wall.
25. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

### 3.5

#### **Informatives**

1. Planning permission subject to section 106 agreement.
2. Planning permission under section 57 only.
3. Express consent required for the display of advertisements.
4. Wheel cleaning facilities during construction.
5. Change of use only as permitted by Part 3 of the Town and Country Planning (General Permitted Development) Order 1995.
6. Protected species advisory note (Bats).
7. Consultation with the Council's Department of Traffic and Transportation regarding alterations to the public highway and Condition 24 above that will necessitate an agreement under section 278 of the Highways Act.
8. As the development would be taller than 150 metres, it should be equipped with aircraft obstacle lighting at the highest corners. The lighting should be steady red lights of medium intensity and advice should be sought from London City Airport to determine the location and number of lights to be fitted.
9. In the event that during construction, cranes or scaffolding are required that would be higher than the approved development, their use should be subject to consultation with London City Airport. Your attention is drawn to the British Standard Code of Practice for the safe use of cranes – BS 7121: Part 1: 1989 (as amended).
10. You are advised to consult British Waterways Board regarding its

adjoining interests and the mitigation of the impact of the pumping station on the development.

11. You should consult the Environment Agency, 30-34 Albert Embankment, London SE1 7TL (Ref. TL/2008/101636/02-L01) regarding the need for a transfer licence under the Water Act 2003, surface water control measures (Condition 15), drainage details (Condition 16), the design of the storage facilities for oils, fuels or chemicals (Condition 17), the disposal of surface water from the underground car park and the design of the foundations of the building (Condition 18).
12. There are public sewers crossing the site. In this regard and also with regard to surface water drainage, foul sewage and the impact studies of the existing water supply infrastructure required by Condition 20, you should consult Thames Water Developer Services Tel. 0845 850 2777 Ref. 7275.
13. Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1. Application is made for full planning permission for the redevelopment of the City Pride Public House, 15 Westferry Road by the erection of a 62-storey tower including basements, comprising 430 residential apartments (Use Class C3), amenity spaces and car parking; a nine storey podium building comprising a 203 bedroom hotel (Use Class C1), together with ancillary restaurants, conference facilities, health club and servicing and parking areas including drop-off facility; provision of a Class A3 and/or A4 use and/or amenity space at levels 60/61; provision of a unit for use either for Class A1 (Shop), A2 (Financial and professional services), A3 (Food and drink) and/or A4 (Drinking establishment) at ground floor; associated landscaping; together with other incidental works.
- 4.2. The application is linked to a proposal at Nos. 443-451 Westferry Road (Island Point) towards the southern end of the Isle of Dogs (Ref. PA/08/2292) which is reported separately on this agenda. The applications are linked regarding the provision of affordable housing and dwelling mix. It is proposed that the majority of the affordable housing provision is made at Island Point in lieu of the majority of the obligation arising from the City Pride development. It is proposed that the majority of the private residential accommodation will be within the high rise, high density tower at the City Pride and Island Point will be a lower density scheme with a focus on affordable family accommodation.
- 4.3. Specifically, at the City Pride site it is proposed that 5% of the total habitable rooms of the dwellings within the development would be a shared ownership affordable housing units. This amounts to 18 dwellings comprising 50 habitable rooms. At Island Point, 91% of the total habitable rooms of the dwellings are proposed to be affordable housing units. This amounts to 166 dwellings comprising 655 habitable rooms to be provided for social rented units (118 dwellings) and as intermediate units (48 dwellings).

##### **Site and surroundings**

- 4.4. The City Pride Public House lies at the northern end of the Isle of Dogs just south of Westferry Circus. It is bounded by the A 1206 Westferry Road to the west, Marsh Wall to the east and a 1920's British Waterways pumping station to the north. The pumping station adjoins a Grade 2 listed impounding lock that leads to West India Dock South.
- 4.5. The 0.2 hectare site is currently occupied by a 2-storey public house, a beer garden and associated car parking with approximately 30 spaces. There is vehicular access from both Westferry Road and Marsh Wall.
- 4.6. Immediately to the south of the site is a high rise residential development at Nos. 22-28 Marsh Wall, known as or the 'Landmark' which is currently under construction. To the west of Westferry, south of Westferry Circus lies the large vacant site known as Riverside South. South of Riverside South and the impounding lock lies the residential blocks 'Cascades' and 'Quayside'. Between Cascades and Westferry Road is a tennis court and an extensive area of open space.
- 4.7. There are two schools in the local area; Seven Mills Nursery School approximately 500 metres south of the site and Arnhem Wharf Primary School some 900 metres to the south.
- 4.8. The site lies some 380 metres west of Heron Quays DLR Station, 450 metres west of South Quay DLR Station and 480 metres west of Canary Wharf Station on the Jubilee Line of the Underground Railway.
- 4.9. The nearest bus stops to the site are situated on Marsh Wall, Westferry Road, Westferry Circus Upper Level and West India Avenue. All bus stops are located within 190 to 250 metres of the site, equating to a walk time of less than 5 minutes. There are a total of five bus routes which serve these bus stops: Routes 277; D3; D7; D8 and 135. Riverboat services also operate from the nearby Canary Wharf pier. The public transport accessibility level of the site is 6a (on a scale where 6 is high and 1 is low).
- 4.10. The A1261 Aspen Way, which forms part of the Transport for London Road Network, is approximately 680 metres to the north.
- 4.11. There are two other public houses in the vicinity. These are No. 25 Westferry Road 135 metres south of the City Pride and at No. 41 Westferry Road 180 metres distant.

#### **Material planning history**

- 4.12. A similar application to the current proposal was lodged in August 2008. It was withdrawn undetermined following concern about a then proposed 14-storey hotel podium block which has been reduced to 9-storeys in the current application.
- 4.13. On 15<sup>th</sup> March 2007, the Strategic Development Committee approved the redevelopment of 22-28 Marsh Wall (adjoining the City Pride) to provide 802

dwellings and 3,267 sq. m of commercial floorspace.

4.14. At its meeting of 9<sup>th</sup> October 2008, the Strategic Development Committee approved the redevelopment of 'Newfoundland' (bounded by Park Place, Westferry Road & Heron Quays Road) by a development that included the erection of a 37 storey tower and a part 4/5 storey podium comprising a 150 bedroom hotel and 78 serviced apartments.

4.15. At its meeting of 8<sup>th</sup> November 2007, the Strategic Development Committee approved the redevelopment of the Riverside South site by the erection of Class B1 office buildings (330,963 sq. m) comprising two towers up to 241.1 metres and 191.34 metres AOD with a lower central link 89.25 metres AOD and Class A1, A2, A3, A4 and A5 uses.

## **5. POLICY FRAMEWORK**

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

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

Policies	2A.1	Sustainability criteria
	2A.5	Isle of Dogs Opportunity Area
	3A.1	Increasing London's Supply of Housing
	3A.2	Borough housing targets
	3A.3	Maximising the potential of sites
	3A.5	Housing choice
	3A.6	Quality of new housing provision
	3A.7	Large residential developments
	3A.8	Definition of Affordable Housing
	3A.9	Affordable housing targets
	3A.10	Negotiating affordable housing in individual private residential and mixed-use schemes
	3A.18	Protection and Enhancement of social infrastructure and community facilities
	3A.20	Health objectives
	3A.24	Education facilities
	3B.1	Developing London's economy
	3C.1	Integrating transport and development
	3C.2	Matching development to transport capacity
	3C.3	Sustainable Transport
	3C.9	Increasing capacity and quality of public transport
	3C.23	Parking strategy
	3D.7	Visitor accommodation and facilities
	3D.8	Open space and green infrastructure
	3D.12	Open space strategies
	3D.13	Children and young people's play strategies
	4A.1	Tackling climate change
	4A.2	Mitigating climate change
	4A.3	Sustainable design and construction

4A.4	Energy assessment
4A.5	Heating and cooling networks
4A.6	Decentralised energy
4A.7	Renewable Energy
4A.9	Adapting to climate change
4A.11	Living roofs and walls
4A.12	Flooding
4A.13	Flood risk management
4.A.14	Sustainable drainage
4A.16	Water supply and resources
4A.17	Water quality
4A.19	Improving air quality
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.6	Safety, security and fire prevention
4B.8	Respect local context and communities
4B.9	Tall buildings - location
4B.10	Large scale buildings, design and impact
4B.11	London's built heritage
4.B.12	Heritage conservation
4C.8	Freight uses on the Blue Ribbon Network
5C.3	Opportunity areas in North East London
6.A.4	Planning obligation priorities
6A.5	Planning obligations

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

#### Proposals:

##### 1. Flood Protection Area

#### Policies:

- ST23 - High Quality Housing
- ST25 - Housing to be adequately served by all infrastructure
- ST28 - Restrain unnecessary use of private cars
- ST30 - Improve safety and movement for all road users
- ST37 - Enhancing Open Space
- ST43 - Public Art
- ST47- Provision of training Initiatives
- ST49 - Provision of social and community facilities
- ST50 - Provision of medical services
- DEV1 - Design Requirements
- DEV2 - Environmental Requirements
- DEV3 - Mixed Use Developments
- DEV4 - Planning Obligations
- DEV12 - Provision of Landscaping
- DEV50 - Noise
- DEV51 - Contaminated land
- DEV55 - Development and Waste Disposal

DEV56 - Waste Recycling  
 DEV69 - Efficient Use of Water  
 HSG7 - Dwelling Mix and Type  
 HSG13 - Internal Space Standards  
 HSG16 - Housing Amenity Space  
 T16 - Traffic Priorities for New Development  
 T18 - Pedestrians and the Road Network  
 T21 - Pedestrians Needs in New Development  
 OS9 - Children's Play space  
 ART7 - Tourist accommodation  
 U2 - Development in Areas at Risk from Flooding  
 U3 - Flood Protection Measures

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

Proposals: 1. Flood Risk Area  
2. Development site ID 26

Core Strategies	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job creation and growth
	CP12	Creative and Cultural Industries and Tourism
	CP13	Hotels, Serviced Apartments & Conference Centres
	CP17	Evening and night-time economy
	CP19	New housing provision
	CP20	Sustainable residential density
	CP21	Dwelling mix
	CP22	Affordable housing
	CP25	Housing amenity space
	CP27	Community facilities
	CP29	Improving education and skills
	CP30	Improving Quality and Quantity of Open Space
	CP31	Biodiversity
	CP37	Flood Alleviation
	CP38	Energy Efficiency & Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP43	Better public transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
	CP49	Historic Environment
Development	DEV1	Amenity
Control	DEV2	Character & Design
Policies:	DEV3	Accessibility & Inclusive Design

DEV4	Safety & Security
DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV8	Sustainable drainage
DEV9	Sustainable construction materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping and Tree Preservation
DEV14	Public Art
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV25	Social impact assessment
DEV27	Tall buildings
RT5	Evening and Night –time Economy
RT6	Loss of Public Houses
HSG1	Determining residential density
HSG2	Housing mix
HSG3	Affordable housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing amenity space
HSG9	Accessible and Adaptable Homes
OSN3	Blue Ribbon Network and Thames Policy Area
CON1	Listed buildings

**5.5. Interim planning guidance: Tower Hamlets Isle of Dogs Action Area Plan September 2007**

Policies	IOD1	Spatial strategy
	IOD2	Transport and movement
	IOD3	Health provision
	IOD4	Education provision
	IOD5	Public open space
	IOD7	Flooding
	IOD8	Infrastructure capacity
	IOD10	Infrastructure and services
	IOD18	Employment uses in the Central sub-area
	IOD19	Residential uses in the Central sub-area
	IOD20	Retail and leisure uses in the Central sub-area
	IOD21	Design and Built Form in the Central sub-area
	IOD22	Site allocations in the Central sub-area. Site ID26: Preferred Uses:
		<ul style="list-style-type: none"> <li>• Residential (C3)</li> <li>• Employment (B1)</li> <li>• Retail and Leisure (A2, A3, A4)</li> </ul>

5.6. **Supplementary Planning Guidance/Documents**

Residential Space  
Designing Out Crime  
Landscape Requirements  
The Mayor of London's Housing Supplementary Planning  
Guidance

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

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS22	Renewable Energy
PPG24	Noise
PPG 25	Development and Flood Risk

5.8. **Community Plan**

The following Community Plan objectives relate to the application:

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

6. **CONSULTATION RESPONSE**

6.1. The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application. The accompanying Environmental Impact Assessment has been amended to provide additional information which has been subject to statutory publicity and public notification including press and site notices.

**Greater London Authority (Statutory consultee)**

6.2. At Stage 1, the Mayor advised:

- Principle of use – The City Pride proposal supports the Isle of Dogs interdependence with central London and the Central Activities Zone and is supported by policy 5G.3 of the London Plan.
- Density – The proposed residential density of the City Pride site is above the guidance range contained within table 3A.2 of the London Plan. However, it is not out of context with the surrounding development and the site location on the Isle of Dogs.
- Children's play space – There is discrepancy over the estimated child population, and as such, the proposal fails to provide enough play space for children less than 5 years of age. No play strategy has been submitted and, it is not clear therefore if there is adequate surrounding



play space to accommodate the residents of the development. As a result the proposal does not comply with policy 3A.13 of the London Plan.

- Climate change mitigation – More information is required to assess the passive design measures proposed for the residential units. It is not clear why the Barkantine heat network cannot provide more of the heat demand of the development. The applicant has not secured the use of dock or aquifer water. It is not clear why dock or aquifer water cannot be used as direct cooling to the residential units. As a result the proposal fails to comply with the policies contained within chapter 4A of the London Plan.
- Air quality – The biomass boiler is not expected to have a detrimental impact upon air quality and the proposal complies with policy 3A.19 of the London Plan.
- Climate change adaptation - The proposals incorporate passive design measures, including natural ventilation, low energy lighting and increased insulation. The proposals also include sustainable urban drainage. All units will be fitted with water meters and rainwater harvesting and water attenuation systems will be provided. The proposal complies with policies 4A.10, 4A.14 and 4A.16 of the London Plan.
- Transport – The data used for the modal split and trip rate estimate is not suitable. The proposal would contribute to the already congested Upper Bank Street/Aspen Way junction and Preston’s Road roundabout. It would also increase the number of bus passengers generated by the development. No on-site shower and change facilities within the non-residential uses. A number of the dropped kerbs along Westferry Road are in poor condition. No contribution towards DAISY boards. No delivery service plan or construction logistics plan. The proposal fails to comply with polices contained with chapter 3C of the London Plan.

6.3. The mayor has advised that on balance the application does not comply with The London Plan but the following remedies could address the deficiencies:

- Children’s Play space: The methodology used by the applicant to estimate the child population should be submitted. Details of the surrounding parks, including their size, capacity, accessibility and suitability should be submitted.
- Climate change mitigation: The applicant should confirm whether there is more room to reduce the demand of energy in the residential units and the thermal insulation of the building envelope be improved. The applicant needs to clarify that the Barkantine heat network is not able to provide all of the heat requirements of the development. The applicant should develop an alternative renewable energy strategy in case aquifer or dock water use is not possible. The applicant should clarify why dock water could not be used to provide ‘direct’ cooling to the residential element.
- Transport: To be fully compliant with the London Plan the following transport issues should be addressed:
  1. A revised trip generation assessment with reference to the Isle of Dogs Cordon Survey 2007, the Canary Wharf Employee Survey 2007 and the Census data 2001 should be submitted.

2. A contribution of £250,000 to help fund a study of Upper Bank Street / Aspen Way signal-controlled junction and Preston's Road roundabout and funding any subsequent improvement works.
  3. A contribution towards bus network improvements, assessing the condition of bus stops within a 400 metres radius of the development and upgrading those, which are deficient.
  4. The developer should contribute £258,000 towards improving the local bus services.
  5. Shower and changing facilities for the commercial and retail elements should be provided. The design of all cycle parking should meet TfL cycle parking standards.
  6. A financial contribution to rectify the dropped kerbs along the Westferry Road.
  7. Provide section 106 contributions for DAISY boards, local pedestrian improvement and bus service enhancements.
  8. Submit a delivery service plan and a construction logistics plan and investigate the potential for delivering construction materials by water.
  9. Submit a full workplace travel plan and a full residential travel plan.
- 6.4. (Officer comments. The developer has now submitted calculations of play space provision to the GLA and no further comment has been received from the mayor. The development would provide 1,421 sq m of public amenity space on floors 33, 40, 60 and 61. Of this 220 sq m is proposed as children's play space for the estimated 22 children living within the development between ages 0-4. This complies with GLA guidance. There would be no provision for an estimated nine older children. The applicant seeks to mitigate the overall impact of the development (not just child space) by an open space contribution to the Council of £483,194. This comprises part of the overall recommended Community and Open Space Contribution of £878,165.
- 6.5. The Council's Energy Officer (see below) advises that the applicant has broadly followed the energy hierarchy set out in policy 4A.1 of the London Plan. Two possible energy strategies are proposed that are considered acceptable, subject to any planning permission being conditioned to provide more information at the detailed design stage.
- 6.6. To mitigate transport impacts, the developer has agreed the section 106 obligations summarised above namely:
1. A £220,000 Bus Network Contribution
  2. A Transport Plan comprising:
    - The submission and implementation of a hotel and residential travel plan, a delivery service plan and a construction logistics plan.
    - To provide, install and maintain DAISY board(s) to provide driver and transport information.
    - A £75,000 contribution to Transport for London (TfL) to allow the funding of a bicycle hire station.
    - Car free arrangements that prohibit residents of the development other than disabled people from purchasing on street parking permits from the

borough council.

3 A Highway Improvement Works Contribution of £217,140.

- 6.7. Whilst there are capacity issues at the Upper Bank Street / Aspen Way signal-controlled junction and Preston's Road roundabout, it is considered that these two off-site locations are too remote to bear any relationship to the development and the financial obligation requested by TfL does not meet the tests of Circular 05/2005. This has been accepted by TfL in a subsequent letter.

**Government Office for London (Statutory consultee)**

- 6.8 No representations received.

**Natural England (Statutory consultee)**

- 6.9 No objection but considers the scheme could do more to enhance biodiversity. The Council should be satisfied that the demolition of the public house does not impact on bats.

- 6.10. (Officer comment: An informative is recommended).

**Environment Agency (Statutory consultee)**

- 6.11 No objection subject to conditions requiring the approval of details of surface water control measures, drainage, oil / fuel storage, decontamination, no infiltration of surface water, no penetrative piling or foundation design without prior approval together with informatives regarding applicable legislation administered by the Agency.

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

**London Borough of Greenwich (Statutory consultee)**

- 6.13. No representation received.

**London Borough of Southwark (Statutory consultee)**

- 6.14. No representations received.

**London Borough of Lewisham (Statutory consultee)**

- 6.15. No objection.

**English Heritage (Statutory consultee)**

- 6.16. Does not wish to offer comments. Advises the application should be determined in accordance with national and local policy guidance and the basis of the Council's specialist conservation advice.

**Docklands Light Railway**

- 6.17. No representations received.

**London Underground Limited**

- 6.18. No comments.

**Commission for Architecture and the Built Environment (CABE)**

- 6.19. Supports the residential use and the height and massing of the main 62-storey tower within the emerging western extension to the Canary Wharf cluster. Considers the façade treatment has the potential to generate an elegant architectural solution although the articulation of the amenity spaces at the top of the tower remains unconvincing. It reads as a pavilion on top of the tower rather than a culmination of the tower.
- 6.20. CABE welcomes the revised massing and simplified form of the lower hotel block but considers the relationships of the base of the building with 22 Marsh Wall and the pumping station require further design resolution. Although the former is much improved, there should be as improvement to the pedestrian environment between the 22 Marsh Wall and the development. There is no meaningful visual connection with the pumping station. Suggests the public area of the hotel is enlarged and opened up to give clear views of the pumping station. Considers the sky garden ungenerous. Welcomes proposals to minimise energy use but considers the proposed Code for Sustainable Home Level 3 is not sufficiently ambitious.
- 6.21. CABE also supports the principle of providing the affordable housing component off-site as it allows a greater variety of accommodation and amenity space for families, than City Pride alone could offer.
- 6.22. (Officer comments. The proposed tower would culminate with a lightweight, set backed, glass pavilion which would serve as communal amenity space. It is generous double height space and is considered to be delightful element of the scheme, offering opportunity for panoramic views. The revised massing of this second scheme results in a better relationship with 22 Marsh Wall with a now much lower hotel block that would provide as a satisfactory break between two tall buildings. It is considered that a well landscaped, public realm between the two buildings would produce a satisfactory resolution of the east-west link between Westferry Road & Marsh Wall and also fit well with other emerging proposals in the area. The Code for Sustainable Homes falls under the Building Regulations. Whilst Level 3 becomes mandatory for dwellings in 2010, the condition recommended above seeks a higher level if possible.

**London City Airport (Statutory consultee)**

- 6.23. No objection subject to a condition regarding the installation of aircraft obstruction lights and an informative regarding consultation on the height of cranes.
- 6.24. (Officer comments: Appropriate conditions and informatives are recommended).

**National Air Traffic Services (Statutory consultee)**

- 6.25. The development produces no conflict with safeguarding criteria.

**Thames Water Plc**

- 6.26. The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommends a condition be imposed that development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by the local planning authority.

(Officer comments: Such a condition is recommended).

**Metropolitan Police**

- 6.27. No problems with the design following extensive consultation with the architect. The provision of external lighting and CCTV with good management of the hotel reception and outside spaces should help the development run smoothly with the minimum of problems.

**BBC Reception Advice**

- 6.28. Not convinced by the analysis in the submitted Environmental Impact Assessment on the impact of the development on analogue television reception.

- 6.29. (Officer comments: The developer has offered to enter into a legal agreement with the Council to undertake a "TV Reception Study" to examine the effects of the development on baseline local television reception within an agreed "TV Reception Survey Area" and to undertake "TV Remediation Works" identified in the TV Reception Study.

**London Fire and Emergency Planning Authority**

- 6.30. Advises that access by the Fire Brigade and water supply appear satisfactory.

**British Waterways Board (BWB)**

- 6.31. No objection but requests a small set back from the adjacent 1920's pumping station to make the development less overbearing and improve the street scene. A Construction Environmental Management Plan should be agreed with the local planning authority and BWB's engineers. Would like to see the development utilise its location for water borne freight including during construction and requests a condition to this effect together with the approval of a landscaping scheme. There should be a contribution to local environmental improvements. Requests a contribution of £50,000 to mitigate noise from its pumping station adversely impacting on residents of the development and an informative concerning consultation with BWB given its adjoining interests.

- 6.32. (Officer comment: The tower would be sited 4 metres away from the pumping station. The juxtaposition between the old and the new is considered architecturally satisfactory. A "small set back" would not be material in terms of

the impact of the tower would have on the pumping station or the street scene. It is considered that the mitigation of noise from the pumping station should be settled between BWB and the developer without the involvement of the local planning authority. Other matters requested by BWB are subject to the recommended legal agreement, conditions and informatives).

### **Tower Hamlets Primary Care Trust**

6.33. The population in Millwall Ward is expected to grow by 27% from 17,691 in 2008 to 22,552 in 2013. Requests a section 106 contribution for healthcare provision calculated by the HUDU model as follows:

- Total Capital Planning Contribution £741,548
- Total Revenue Planning Contribution £2,494,053
- Combined contribution sought for health £3,235,601

6.34. (Officer comment: In line with established practice, the developer has agreed a Capital Planning Contribution of £741,548).

### **Environmental Protection**

6.35. Satisfied with the developers proposed approach and methodology to deal with contaminated land. Recommends that any planning permission is conditioned to secure decontamination. Emissions from the boiler plant need to be quantified. Advises that there would be impact on the daylight reaching residential properties in 1-30 Chandler Mews, 1-9 Cascades, 22-28 Marsh Wall and 11-85 Anchorage Point. There would be a minor loss of sunlight to 2-4 Cascades. There would be light pollution caused to 22-28 Marsh Wall. Any planning permission should be conditioned to require measures to mitigate wind at ground level and on the terraces. Parts of the north face of the building on the Westferry Road frontage would be subject to Noise Exposure Category D where PPG24 advises that planning permission should be refused. Facades facing east, west and south would be subject to Noise Exposure Category C where PPG24 advises that if planning permission is to be granted, conditions should be imposed to ensure a commensurate level of protection against noise. Any planning permission should be so conditioned. Any planning permission should also be conditioned. to require the approval of details of extract systems from any A3 (Café / restaurant) use.

6.36. (Officer comment: Conditions to secure decontamination and details of soundproofing, wind mitigation measures, the CHP plant and extract equipment are recommended. Sunlight, daylight and wind issues are discussed in Material Planning Considerations below).

### **Traffic and Transportation**

6.37. No objection in principle. Overall, the proposed increase in traffic would not have a detrimental effect on the highway network which would operate within capacity. Recommends a section 106 Highway Improvement Contribution of £267,140 to help with the reconstruction of the existing highway south of Westferry Circus, including improvements to visibility, footways, carriageways, carriageway

markings, the provision of a cycle lane, upgrading the junction and to facilitate the construction of the entrance to 15 Westferry Road. Also recommends a Bus Network Contribution comprising £200,000 to fund improvements to local bus services and £20,000 to fund the upgrading of bus stops. There should be a 'car free' agreement to prevent residents from applying for on-street parking permits.

6.38. (Officer's comments: Appropriate heads of agreement are recommended).

### **Children's Services (Education Development)**

6.39. The dwelling mix for the 430 proposed units (51% studios and 1 bedroom, 42% 2 bedroom and 7% 3 bedroom) derives a need for 31 additional primary school places @ £12,342 = £382,602.

6.40. (Officer's comments: An appropriate head of agreement is recommended).

### **Policy and Development Manager - Cultural Services**

6.41. The estimated new residential population generates an open space need of 774 pop x 12 sq m/pop = 9,288 sq m. No publicly accessible open space will be provided on site. Therefore existing open space in the borough will experience increased usage and a contribution should be sought to mitigate this impact. Previous applications have established a per capita contribution towards open space of £458. Applying the figure of £458 results in a mitigating contribution of £458 x 774 = £354,492.

The above contribution does not take into account the impact of the proposed hotel. While the occupants will not necessarily be visiting local library and leisure centre facilities, they are more than likely to use local parks and green space. This will have an impact on levels of use and a contribution should be sought to mitigate this. The nearby Newfoundland hotel development established that the Council will seek open space contributions for hotel developments to improve visitor facilities. Applying the sum per unit established at Newfoundland (£634 per hotel room), an additional open space contribution of 203 rooms x £634 = £128,702 should be sought.

The proposed development will increase demand on leisure facilities and the emerging leisure centre strategy identifies the need to develop further leisure opportunities to align with population growth. Sport England (the DCMS agency tasked with implementing sports policy) has developed a sports facility calculator for s106 purposes. This calculates (based on population figures and research based demand data) the amount of water space and sports hall required to cater for the population of new developments. It then uses building cost index figures to calculate the cost associated. Inserting a population of 774 into the model generates a total leisure contribution of £314,475.

Museums, Libraries and Archives (the sector DCMS agency) has developed a tariff approach to s106 contributions towards libraries and archives. This assumes a requirement of 30 sq m of library space per 1,000 population based on national research. The standard uses construction index figures and applies a cost of £3,465/sq m for London. This results in a per capita cost of £104. The

site is likely to generate 774 population = £80,496.

- 6.42. (Officer's comments: An appropriate head of agreement is recommended).

**Waste Policy and Development**

- 6.43. No representations received.

**Corporate Access Officer**

- 6.44. No representations received.

**Landscape Development Manager**

- 6.45. No comments received.

**Energy Officer**

- 6.46. Advises that the applicant has broadly followed the energy hierarchy set out in policy 4A.1 of the London Plan. The applicant has proposed two possible energy strategies that are considered acceptable.

Option 1 includes connection to the Barkantine district heating network, to provide part of the heating requirements of the development. However, the current spare capacity at Barkantine is only able to provide part of City Pride's heating requirement. The preference would be to utilise the Barkantine CHP system to provide all of City Pride's heating requirement. There are proposals to expand the capacity at Barkantine and this should be considered in more detail at the detailed design stage.

Option 2 proposes a 400kWe gas fired fuel cell, water sourced heat pumps and absorption chillers. The applicant needs to consider using the dock water to provide direct cooling to the residential units. No permissions have been obtained for the use of the dock water; therefore an alternative renewable energy needs to be considered should the proposed strategy become unfeasible.

Considers that there is scope for the energy strategy to be improved to provide more detailed information and recommends that any planning permission is conditioned to provide this information at the detailed design stage.

The applicant has proposed the commercial element of the development will achieve an 'Excellent' BREEAM rating and the residential element will achieve a Code Level 3 as a minimum and Code Level 4 where possible. This is acceptable and any planning permission should be conditioned to ensure compliance.

- 6.47. (Officer's comments: Appropriate conditions are recommended).

**7. LOCAL REPRESENTATION**



7.1. A total of 572 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The 'Additional Information' supplementing the Environmental Statement has also been subject to statutory publicity and consultation with neighbours and local groups. The number of representations received from neighbours and local groups following publicity is as follows:

<b>No of individual responses:</b>	<b>Objecting:</b>	<b>Supporting:</b>
9	9	0

No. of petitions received: 0

7.2. Material objections from neighbours may be summarised as:

- Impact on morning sunlight, daylight and amenity value at Cascades.
- The scheme would be overdevelopment and its height and proximity to footpaths and roads would have an overbearing effect.
- Undue strain on the local area due to inadequate schools, parks, roads, children's recreation areas and sports facilities on the Isle of Dogs.
- Addition flats not need in the current economic climate.
- Poor location for a hotel which is not required. Existing hotels have low occupancy rates.
- Disruption to traffic caused by supermarket delivery vans and servicing for the hotel.
- Inadequate infrastructure to cater for already permitted schemes. No further development should be permitted around Westferry Circus until the combined impact of approved schemes has been assessed.
- The design of the building is uninspiring, dated and will be an eyesore.
- The City Pride (a traditional public house) should be retained. The development would be a loss of a public amenity and a loss of open space.
- Further hindrance to pedestrians and cyclists during construction. The existing pedestrian crossing adjoining the site across Westferry Road should be dealt with as a priority so that pedestrians and people with prams can navigate the pavement safely.

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

- Loss of property values in Cascades.
- Flooding the market with additional and potentially unwanted apartments.
- The replacement of the City Pride will alienate the local population unless they can afford hotel prices.
- Public consultation undertaken by the developer was poorly advertised.
- The development will not add value to the local area.
- Years of building work will cause untold environmental impact, further noise and disturbance.

- Infringements of the Rights of Light Act 1959.

7.4. A local ward councillor comments that only 5% of the affordable housing count would be affordable housing at the City Pride site which would not further the goals of creating integrated communities and developments.

7.5. Following consultation, no representations have been received from Canary Wharf Group, Rodwell Investments (the developer of 22 Marsh Wall), the Association of Island Communities, Alpha Grove and Barkantine Tenants Association, Barkantine Tenants Association and St Johns Tenants Association.

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

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

- Proposed land use.
- Density.
- The principle of a tall building, the design of the building and the setting of listed impounding lock.
- Sunlight and daylight.
- Affordable housing arrangements.
- Dwelling mix.
- Access and servicing arrangements.
- Amenity space and landscaping.
- Sustainable development/ renewable energy.
- Planning obligations.

### **Land use**

8.2. The City Pride is located in the Isle of Dogs Opportunity Area which is identified in the London Plan as being capable of accommodating at least 10,000 additional dwellings. Policy 3A.1 of the London Plan sets a target of an additional 30,500 homes to 2016 / 17. Policy 3A.2 refers to Borough Housing Targets with Tower Hamlets set a target of 31,500 to 2016 / 17. The principle of redevelopment with a large residential component therefore accords with strategic housing policy.

8.3. Except for its location within a Flood Protection Area, the site is unallocated on the Proposal Map of the Tower Hamlets Unitary Development Plan 1998. The boundary of the Central Area Zone (CAZ) is shown immediately to the east of the City Pride, running along Marsh Wall. UDP policy DEV3 encourages mixed-use developments subject to the character and function of the surrounding area.

8.4. On the Proposals Map of the Council's Core Strategy and Development Control interim planning guidance 2007, the site is allocated as 'Development Site ID

26' within a Flood Risk Area and adjoins the Canary Wharf Major Centre.

- 8.5. The Sub-Areas and Development Sites Map of the Council's Isle of Dogs Action Area Plan 2007 (which has also been adopted as interim planning guidance) shows Development Site ID26 lying within the Central Sub-Area. The Spatial Strategy Diagram of the AAP shows the site lying within a preferred office location.
- 8.6. Policy IOD 19 of the Isle of Dogs AAP says that residential uses will be promoted throughout the Central Sub-Area. The proposed residential accommodation and the ground floor unit are also consistent with policy IOD 22 of the AAP which provides the following preferred uses for the City Pride site:
- Residential Class C3 (Dwellinghouses)
  - Employment Class B1 (Business)
  - Retail and Leisure Class A2 (Financial and professional services, A3 (Café / restaurant) and A4 (Drinking establishment)
- 8.7. With regard to the proposed hotel, London Plan policy 3D.7 refers to visitor accommodation and says that the Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026. Beyond the CAZ, boroughs should identify capacity for new visitor facilities in town centres and other locations such as Opportunity Areas, with good public transport access to central London and international and national transport termini.
- 8.8. Policy ART7 of the Tower Hamlets Unitary Development Plan 1998 says that outside the CAZ, major hotel developments may be permitted where they comply with the following criteria:
1. Scale and density is appropriate and not adversely impact on the local environment, or the amenity of adjoining uses;
  2. The site is well served by public transport and within easy reach of public transport interchanges;
  3. Adequate road access and servicing facilities;
  4. Not adversely affect residential accommodation or result in a loss of existing residential accommodation.
- 8.9. The hotel would comprise a podium block of the main residential tower and, as explained below, the scale and density of the scheme as a whole is considered appropriate to its location and context. The site is well served by public transport, has good road access and the design allows for servicing. There would be some effect on the daylighting conditions in the adjoining parts of 22 Marsh Wall, but ensuing conditions are considered satisfactory give the location. There would be no loss of residential accommodation and the provision of a hotel at this location is considered policy compliant.
- 8.10. Policy RT6 of the Core Strategy and Development Control interim planning guidance 2007 resists the loss of public houses where it would create a shortage of public houses within easy walking distance (300 metres) of residential areas and, marketing shows no reasonable prospect of reuse or

refurbishment for an appropriate Class A use.

- 8.11. In the case of the City Pride, the residential area to the south provides public houses at No. 25 Westferry Road 135 metres away and at No. 41 Westferry Road which is 180 metres distant. Further, the proposal includes a Class A unit on the ground floor with a planning permission sought that includes a Class A4 (Drinking establishment).
- 8.12. Whilst residential and hotels are not a priority uses for land alongside the Blue Ribbon Network or the docks (The London Plan 2008 policies 4C.6 and 4C.23), such uses accord with parts 3A and 3D of the Plan and are considered appropriate for a site at the western end of West India Dock South.
- 8.13. In summary, no land use objection is raised to the redevelopment of the City Pride by a mixed-use development comprising residential, a hotel and a ground floor Class A unit.

### **Density**

- 8.14. The Government's Planning Policy Statement 1: Delivering Sustainable Development 2005 supports making efficient use of land. It advises that this should be achieved through higher density, mixed-use development and returning previously developed land and buildings back to beneficial use.
- 8.15. London Plan policies 4B.1 and 3A.3 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city and public transport accessibility. Table 3A.2 of the London Plan provides guidelines on density in support of policies 4B.1 and 3A.3.
- 8.16. Policy CP20 of the Council's interim planning guidance 2007 reflects guidance set out in the London Plan and seeks to maximise residential densities on individual sites taking into account local context, site accessibility, housing mix and type, achieving high quality design, well designed homes, maximising resource efficiency, minimising adverse environmental impacts, the capacity of social and physical infrastructure and open spaces and to ensure the most efficient use of land within the borough.
- 8.17. Policy HSG1 of the Council's interim planning guidance sets out a number of criteria which should be taken into account when determining the appropriate residential density for a site including:
- *The density range appropriate for the setting of the site, in accordance with Planning Standard 4: Tower Hamlets Density Matrix;*
  - *The local context and character;*
  - *The need to protect and enhance amenity;*
  - *The need to incorporate good design principles;*
  - *The provision of the required housing mix (including dwelling size and type, and affordable housing);*
  - *Access to a town centre (particularly major or district centres);*

- *The provision of adequate open space, including private and communal amenity space and public open space;*
- *The impact on the provision of services and infrastructure, including the cumulative impact; and*
- *The provision of other (non-residential) uses on a site.*

8.18. Both Table 3A.2 of the London Plan and Planning Standard 4: Tower Hamlets Density Matrix provide a density range of 650 - 1,100 habitable rooms per hectare for Central sites such as the City Pride with a PTAL range 4-6.

8.19. The proposed residential density for the City Pride site is 4,172 habitable rooms per hectare. This exceeds the guidance in Table 3A.2 of the London Plan and Planning Standard 4: Tower Hamlets Density Matrix. However, the site is relatively small and most of its ground floor area would be developed and this, combined with the proposed height and the predominance of studio, 1 and 2-bedroom market units, produces a high density. Subject to ensuing design matters (outlined in HSG1 above) being satisfactory, this density is not considered out of context with the character of surrounding development and the site's Canary Wharf location.

**The principle of a tall building, the design of the building and the setting of listed impounding lock**

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

8.21. Tower Hamlets UDP policy DEV1 requires all development proposals to be sensitive to the character of the area in terms of design, bulk, scale and materials, the development capabilities of the site, to provide for disabled people and include proposal for landscaping. UDP Policy DEV2 seeks to protect the amenity of residential occupiers and the environment and incorporate the principles of sustainable development including the use of energy efficient design and materials.

8.22. Core Policy CP4 of the Council's interim planning guidance seeks to ensure that development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. In achieving good design development should:

- *Respect its local context, including the character, bulk and scale of the surrounding area;*
- *Contribute to the enhancement or creation of local distinctiveness;*
- *Incorporate sustainable and inclusive design principles;*

- *Protect amenity, including privacy and access to daylight and sunlight;*
- *Use high quality architecture and landscape design; and*
- *Assist in creating a well-connected public realm and environments that are easy to navigate.*

8.23. Core policy CP48 applies to tall buildings and says such development will in principle be supported in the northern part of the Isle of Dogs where they consolidate the existing tall buildings cluster at Canary Wharf. All proposals for tall buildings must:

- a) contribute positively to a high quality, attractive environment;*
- b) respond sensitively to the surrounding local context;*
- c) not create unacceptable impacts on the surrounding environment including the surrounding amenity;*
- d) contribute to the social and economic vitality of the surrounding area and*
- e) not create unacceptable impacts on social and physical infrastructure.*

8.24. Policy DEV1 of the interim planning guidance 2007 requires development to protect, and where possible improve the amenity of surrounding building occupants and the public realm. Policy DEV2 requires development to take into account and respect the local character and setting of the site including the scale, height, mass, bulk and form of development, to preserve and enhance the historic environment and use appropriate materials.

8.25. Policy DEV27 addresses applications for tall buildings, which must satisfy the following criteria:

*Design and Context*

- *Demonstrate the design is sensitive to the context of the site.*
- *Achieve high architectural quality and innovation in the design of the building, including a demonstrated consideration of its scale, form, massing, footprint, proportion and silhouette, facing materials, relationship to other buildings and structures, the street network, public and private open spaces, watercourses and water bodies, or other townscape elements.*
- *Where the site is outside a location identified for tall building clusters in CP48, demonstrate the consideration of built form design alternatives other than tall buildings.*
- *Demonstrate consideration of the appearance of the building as viewed from all angles, and its night-time appearance, as demonstrated through an Accurate Visual Representation.*
- *Not adversely impact on important views including strategic London-wide views and important local views, including their settings and backdrops, as demonstrated through an Accurate Visual Representation.*
- *Provide a positive contribution to the skyline, when perceived from all angles, assisting to consolidate clusters within the skyline, as demonstrated through an Accurate Visual Representation.*

- *Not adversely impact on Conservation Areas, Listed Buildings, historic assets, World Heritage Sites, scheduled monuments, areas of archaeological importance or potential, or their settings.*
- *Where residential uses are proposed, include high quality, useable communal and private amenity spaces.*
- *Be visually integrated into the streetscape and the surrounding area.*
- *Present a human scaled development at the street level.*
- *Respect the local character and seek to incorporate and reflect elements of local distinctiveness.*
- *Incorporate adaptable design measures.*

#### *Environment*

- *Demonstrate the privacy, amenity and access to sunlight and daylight for surrounding residents and building occupants will not be adversely affected by the development and that acceptable levels of privacy, amenity and sunlighting and daylighting conditions will be achieved for future occupants of the development.*
- *Not adversely impact on the microclimate of the surrounding area, including the proposal site and public spaces.*
- *Demonstrate consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction, and resource management.*
- *Not adversely impact on biodiversity or open spaces, including watercourses and water bodies and their hydrology, as well as their settings and views to and from them.*

#### *Socio-economic impacts*

- *Contribute positively to the social and economic vitality and of the surrounding area at the street level through its proposed mix of uses.*
- *Be acceptable in terms of its potential social impacts, and maximise positive social impacts, as demonstrated through a Social Impact Assessment.*
- *Where residential uses are proposed, comply with the density requirements in policy HSG1.*

#### *Access and Transport*

- *Incorporate the principles of inclusive design.*
- *Be located in an area with good public transport access.*
- *Take into account the transport capacity of the area, and ensure the proposal will not have an adverse impact on transport infrastructure and transport services.*
- *Respect, and, where possible, improve permeability with, the surrounding street network, and take into account impacts on the movement of people.*

*Additional Considerations*

- *Where residential uses are proposed, comply with the density requirements in policy HSG1.*
- *Not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.*

8.26. At paragraph 43 of PPS1: Delivering Sustainable Development, the Government advises:

*“Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.”*

8.27. Additional advice on tall buildings is set out within the joint English Heritage and CABE guidance note published in July 2007. The document sets out criteria that are considered relevant in considering applications for tall buildings, namely:

- Relationship to context;
- Effect on existing environment;
- Effect on World Heritage sites;
- Relationship to transport infrastructure;
- Architectural quality of the building;
- Sustainable design and construction;
- Credibility of design;
- Contribution to public spaces and facilities;
- Effect on the local environment;
- Contribution to permeability; and
- Provision of a high-quality environment.

8.28. The proposed building would measure 215 metres in height AOD. This compares with the two towers of 241.1 metres and 191.34 metre approved by the Committee at the Riverside South site at its meeting of 8<sup>th</sup> November 2007. Officers consider the proposed development would be a well considered tower within the Canary Wharf cluster. The proposed height is considered appropriate for its location and context. The building would have a slim elegant profile which would add distinction to the townscape, in an area dominated by office towers. Although in its own terms it is a very dense scheme, it would not appear out of place in its context. The building massing has addressed previous concerns over its relationship with 22 Marsh Wall. It proposes a lower hotel block which would act as a break between two tall buildings, whilst being clearly separated from the main tower by virtue of its appearance and atrium space.

8.29. The footprint and slenderness of the tower is considered of particular merit in east-west views. The articulation of the façade would reflect the uses within the building with large, triple height amenity spaces being provided at upper levels. The tower would culminate with a light weight, set back glass pavilion providing a communal amenity space. It is a generous double height space



which is considered to be a delightful element of the scheme, offering opportunities for panoramic views and would add positively to the skyline.

- 8.30. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act requires the Council, in determining whether to grant planning permission for development which affects the setting of a listed building, to have special regard to the desirability of preserving the setting of the listed building. It is considered that the development would have no adverse effect on the setting of the listed Impounding Lock which would be preserved.
- 8.31. Neither the GLA or English Heritage raise design concerns and there is broad support from CABE. It is considered that the proposal accords with the joint English Heritage / CABE guidelines on the location of tall buildings and the design & conservation policies outlined above provided by national guidance, the London Plan, the Tower Hamlets UDP 1998 and the emerging policies within the Council's interim planning guidance 2007.

### **Sunlight, daylight and light pollution**

- 8.32. Tower Hamlets' Unitary Development Plan 1998 policy DEV 2 states that: "*all development should seek to ensure that adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions*".

- 8.33. Interim planning guidance policy CP4 states:

*"The Council will ensure development creates buildings and spaces of high quality design ... In achieving good design, development should protect amenity, including privacy and access to daylight and sunlight."* Policy DEV1 states "*Development is required to protect, and where possible seek to improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.*"

For further guidance it refers to BRE Report 209: *Site layout planning for daylight and sunlight – A guide to good practice.*

- 8.34. The findings of the Environmental Statement on daylight conditions that would result from the development may be summarised as follows:
- 8.35. **1-30 Chandlers Mews.** There are 64 windows (77%) of the 83 windows within these properties which achieve the numerical values of Vertical Sky Component (VSC) suggested by the BRE guidelines. In the remaining 19 windows, the losses beyond the 20% are modest with none exceeding 29.62% change and the majority closer to the 20% acceptable change. Whilst these are breaches of the Guidelines, the existing VSC values are comparatively low and thus more sensitive to change even though they enjoy a relatively unencumbered outlook over the development site. This is a function of the window location and architectural features specific to Chandlers Mews, which inhibit sky visibility. 28 (44%) of the 62 windows achieve the levels of ADF suggested by the BRE

Guidelines for their usage. The largest reduction to rooms which retains a level below that suggested by the BRE is 0.18% ADF which would not be noticeable to the occupant. The majority of other rooms are less affected with losses of light within particular rooms of approximately 10%. This level of change is consistent with the suggested acceptable level by the BRE Guidelines. In terms of daylight the resultant impact of the proposed development is assessed as minor adverse.

- 8.36. **1-9 Quayside.** Of the 56 windows assessed in terms of VSC, 54 windows (96%) achieve the numerical values suggested by the BRE guidelines. The two rooms with losses greater than 20% achieve low levels of VSC in the baseline scenario and thus are more sensitive to reductions in light. These 2 rooms do not meet the numerical values for Daylight Distribution and ADF. However, both serve bedrooms which are seen by the BRE to have a lower requirement for light than principal living rooms and kitchens. The impact associated with the proposed development is therefore seen as minor adverse.
- 8.37. **2-4 Cascades.** Of the 328 windows relevant for VSC assessment, 251 windows (77%) meet the numerical values suggested by the BRE guidelines. 57 windows (74%) do not achieve the suggested values already. These are breaches of the BRE Guidelines and existing VSC values are comparatively low, even though they enjoy a relatively unencumbered outlook over the development site, and thus are more sensitive to change. These low values are a function of the window location and architectural features specific to Cascades, which inhibit sky visibility. The 57 windows which do not meet the suggested numerical values of VSC serve a total of 48 rooms. The daylight distribution method of analysis indicates that 42 (88%) of these rooms are fully BRE compliant. Of the remaining 6 rooms, 4 are bedrooms thus having a lower expectation or requirement for daylight. These rooms are located on the lower two floors. 4 of these rooms lie behind an outer façade which is up to a metre deep and completely encloses the windows, drastically reducing their view of the sky. Each of these windows receives levels of daylight far below those suggested by the BRE Guidelines in the existing scenario as a direct result of this. These windows could be said to have a reduced expectation for daylight by design. The impact of the proposed development on Cascades is therefore assessed as minor adverse.
- 8.38. **22-28 Marsh Wall.** Given the proximity of the proposed development to 22-28 Marsh Wall, there would be alterations in daylight when contrasted with the currently unencumbered outlook. The VSC results indicate that 582 (60%) of the 970 windows within this property achieve the BRE guidelines. Of the 493 rooms within this development 486 (99%) would satisfy at least one of the three daylight analyses. The remaining rooms would be located within Block 1 and Block 3. . Of the remaining 7 rooms, 6 would be located in Block 1 which is the only block relevant as it lies alongside the City Pride site. Four of the six rooms are bedrooms and two are kitchen/living /diners. These two rooms have ADF values of 1.07% and 1.47% respectively, which, whilst they are below the BRE guidelines, they are isolated instances and on the lower floors where the potential for good daylight is reduced. When viewed in the context of the building as a whole, these 2 rooms represent a very small percentage of the total number of rooms assessed. The ADF results also suggest that the

retained light levels, although not quite at the level suggested by the BRE guidelines, are still reasonably good in an urban context such as this.

- 8.39. **11-85 Anchorage Point.** The VSC results indicate that all of the windows in this property are BRE compliant and the impact in terms daylight would be negligible.
- 8.40. The Environmental Statement finds that there would be minor impact on sunlight reaching 2-4 Cascades. Of the 138 Windows relevant, 113 windows (82%) comply with the BRE guidelines. The majority of the windows which do not meet the suggested levels of annual probable sunlight hours do so only marginally for total levels of sunlight and all are fully compliant in terms of winter sun. Viewed in an urban context such reductions are common and for this reason the significance of this is assessed as being only minor adverse.
- 8.41. With regard to light pollution affecting residential premises in 22-28 Marsh Wall, the part of the proposed development in proximity to 22-28 Marsh Wall would be in hotel usage. Light is unlikely to be emitted during hours of darkness because blinds or curtains would be expected to be closed.

#### **Affordable housing arrangements**

- 8.42. London Plan policy 3A.9 identifies the Mayor's strategic target that 50% of housing should be affordable and within that 70% should be social housing and 30% intermediate provision. The policy also promotes mixed and balanced communities.
- 8.43. London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing. Targets should be applied flexibly, taking account of individual site costs, any public subsidy and other scheme requirements. Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.
- 8.44. London Plan paragraph 3.57 says that exceptionally a borough may consider that the required affordable housing should be provided off site e.g. where there are existing concentrations of social housing and there are benefits gained by providing the new units in a different location, such as to create more socially balanced communities, to provide a particular type of housing, such as family housing or to provide more units than is possible on the principle site.
- 8.45. The Mayor's Housing supplementary planning guidance states:
- "Consideration should normally only be given to off-site provision where an alternative site or sites have been identified which would enable affordable housing provision more appropriate to the identified needs to be set and where the project is deliverable prior to the on site market development being completed. Agreements for off-site provision should be financially neutral in terms of the benefit to the applicant relative to on-site provision requirements."*

8.46. Core policy CP22 of the Council interim planning guidance says:

1. *The Council will aim to maximise all opportunities for affordable housing on each site, proposing new residential dwellings in order to achieve a 50% affordable housing target, across the borough, from all sources.*

2. *The Council will seek a minimum of 35% affordable housing provision on developments proposing 10 new dwellings or more.*

8.47. The Council's interim planning guidance policy HSG3 1 states that in seeking to negotiate the maximum reasonable amount of affordable housing, the Council will have regard to:

- The economic viability of the proposal, including individual site costs;
- The availability of public subsidy;
- Other planning contribution requirements;
- The need to ensure new housing developments contributes to creating sustainable communities, including being responsive to housing needs.

8.48. Interim planning guidance policy HSG3 (2) states that consideration of off-site provisions will be given where an appropriate alternative site has been identified and the Council considers this will result in a better outcome than if the affordable housing was provided on-site.

8.49. The developer seeks to link the affordable housing obligation arising from the development at the City Pride to the parallel proposal for the redevelopment of 443-451 Westferry Road (Island Point) that is reported separately on this agenda. It is proposed that off-site provision is provided at Island Point in lieu of the majority of the obligation arising from the City Pride development. It is proposed that the majority of the private residential accommodation would be within the high rise, high density tower at The City Pride and The Island Point site would be a lower density scheme with a focus on affordable family accommodation.

8.50. The applicant has submitted an Affordable Housing Statement and Economic Appraisal to justify the quantum of affordable housing and explain the rationale behind and benefits of the provision of off-site affordable housing. In summary, the Appraisal claims it would:

- Allow a greater quantum of affordable housing,
- A better mix of affordable housing,
- A better range of affordable housing unit types (including terraced housing) and
- Better quality affordable housing.

The applicant stresses that the Island Point site would provide an exemplar development, providing well-designed large family units, good access to amenity and children's play space, which would not be possible at the City Pride.

- 8.51. The joint development would provide 41% affordable housing across both sites. It is proposed that 5% of the total habitable rooms of the dwellings within the City Pride development would comprise shared ownership affordable housing units. This would be 18 dwellings amounting to 50 habitable rooms. At Island Point, 91% of the total habitable rooms within the development would be affordable housing units. This means that 166 dwellings comprising 655 habitable rooms would be provided for social rented units (118 dwellings) and as intermediate units (48 dwellings). It is understood that the developer intends to seek funding from the Homes and Communities Agency.
- 8.52. Across both sites, the proposals would provide an affordable housing ratio of 73% social rented and 27% intermediate units measured by habitable rooms and 64% social rented and 36% intermediate units. This would comply with policy 3A.9 of the London Plan.
- 8.53. The applicant's Affordable Housing Statement and Economic Appraisal has been independently assessed by AtisReal. Instructions to AtisReal were to test the applicant's assertion that the scheme could only provide 41% of the habitable rooms (30% of units) as affordable housing and also whether there is any scope for an increase in the provision of on-site affordable housing, or a commuted sum.
- 8.54. AtisReal advises:
- "The Applicant has tested the residual land value generated by the development against the price paid for the site. GLA Toolkit guidance indicates that residual land values should be tested against Existing Use Value or Alternative Use Values. The applicant has not submitted any formal (or informal) valuation of existing or alternative uses on the sites. While existing use values are understood to be low, it is likely that alternative use values (i.e. a use that would not attract affordable housing requirements) would be significantly higher.*
- Although the Applicant has not followed GLA guidance in this case by benchmarking against EUV, it should be noted that the residual value of the proposed development of £47.46 million is significantly lower than the purchase price of £64.9 million. Despite this, it is understood that the applicant will commit to providing 40% affordable housing. However, benchmarking against EUV would enable the scheme to provide a significantly higher proportion of affordable housing."*
- 8.55. The consultant to the developer (Knight Frank) claims that, with the provision of 41% affordable housing (as offered), the scheme would result in residual value (loss) of minus £17.44 million as follows:

**Table 5.2.1: Knight Frank Assumptions on Affordable Housing Values**

<b>% Affordable Housing (by hab rooms)</b>	<b>% Social rent</b>	<b>% Shared Ownership</b>	<b>Total residual land value</b>	<b>Purchase Price</b>	<b>Residual Land Value less Purchase Price</b>
41%	64%	36%	£47.46	£64.90 m	<b>-£17.44</b>

8.56. AtisReal finds that the provision of 41% affordable housing would produce a residual value of minus £630,000. 50% affordable housing would result in a residual value of minus £17.76 million as follows:

**Table 5.2.1: Atisreal Assumptions on Affordable Housing Values**

<b>% Affordable Housing (by hab rooms)</b>	<b>% Social rent</b>	<b>% Shared Ownership</b>	<b>Total residual land value</b>	<b>Purchase Price</b>	<b>Residual Land Value less Purchase Price</b>
41%	64%	36%	£64.27	£64.90 m	<b>-£0.63</b>
50%	62%	38%	£47.11	£64.90 m	<b>-£17.76</b>

8.57. AtisReal further advise that there is sufficient ambiguity in the GLA toolkit guidance around the use of existing use values and alternative use values to suggest that benchmarking against EUV may not be a tenable position in any planning appeal. If the Council refused consent and the Applicant were able to demonstrate at an appeal that an alternative use existed that had a value of at least £47.46 million, (s)he would be able to demonstrate that the level of affordable housing has been maximised. While such an alternative use value may not exist in the current market, it is likely that at the time of purchase, a commercial or alternative mixed use scheme could have attracted such a value.

8.58. AtisReal conclude that the development can viably provide 41% affordable housing by habitable rooms. A development providing 50% affordable housing by habitable rooms, would produce a deficit of £17.7 million.

8.59. The Committee needs to determine:

- Firstly, whether the principle of providing the majority of the affordable housing obligation at Island Point is acceptable in principle; and,

- Secondly, whether the offer of 41% affordable housing across both sites is reasonable.

### Dwelling mix

8.60. Policy HSG 2 of the Council’s interim planning guidance says the Council will require that sites providing social rented housing provide it in accordance with the housing mix outlined in Table DC1: Housing Mix as follows:

Table DC1: Housing Mix	
Housing Type	Social Rented Housing as a percentage (%) of units
Studios	0
One bedroom	20
Two bedroom	35
Three bedroom	30
Four bedroom	10
Five and six bedroom	5

8.61. Policy HSG2 also says that the Council will require that both the intermediate housing and market housing components of housing provision contain an even mix of dwelling sizes, including a minimum provision of 25% family housing, comprising 3, 4 and 5 plus bedrooms.

8.62. A breakdown of the residential units for City Pride is shown below.

	Private	Social rented	Intermediate	Total	%
Studio	57	0	0	<b>57</b>	13
1 bed	158	0	4	<b>162</b>	38
2 bed	168	0	14	<b>182</b>	42
3 bed	29	0	0	<b>29</b>	7
<b>Total</b>	412	0	18	<b>430</b>	
%	<b>96</b>	0	<b>4</b>		

8.63. It is apparent that in isolation, the City Pride development would not comply with the interim planning guidance, there being overprovision of studios, 1 bed and 2

bed units and only 7% family accommodation (3 bed+) compared to the policy requirement of 45%.

8.64. Overall, across both sites, the residential breakdown is shown below.

	<b>Private</b>	<b>Social rented</b>	<b>Intermediate</b>	<b>Total</b>	<b>%</b>
Studio	57	0	0	<b>57</b>	9
1-bed	166	18	14	<b>198</b>	32
2-bed	180	9	42	<b>231</b>	37
3-bed	32	29	10	<b>71</b>	12
4-bed	0	44	0	<b>44</b>	7
5-bed	0	18	0	<b>18</b>	3
<b>Total</b>	435	118	66	<b>619</b>	100
<b>%</b>	<b>70</b>	<b>19</b>	<b>11</b>		

8.65. The Mayor of London's Housing SPG provides a London-wide target for the mix of unit sizes within developments. The table below compares the proposed mix of units against the targets within the SPG.

	<b>Overall</b>		<b>Social rented</b>		<b>Intermediate</b>		<b>Market</b>	
	SPG	Scheme	SPG	Scheme	SPG	Scheme	SPG	Scheme
<b>1 bed</b>	32%	41%	19%	15%	66%	21%	25%	51%
<b>2/3 bed</b>	38%	49%	39%	32%	0%	79%	75%	49%
<b>4 bed +</b>	30%	10%	42%	53%	34%	0	0	0

8.66. If the Committee decides that principle of providing the majority of the affordable housing arising from the City Pride development within the Island Point scheme is acceptable in principle, the Committee also needs to determine whether the proposed dwelling mix across both sites is satisfactory. This matter is discussed in the parallel report on the Island Point proposal.

#### **Access and servicing arrangements**

8.67. An existing area of highway land, adjacent to the site, which has been safeguarded for proposed highway widening. Following a corridor review it has been decided that this section of Westferry Road is not required for future highway widening and could be included within the development site.

8.68. The development would be accessed from both Westferry Road and Marsh Wall and would include a drop off point for taxis and vehicles visiting the basement car parking area. There is sufficient space to allow vehicles to enter and exit the site in forward gear and the arrangement is considered acceptable,



with pedestrian visibility splays and vehicle sight lines maintained.

- 8.69. Access for servicing vehicles and coaches would be from Marsh Wall via an entry only access point with egress onto Westferry Road. The applicant has indicated that the servicing arrangements will be managed, but has not provided a Service & Delivery Plan or a Travel Plan for the development. The submission and implementation of Travel Plan arrangements forms part of the recommended legal agreement between the developer and the Council.
- 8.70. There is an existing pedestrian crossing adjacent to the development. The proposed access arrangements could lead to vehicle and pedestrian conflict and the developer has offered funding to relocate the crossing to a more suitable location. The Traffic and Transport Department is satisfied with this arrangement.
- 8.69. The applicant has provided details of two refuse storage areas at basement levels 2 and 3 with collection from the servicing area at ground level. The location and design of refuse storage and the collection point meet standards. The developer would need to agree the collection regime with the Council's Waste Management Section, but no difficulties are envisaged.
- 8.70. The 30 parking spaces proposed would be significantly lower than the maximum standard of 0.50 per dwelling set out in the Council's interim planning guidance and is consequently considered satisfactory. The applicant has not indicated any disabled parking provision. From the standards in the interim planning guidance, 10 % (3 spaces) would be required. However the applicant's Traffic Assessment demonstrates that disabled users would be able to access the site from a drop-off point within the curtilage of the site accessed from Westferry Road. Overall, the parking proposals, in conjunction with the recommended 'car free' agreement to prevent residents from applying for on-street parking permits, are policy compliant and considered acceptable.
- 8.71. The Council's interim planning guidance requires cycle parking to be 1 per unit for the residential element of the proposal with 1 space per 20 staff for the hotel i.e. 447 spaces. The applicant has indicated that they will be looking at providing a higher cycle parking provision of 470 stands which is again policy compliant.
- 8.72. The applicant's Transport Assessment includes estimates of Trip Generation and its assignment using the Travl database which is satisfactory. Overall the proposed increase in traffic would not have a detrimental effect on the highway network which would operate within capacity.
- 8.73. The site has 6a PTAL accessibility rating with a very good level of accessibility to public transport links. The developer estimates that the scheme would produce an additional 2 passengers on each bus service during both the AM and PM peaks. That figure is not accepted. TfL estimate an additional 61 bus passenger trips and the developer has agreed a contribution to bus service provision to mitigate the impact and increase capacity.
- 8.74. The submitted Transport Assessment also estimates that the proposal would

produce an additional 142 passengers on the DLR during the AM peak and an additional 138 users during the PM peak. By 2011 (completion of development) it is anticipated that there will be 33 trains during both the morning and evening peaks. Capacity would be sufficient to accommodate the increase in passenger trips. No representations have been received from the DLR following consultation.

- 8.75. It is estimated that the development would produce an additional 135 Underground passengers during the AM peak and an additional 13 users during the PM peak. By 2011 (completion of development) it is anticipated that there will be 30 trains during both the morning and evening peaks with sufficient capacity to accommodate the proposed increase in passenger trips. London Underground Limited has not raised any objection following consultation.
- 8.76. The development is forecast to generate 445 pedestrian movements during the AM peak and 343 trips during the PM peak. The applicant has provided a Pedestrian Environment Review Service and, given the Council's aim of promoting encouraging sustainable transport measures, arrangements are considered acceptable. When works are completed, in conjunction with the development of Riverside South and 22 Marsh Wall, the pedestrian environment adjacent to the site and in the vicinity will provide excellent facilities in terms of the safety and security of pedestrians.
- 8.77. In summary, the proposed arrangements for access and servicing are considered acceptable and in accordance with the development plan for the area and the interim planning guidance.

### **Landscaping**

- 8.78. The landscape design for the development is not finalised. The submitted drawings show areas of public realm along both Westferry Road and Marsh Wall and between the development and 22-28 Marsh Wall. Soft landscaping would also be undertaken. Conditions are recommended to require the approval and implementation of the detailed landscaping of all external areas of the development and to mitigate wind impact. No reason is seen to conclude such that UDP policy DEV12 – 'Landscaping and trees' would not be met.

### **Sustainable development / renewable energy**

- 8.79. The Greater London Authority and the Council's Energy Officer are largely content with the proposed energy strategy, subject to any planning permission being conditioned to require the approval of further details to ensure compliance with policies 4A1 to 4A9 of The London Plan, policies CP38, DEV5 to DEV9 of the Council's interim planning guidance together with national advice in PPS22: Renewable Energy.

### **Planning obligations**

- 8.80. Planning obligations can be used in three ways: -
- (i) To prescribe the nature of the development to ensure it is suitable on planning grounds. For example, by requiring a given proportion

- of housing is affordable;
- (ii) To require a contribution to compensate against loss or damage that will result from a development. For example, loss of open space;
- (iii) To mitigate the impact of a development. For example, through increased public transport provision.

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

- 8.82. Following consultation, in addition to a contribution to affordable housing, the following section 106 obligations have been requested:

**Greater London Authority (Transport for London)**

- 8.83.
- A contribution of £250,000 to help fund a study of Upper Bank Street / Aspen Way signal controlled junction and Preston’s Road roundabout and funding any subsequent improvement works.
  - A contribution to assess the condition of bus stops within 400 metres of the development and upgrading those which are deficient.
  - A contribution of £258,000 towards improving local bus services.
  - A contribution to rectify dropped kerbs along Westferry Road.
  - Contributions for daisy boards and local pedestrian improvements.
  - A delivery service plan and construction logistics plan.
  - A workplace and residential travel plan.

**Policy and Development Manager - Cultural Services**

8.84	Open space contribution to mitigate the residential development	£354,492
	Open space contribution to mitigate the hotel development	£128,702
	Leisure facilities contribution	£314,475
	Libraries /Idea Store contribution	£ 80,496
	Total contribution requested.	£878,165

**Head of Transportation and Highways**

- 8.85.
- A contribution to help fund the reconstruction and of the existing highway south of Westferry Circus, including improvements to visibility, footways, carriageways, carriageway markings, the provision of a cycle lane, upgrading the junction and to facilitate the construction of the entrance to 15 Westferry Road. £267,140
- A contribution of to improve the existing bus network. £200,000
- These contributions do not include section 278 works which would be subject to

a separate agreement at a later stage.

**Children’s Services (Education Development)**

8.86. A pooled contribution towards the provision of 31 additional primary school places @ £12,342 = £382,602.

**Strategic Transport Team**

- 8.87.
- Car free agreement.
  - Contribution to improve access and capacity to local bus services.
  - Contribution to a cycle route along Westferry Road.
  - A £75,000 contribution to TfL to fund a station for 15 bicycles to form part of the London Cycle Hire Scheme.

**Tower Hamlets Primary Care Trust**

8.88.	Total Capital Planning Contribution.	£ 741,548
	Total Revenue Planning Contribution.	£2,494,053
	Combined contribution sought for health.	£3,235,601

**British Waterways**

8.89. Requests a contribution of £50,000 to mitigate noise from its pumping station adversely impacting on residents of the development.

8.90. (Officer comments). TfL has subsequently advised as little traffic from the development would pass through Upper Bank Street / Aspen Way junction or the Preston’s Road roundabout, the mitigation is no longer requested. Traffic information DAISY board(s) would be installed by the developer and no financial contribution is required. In line with established practice, the developer has been requested to make a capital contribution to the Tower Hamlets Primary Care Trust. It is considered that the mitigation of noise from the pumping station should be settled between BWB and the developer without the involvement of the local planning authority.

8.91. The following package of planning obligations, which is considered to meet the tests of Circular 05/2005, has been offered by the developer and is recommended:

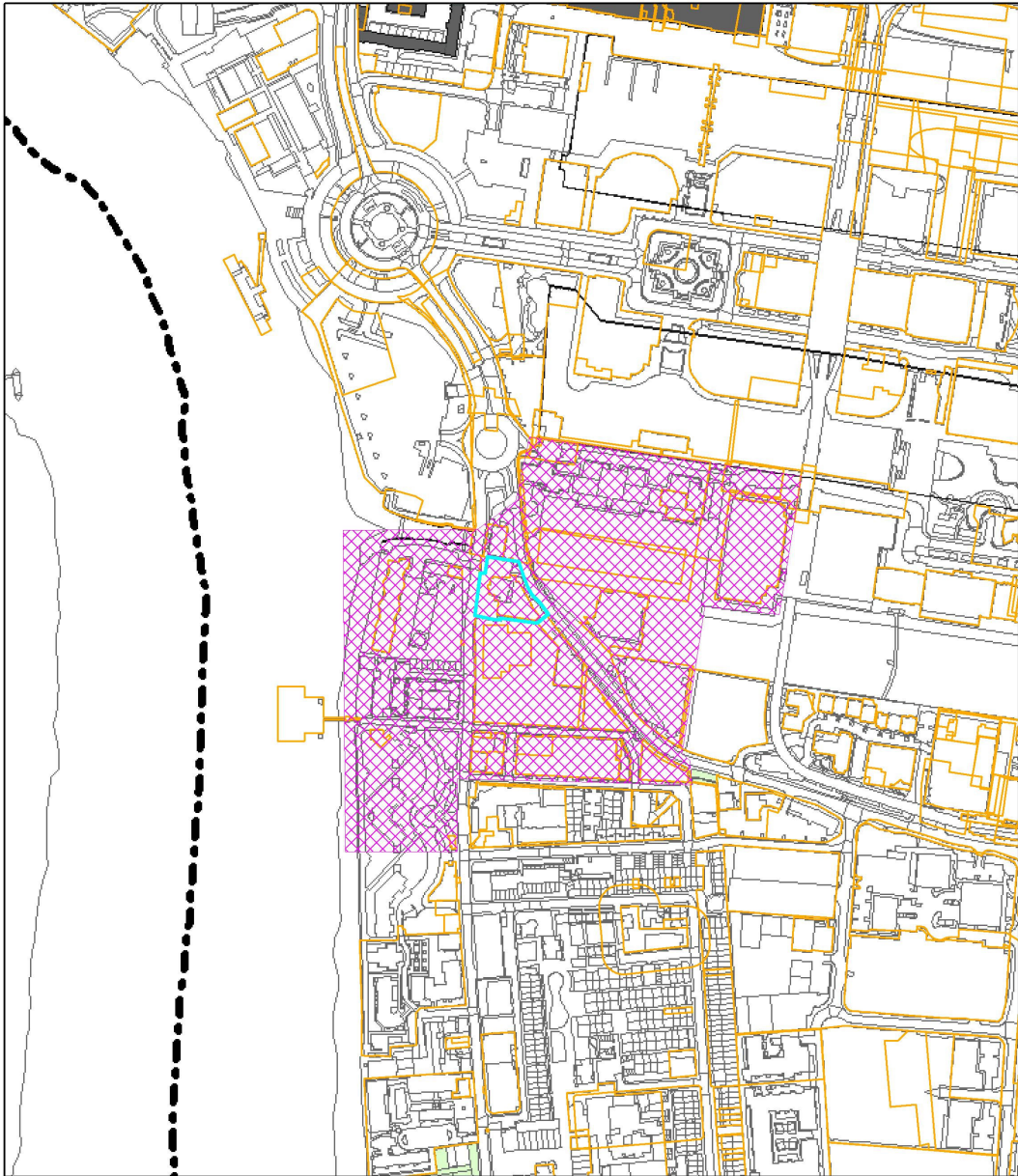
Project	Estimated cost
<p><b>Affordable housing.</b> To provide 41% of the residential accommodation across both the City Pride and Island Point (443-451 Westferry Road) sites as affordable housing measured by habitable rooms with a tenure split of the affordable accommodation being 73% social rented and 27% intermediate housing with a mechanism to ensure that the affordable housing at the Island Point site is provided prior to the on-site market housing at</p>	<hr style="width: 50%; margin-left: auto; margin-right: 0;"/>

both sites is completed.	
<b>Bus Network Contribution</b> comprising £200,000 to fund improvements to local bus services and £20,000 to fund the upgrading of bus stops.	£220,000
To fund and implement a <b>Transport Plan</b> comprising: <ul style="list-style-type: none"> <li>• The submission and implementation of a hotel and residential travel plan, a delivery service plan and a construction logistics plan.</li> <li>• To provide, install and maintain DAISY board(s) to provide driver and transport information.</li> <li>• A £75,000 contribution to Transport for London (TfL) to allow the funding of a bicycle hire station.</li> <li>• Car free arrangements that prohibit residents of the development other than disabled people from purchasing on street parking permits from the borough council.</li> </ul>	£75,000
A <b>Community and Open Space Contribution</b> to help fund open space improvements, leisure facilities and Library / Idea Store facilities on the Isle of Dogs.	£878,165
A <b>Highway Improvement Works Contribution</b> .	£217,140.
An <b>Education contribution</b> .	£382,602
A <b>Healthcare contribution</b> to help fund the capital programme of the Tower Hamlets Primary Care Trust.	£741,548
To participate in the Council's Access to Employment and / or Skillsmatch programmes.	
To commission <b>Public Art</b> within the development at a cost of at least £35,000.	_____
To undertake and necessary Television and radio reception mitigation measures	_____
<b>Total recommended financial contribution.</b>	<b>£2,514,455</b>

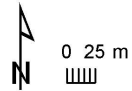
## 9 CONCLUSION

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

# Planning Application Site Map



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA086568

# Agenda Item 8

<b>Committee:</b> Strategic Development	<b>Date:</b> 19 <sup>th</sup> February 2009	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 8
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Other Planning Matters	
<b>Originating Officer:</b> Michael Kiely		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> See reports attached for each item	

## 1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. 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 are 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.

## 3. PUBLIC SPEAKING

- 3.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

## 4. RECOMMENDATION

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

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**LOCAL GOVERNMENT ACT 2000 (Section 97)**  
**LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 8**

Brief Description of background papers:  
See individual reports

Tick if copy supplied for register:  
✓

Name and telephone no. of holder:  
See individual reports

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